



Havering

L O N D O N B O R O U G H

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm	Thursday 22 February 2018	Havering Town Hall, Main Road, Romford
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Members 11: Quorum 4

COUNCILLORS:

Conservative (5)

Robby Misir (Chairman)
Philippa Crowder
Melvin Wallace
Roger Westwood
Michael White

Residents' (2)

Stephanie Nunn
Reg Whitney

East Havering Residents' (2)

Linda Hawthorn
Alex Donald

UKIP (1)

Phil Martin

Independent Residents (1)

Graham Williamson

For information about the meeting please contact:

**Richard Cursons 01708 432430
richard.cursons@onesource.co.uk**

To register to speak at the meeting please call 01708 433100

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.



AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

Would members of the public also note that they are not allowed to communicate with or pass messages to Councillors during the meeting.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting of the Committee held on 1 February 2018 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 7 - 44)

- 6 **P1898.17 - MEAD PRIMARY SCHOOL** (Pages 45 - 56)
- 7 **P1966.17 - BRADY PRIMARY SCHOOL** (Pages 57 - 70)
- 8 **P2078.17 - MORLAND HOUSE, 12-16 EASTERN ROAD** (Pages 71 - 84)
- 9 **P1720.17 - THE MEETING ROOM, BRANFIL ROAD** (Pages 85 - 106)
- 10 **P1501.17 - 52 MASHITERS WALK, ROMFORD** (Pages 107 - 126)
- 11 **P2032.17 - 167 BRENTWOOD ROAD, ROMFORD** (Pages 127 - 136)
- 12 **P1389.17 - LAND AT ROM VALLEY WAY** (Pages 137 - 190)
- 13 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which will be specified in the minutes, that the item should be considered at the meeting as a matter of urgency

Andrew Beesley
Head of Democratic Services

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
1 February 2018 (7.30 - 9.00 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Philippa Crowder,
Melvin Wallace, Roger Westwood and Michael White

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Alex Donald (Vice-Chair) and Linda Hawthorn

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Councillors Joshua Chapman and David Durant were also present for part of the meeting.

35 members of the public were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

363 MINUTES

The minutes of the meeting held on 11 January 2018 were agreed as a correct record and signed by the Chairman.

364 P1674.17 - 168-174, 182-186 SOUTH STREET

The report before Members concerned an application for the construction of an additional floor to make provision for five self-contained residential units with associated bin stores and cycle storage.

In accordance with the public speaking arrangements the Committee was addressed by an objector without a response by the applicant.

The objector commented that there were currently large rubbish bins at the rear of the property which encouraged people to dump large items of furniture in the area. Larger bins for more residents would be restrictive to the pavement area. The objector also commented that the area was in a controlled parking zone and parking provision was limited in the area. The objector concluded that residents wanted a quiet life and did not want to live through building works.

With its agreement Councillor Joshua Chapman addressed the Committee.

Councillor Chapman commented that he was representing the residents of Gibson Court. Councillor Chapman also commented that the proposal would have a significant impact on existing residents' day to day amenity. Councillor Chapman also commented that he was saddened that the proposal was recommended for approval following two previous refusals. Councillor Chapman also commented that the proposal was equivalent to the final piece of a jigsaw being slotted in and that due to a poorly located refuse arrangement the impact on existing residents' amenity would be excessive. Councillor Chapman concluded by commenting that existing and future residents' amenity needed to be protected.

During the debate Members sought and received clarification on issues relating to parking provision and amenity space.

The Committee considered the report, noting that the proposal qualified for a Mayoral CIL contribution of £7,160 and **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following obligations by and in the event that the Section 106 agreement was not completed by 19 July 2018 the item should be refused:

- A financial contribution of £30,000 to be used for educational purposes.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement was completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- Save for the holder of blue badges that the future occupiers of the proposal would be prohibited from purchasing residents or business

parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.

That the Assistant Director of Development be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 7 votes to 0 with 4 abstentions.

Councillors White, Nunn, Martin and Williamson abstained from voting.

365 **P0995.17 - RAINHAM LANDFILL JETTY, COLDHARBOUR LANE, RAINHAM**

The report before Members sought permanent retention of the jetty, and associated infrastructure, together with a change of use of it to allow continued use in association with the Landfill and use in association with the Rainham Lagoons restoration project and as a marine logistics hub.

The application was previously considered by the Committee on 11 January 2018 where Members resolved to defer the application for further information to be requested from the applicant. The information was now included in the report.

Members noted that the application had been called in by Councillor David Durant for a full explanation of its implications in respect of future plans for this area and to ensure the matter had been referred to and considered by the relevant 'regeneration' Council departments.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the application was another attempt to extend the landfill operations. Councillor Durant also commented that the proposal would impact on public access to the site when the public wanted to use the park for leisure facilities. Councillor Durant also commented that the proposal was a hybrid application and that the applicant still wanted to import waste and rubble by river. Councillor Durant concluded by commenting that the application threatened an extension of Rainham landfill by the back door, the future use of the jetty for leisure purposes and the future of the conservation park.

During the debate Members sought clarification on the plan to convert the premises for leisure purposes following completion of the landfill. Members also discussed the possible increase in vehicle movements in Coldharbour Lane and the removal of planning conditions on the jetty.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report subject to the re-wording of condition 2 to require operations to cease if a satisfactory scheme for future operation and relationship with the proposed conservation area could not be agreed.

366 **P1737.17 - 10 MOOR LANE, UPMINSTER - CHANGE OF USE OF GROUND FLOOR SHOP (A1) TO PHYSIOTHERAPIST TREATMENT ROOMS (D1)**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

367 **P1761.17 - MARSHALLS PARK SCHOOL, PETITS LANE, ROMFORD - ERECTION OF A TWO STOREY, SIX CLASSROOM DEMOUNTABLE BUILDING**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

368 **P1788.17 - LAND ADJACENT TO ESTRALITA, BROXHILL ROAD, HAVERING-ATTE-BOWER**

The report before Members detailed an application for the construction of a detached residential dwelling and carport, together with associated access, parking and landscaping.

The Committee noted that the application had been called in by Councillor John Crowder, who requested that the application be considered by the Committee. Councillor Crowder stated that it would be in keeping with the local area, did not overlook or disturb neighbouring properties, had ample amenity space and provided accommodation for the applicant to provide and look after his mother.

Unfortunately due to other commitments Councillor Crowder was unable to attend the meeting, however officer read out an email they had received from Councillor Crowder that supported the application.

The Committee considered the report and **RESOLVED** that planning permission be refused as per officer recommendation.

369 **REPORT SEEKING AUTHORISATION FOR S106 CONTRIBUTIONS TO
BE TRANSFERRED TO THE RELEVANT SPENDING BODIES**

A number of planning applications had been approved with associated legal agreements completed under S106 of the Town and Country Planning Act 1990 requiring contributions to be made to the Council for infrastructure impacts associated with the development. The majority of contributions were used and spent by the Council on specific projects managed and implemented by the Council. However, some contributions needed to be transferred to the relevant public body responsible for providing the infrastructure. The report sought authority to enter into legal agreements with the relevant public bodies to transfer sums received and to ensure that sums were spent in accordance with the terms of the original S106 legal agreements.

The Committee considered the report and without debate **RESOLVED** that authority be given for the Director of Legal and Governance to enter into relevant legal agreements with the relevant public body in relation to the transfer of contributions received and what they can be spent on, in relation to the applications listed in the report.

Chairman

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Regulatory Services Committee

22 February 2018

Application No.	Ward	Address
P1364.17	Rainham & Wennington	Land at Frog Lane, Rainham
P1620.17	Squirrels Heath	15 Deri Avenue, Rainham.
P1768.17	Emerson Park	Emerson Park Academy, Wych Elm Road,
P1916.17	Emerson Park	Emerson Park Academy, Wych Elm Road.
P1958.17	Emerson Park	65 Wingletye Lane, Hornchurch

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 22nd February 2018

APPLICATION NO. P1364.17
WARD: Rainham & Wennington **Date Received:** 16th August 2017
Expiry Date: 26th February 2018
ADDRESS: Land at Frog Lane
Rainham
PROPOSAL: Erection of a waste transfer station building for the sorting of non-hazardous and inert dry-waste and the change of use of part of an existing haulage yard to a skip hire yard and waste transfer station with the erection of a picking station and waste storage bays with associated hardstandings (as existing) and amended parking and storage layout.
DRAWING NO(S): DHA/10591/21 Rev A
DHA/10591/24 Rev A
DHA/10591/22
DHA/10591/23 Rev B
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application relates to land at Frog Lane, Rainham. The site is located adjacent to the banks of the River Thames, and is currently used for haulage related purposes. The site comprises a vehicle maintenance building and a single storey site office block located adjacent to the western boundary and a large open yard area surfaced with hardstanding. Access to the 0.4 hectare premises is via the service road at Frog Lane which leads out onto Marsh Way.

The site was formerly part of the Ford car storage compound immediately adjacent to the Fairview Industrial Estate, bounded to the north and west by the operative Ford storage compound areas. To the east of the site is the Fairview Estate which comprises a range of building types and designs. Units nevertheless are largely within B1, B2 and B8 uses.

The site is located approximately 600m from the Inner Thames Marshes Site of Special Scientific Interest (SSSI) and, locally designated, RSPB Rainham Marshes Nature Reserve.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the erection of a waste transfer station building for the sorting of non-hazardous and inert dry-waste.

The proposal would also involve the change of use of part of an existing haulage yard to a skip hire yard and waste transfer station with the erection of a picking station and waste storage bays with associated hardstandings (as existing) and amended parking and storage layout.

It is anticipated that the facility would transfer up to 75,000 tonnes of non-hazardous and inert dry-waste per annum. In terms of trip generation an additional 8 skip lorry vehicles and a single

articulated bulk loader will access and egress the site each day. The skip lorries would undertake 8 trips each per day, comprising up to 4 arrivals and 4 departures per vehicle. The bulk lorry would generate up to 11 trips to and from the site each day, comprising 6 arrivals and 6 departures. Based on the 75,000 tonne average this would equate to 270 days of operation across the year, providing a daily transfer figure of 278 tonnes for the 8 skip lorries and single bulk loader.

As a result the proposal has the capacity to generate up to 38 arrivals and 38 departures per day equating to 76 larger vehicle movements.

At present the existing haulage and workshop use generates 88 vehicle movements daily (arrivals and departures) from 50 HGVs. As a result of the current proposal the operations would be scaled down, with 10 HGVs servicing the site once the development proposals come forward.

Overall, the proposal would result in a net increase of vehicle movements across the 12-hour day, comprising 18 vehicle movements. This would equate to 2 additional vehicles per hour.

The proposal will be associated with the existing haulage use at the site and parking provision of some 15no. spaces which serves the adjacent site office would not be affected. Given the nature and spacious layout of the site and adjoining haulage yard, informal parking provision would be in abundance.

RELEVANT HISTORY

Z0012.16 - EIA Screening Opinion: Waste Transfer Station
Non standard dec 05-01-2017

Q0176.15 - Discharge of Conditions 2, 5 and 9 of P0616.15
DOC Discharge PART 08-12-2015

P0616.15 - Application for the change of use of the land to provide 'flexible' commercial use as a haulage yard with associated workshop, ancillary office space, plant and materials storage and parking for up to 50no. HGV's along with the creation of yard spaces for flexible B1/B2/B8 use on the land at Frog Lane, Rainham
Aprv with cons 20-07-2015

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 67 properties and no representations have been received.

London Fire Brigade - no objection.

London Fire and Emergency Planning Authority - no objection.

Transport for London - no objection.

Greater London Authority - no objection, the application does not need to be referred back to the Mayor.

London Riverside BID - no comments.

Flood & Rivers Management Officer - requires a condition concerning the submission of sustainable urban drainage systems.

Environment Agency - no objection.

Environmental Health - no objection, subject to conditions in relation to contaminated land precautions, noise mitigation, and a dust management plan.

Local Highways Authority - no objection.

RELEVANT POLICIES

NPPW - National Planning Policy for Waste

Joint Waste Development Plan:

W1 - Sustainable Waste Management

W2 - Waste Management Capacity, Apportionment & Site Allocation

W4 - Disposal of inert waste by landfilling

W5 - General Considerations with regard to Waste Proposals

LDF

- CP03 - Employment
- CP11 - Sustainable Waste Management
- CP15 - Environmental Management
- DC09 - Strategic Industrial Locations
- DC13 - Access to Employment Opportunities
- DC32 - The Road Network
- DC33 - Car Parking
- DC40 - Waste Recycling
- DC44 - Transport of Aggregate by Rail or River
- DC48 - Flood Risk
- DC51 - Water Supply, Drainage and Quality
- DC52 - Air Quality
- DC53 - Contaminated Land
- DC58 - Biodiversity and Geodiversity
- DC61 - Urban Design

OTHER

LONDON PLAN - 4.4 - Managing industrial land and premises

LONDON PLAN - 5.12 Flood risk management

-

LONDON PLAN - 5.13 Sustainable drainage

-

LONDON PLAN - 5.17 Waste capacity

-

LONDON PLAN - 5.21 Contaminated land

-

LONDON PLAN - 6.13 Parking

-

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development would create 1,000 square metres of new gross internal floorspace. Therefore the proposal is liable for a Mayoral CIL payment and will incur a charge of £20,000 based on the calculation of £20.00 per square metre.

STAFF COMMENTS

Staff consider that the main issues for consideration in the determination of this application are the principle of development, the scale of the development and the impact on the character and appearance of the area, the impact on the surrounding highway network, and the implications for flood risk.

PRINCIPLE OF DEVELOPMENT

The site lies within the Rainham Employment Area where a range of business uses are acceptable in accordance with LDF Policy DC9. Whilst primarily allocated for B class uses, DC9 states that the use of land for waste uses will be considered acceptable within Strategic Industrial Locations.

Employment sites are allocated under Policy CP3 to meet the needs of business within the borough and to provide local employment. The Fairview Industrial Estate which adjoins the application site already caters for a wide range of commercial uses, including logistics and haulage as do sites off Ferry Lane. The Rainham Employment Area is intended to provide for the needs of all industrial businesses by offering a choice in the size of premises.

The National Planning Policy Framework (NPPF) prioritises building a strong and competitive economy and is committed to securing sustainable economic growth. The planning system should assist in achieving sustainable development by, amongst other things helping to create jobs and prosperity and meeting the needs of business. The development of this site for a waste transfer use would help to meet the objectives of the NPPF by securing an employment use in a location that would have little adverse impact on the local environment.

In this case the proposals would help to support the creation of up to 15 jobs . The proposed site is brownfield land and is located away from any residential areas and has good connections to the A13 and the primary road network.

The National Planning Policy for Waste (NPPW) details that local planning authorities should consider a broad range of locations including industrial sites, looking for opportunities to co-locate waste management facilities together with complementary activities, when considering waste related applications. Expanding on this, it is detailed that priority should be given to the re-use of previously developed land, sites identified for employment uses and their curtilages, and this policy steer is broadly replicated in policy W2 of the Joint Waste Development Plan for sites not identified in Schedule 1 or Schedule 2 (preferred sites for waste management).

In this case, the site relates to a historic commercial area and as such it is considered suitable for a waste use associated with the processing and recycling of materials. Policy W1 seeks to drive waste management up the waste hierarchy and as this facility would, in essence, allow for the recycling of a waste stream rather than otherwise being landfilled, the development is considered compliant with the principles of policies W1 and W4. A more detailed assessment in respect of relevant planning policy and local criteria can nevertheless be found in the following sections of

this report.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy W5 of the Joint Waste Development Plan, in-part, details that planning permission for waste related development will only be granted where it can be demonstrated that any impacts of the development can be suitably controlled and that the development would not adversely affect people, land, infrastructure and/or resources. One of the criteria detailed in respect of this is the visual and landscape impact of the development and demonstration of high quality design and sustainable construction and drainage techniques.

Given the site's location remote from public areas and close to existing commercial premises there would be no significant impact arising from the proposed buildings or from the open uses. The proposed use would be compatible with the surrounding area and would have no adverse visual impact.

IMPACT ON AMENITY

Policy W5 of the Joint Waste DPD details that planning permission for a waste related development will only be granted where it can be demonstrated that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. In respect of this application, it is considered the main areas of consideration are noise and air quality (odour and dust).

Given the site's location within an industrial area remote from residential areas there would be no material adverse impact on residential amenity. There would also be no material adverse impact on adjoining occupiers which are all commercial uses. The material proposed to be handled, in the majority, would be odourless and a relevant condition requiring the prior submission of a Dust Management Plan will be included in order to mitigate any potential impact on neighbouring premises.

HIGHWAY / PARKING

Policy CP10 of the LDF seeks to ensure that new development does not overload the capacity of public transport and/or strategic road networks, including motorways. Expanding on this, policy DC32 details new development which has an adverse impact on the functioning road hierarchy will not be allowed.

There is adequate parking space proposed to meet the requirements of the proposed uses of the site. The access with the public highway is acceptable and there have been no objections from the Local Highway Authority in respect of highway safety and traffic flow, including those to and from the A13 trunk road.

FLOOD RISK

The site lies on the northern bank of the River Thames and is protected by the Thames Estuary flood defence wall. The Environment Agency (EA) have no objection in principle to the proposal, but requested that the skip storage area and storage bays are set back within the site to allow for the required inspection activities and any future improvement work to the flood defence. As a result the applicant has amended the drawing to include a 3 metre wide safeguarded area.

The applicant has a bespoke environmental permit in place for the site, which covers the type of waste processes being applied for.

The EA have requested a condition relating to the dispose of surface and foul water and further details of a sustainable urban drainage system will be sought via a relevant condition.

KEY ISSUES / CONCLUSIONS

The application site lies within a designated employment area where the development of land for waste processing uses is acceptable in principle. The site is remote from residential areas and has good road connections to the primary network. The development would not have any material adverse impact on the area or on the environment generally. Subject to conditions the proposals are considered acceptable and would be in accordance with the sustainability objectives of the NPPF. The grant of planning permission is recommended accordingly.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Waste Amount Restriction

The throughput of materials imported to the site shall not exceed 75,000 tonnes per annum.

Reason:-

To minimise the harm to the environment, to ensure the development does not adversely impact on local infrastructure and to comply with the Development Control Policies Development Plan Document policies DC32, DC52, DC55 and DC61 and Joint Waste Development Plan policies W4 and W5.

4. Outdoor Storage

No materials shall be stockpiled or stored at a height greater than 4 metres when measured from adjacent ground level and shall then only be in the locations identified on drawing titled 'Proposed Site Plan', drawing no. DHA/10591/23 Rev B.

Reason:-

In the interest of visual amenity and that the development accords with Development Control Policies Development Plan Document policy DC61 and Joint Waste Development Plan policy W5.

5. Materials (details no samples)

Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of a written specification prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

6. Secure Cycle Storage

No beneficial occupation of the development hereby permitted shall take place until details of covered cycle parking provision, appropriate for the site use and number of employees, have been submitted to and approved in writing by the local planning authority. The details shall include the design, location and number of spaces for cycle parking to be provided. The development shall be carried out in accordance with the approved details and shall thereafter be retained and maintained for the duration of the development hereby permitted.

Reason:-

Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents, sustainability and to comply with Control Policies Development Plan Document policies DC33 and DC35.

7. SC13B (Boundary treatment) (Pre Commencement)

Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. SC55 (Surface water drainage/flood plain) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until details of surface water drainage works are submitted to and approved in writing by the Local Planning Authority. Surface water drainage shall be provided in accordance with the approved details.

Reason:-

Surface water drainage works are required on site to prevent the risk of flooding. Submission of a scheme prior to commencement will ensure that the measures to be employed are technically sound and that the development accords with the Development Control Policies

9. Contaminated Land

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase II (Site Investigation) Report. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:-

To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

10. Contaminated Land 2

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason:-

To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

11. Dust Management Plan

Prior to the commencement of the development, a Dust Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Dust Management Plan shall include appropriate measures to prevent or where that is not practicable to minimise the emission of dust from the site. The development shall be carried out in accordance with the approved Dust Management Plan.

Reason:-

To ensure satisfactory measures for the control of dust in the interests of health and safety and in order that the development accords with Development Control Policies Development Plan Document Policy DC52.

12. New Plant or Machinery

Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

13. External Lighting

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:-

Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

14. Riverside Pathway Safeguarding

No development, which shall include lighting and formal landscaping, parking or storage of materials, shall take place in the reserved area, that would prevent or restrict the future implementation of the riverside pathway along the southern edge of the site.

Reason:-

To safeguard the objective of achieving a continuous riverside path along the Thames in accordance with Policy CP7 of the Development Control Policies Development Plan Document.

INFORMATIVES

1. Approval following revision ENTER DETAILS

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with John Collins of DHA Planning via email. The revisions involved alterations to the site layout. The amendments were subsequently submitted on 7/2/18.

2. Approval and CIL (enter amount)

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £20,000 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. Fee Informative

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.

4. EA Informative

In addition to planning permission and operational permits, this development may also require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of a designated a 'main river', or within 16m of a tidal defence (including ground anchors and tie rods) This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 22nd February 2018

APPLICATION NO. P1620.17
WARD: Squirrels Heath **Date Received:** 20th December 2017
Expiry Date: 14th February 2018
ADDRESS: 15 Deri Avenue
Rainham
Essex
PROPOSAL: Variation of Condition 3 of P1093.16 to allow use of the "annexe" at the rear of the premises as sleeping accommodation (two bedroom) ancillary to the main C2 use.
DRAWING NO(S): VGAS/780/2A
Site Location Plan
VGAS/780/4
VGAS/780/3B
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

The application has been brought to Regulatory Services Committee to be considered by members at the request of Councillor Durant, who has expressed concern over the proposals representing an overdevelopment and the planning history associated with the site.

SITE DESCRIPTION

The application site comprises of a semi-detached two storey residential dwelling. It was the subject of an application in 2016 which permitted the change of use of the dwelling (no.15 Deri Avenue) from C3 to C2, with the existing annexe building in the rear garden to be used as ancillary facilities to that dwelling.

At the time of site inspection, whilst building works had been undertaken to facilitate the change of use, it does not appear that the use as a care home has commenced. The annexe, whilst completed and ready for occupation, does not appear to have been brought into use.

DESCRIPTION OF PROPOSAL

Consent is sought for the variation of condition 3 of application P1093.16. That application related to the change of use of the premises from C3 to C2 (residential institution) and included the use of the existing annexe building as ancillary facilities to the C2 use. The condition reads as follows -

The rear annex (outbuilding) hereby permitted shall be used only for changing rooms, shower and workshop as an integral part of the proposed C2 use known as 15 Deri Avenue, Rainham, RM13 9LX and shall not be used as a separate unit of residential accommodation at any time.

Reason:-

The site is within an area where the Local Planning Authority consider that the sub-division of existing properties should not be permitted in the interests of amenity, and that the development

It is the intention of the applicant, under this current application, to vary that condition to allow the annexe to incorporate further sleeping accommodation to the main premises. The annexe building would be laid out to provide a bedroom, living/kitchen/diner and wet room at ground floor with a second bedroom in the loft space. Effectively, the site taken as a whole, would enable occupancy by 5 persons - three in the main dwelling and two in the annexe - as part of the approved C2 use on the site.

It is worth noting that the condition restricting the use of the "former annexe" was attached based on information provided by the applicant, not at the request of the LPA.

RELEVANT HISTORY

- P1093.16 - Change of use from a residential dwelling to a 3 bedroom children home for children in long term care (C2)
Apprv with cons 13-10-2016
- Q0097.16 - Application for approval of details reserved by condition 2 of P1524.14
DOC Dischge Complete 21-06-2016
- P1524.14 - Proposed detached annexe in the rear garden for an elderly relative.
Apprv with cons 07-05-2015

CONSULTATIONS / REPRESENTATIONS

Neighbouring occupiers were consulted by way of direct notification, with a total of 7 letters of objection received during the statutory consultation period. The comments raised are summarised below.

- Loss of privacy
- Building an eyesore
- Increased number of staff
- Noise/disturbance
- Separate access
- Harmful precedent
- Use of premises unclear
- Loss of property value
- Changes to site boundaries/general appearance out of keeping
- Potential for annexe to be used independent of main use
- Increased congestion within surrounding roads
- Fire hazard
- Increased waste

Some comments received concerned the use of the main premises, which has already been established by way of a separate planning application.

Similarly, some other matters were raised which are not considered to be material in the

assessment of the current application. For example, the appearance of the building - as the building exists presently and benefits from planning permission its visual appearance cannot be considered. Also loss of property value is not a material consideration. The other points will be addressed below.

Given the small scale of the business operation it is not envisaged that there would be a significant number of staff required in terms of vehicles and requirement for off-street parking, no more than would typically be expected of a residential dwelling. In terms of increased vehicular movement to/from the site the Highway Authority were consulted and raised no objection to the proposals, primarily due to the limited size of the C2 use.

On the basis that the use has not been implemented, objections regarding the unclear nature of the business operation are noted - however, it must be recognised that the property benefits from a C2 use class and in considering a change of use to C2 the type of person occupying/receiving care is not a material consideration.

Changes to site boundaries/general appearance out of keeping - Whilst clarification was sought by the applicant, alterations such as those undertaken and observed at the time of site inspection are capable of being undertaken utilising permitted development rights and do not necessarily require the consent of the LPA. Given that the C2 use had not been implemented, it stands to reason that permitted development rights would still apply at 15 Deri Avenue.

Potential for annexe to be used independent of main use - In the event of an approval, a condition would be imposed preventing the use of the annexe independent of the main dwelling.

Fire Hazard - With regards to increased fire risk associated with the kitchen facilities, the "annexe" would be required to comply with Building Regulations.

Increased waste - The level of occupancy would be between 3-5 persons and accordingly the household waste associated would be no greater than that associated with a family dwelling. Existing waste/recycling arrangements are considered to be suitable.

Where material, any other comments raised and not addressed in this section will be considered elsewhere in this report.

In addition, the following comments were received from other stakeholders

Highway Authority - No objection

Environmental Health - No comments

RELEVANT POLICIES

LDF

- CP08 - Community Facilities
- CP17 - Design
- DC26 - Location of Community Facilities
- DC33 - Car Parking
- DC55 - Noise

OTHER

LONDON PLAN - 3.17 Health and social care facilities

-

LONDON PLAN - 6.13 Parking

-

LONDON PLAN - 7.4 - Local character

MAYORAL CIL IMPLICATIONS

The proposals are not liable for Mayoral CIL.

PRINCIPLE OF DEVELOPMENT

In 2014 planning permission was granted for the construction of a residential annexe within the rear garden of the application site. In 2016 planning permission was granted for the use of the main dwelling as a C2 use (P1093.16). The use of the premises as a care home has already therefore been found to be acceptable. The annexe formed part of the previous decision and was permitted to be used in association with the main dwelling.

The current proposals seek to vary a condition imposed upon the parent consent which prevented the annexe from being used as sleeping accommodation in connection with the main building. The issues arising from this application are therefore whether the use of the annexe building to provide two bedrooms of accommodation, rather than just ancillary facilities, gives rise to conditions which are materially harmful to neighbouring amenity, local character and the highway.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The "annexe" building has already received planning permission, under application P1524.14. The building has already been constructed with the benefit of planning permission and, as such, the visual impact of the building within the streetscene and rear garden environment is not a material consideration. Only matters relating to the use of the building, which would be varied by this application, are relevant.

The current application relates solely to the use of the building to provide living accommodation as part of the C2 use of the site.

IMPACT ON AMENITY

There are many care-related uses that run smoothly with no complaint in residential areas, and generally, residential areas are the most suitable place for such uses. They tend not to exhibit any outward appearances as to their use and the level of activity associated, if managed correctly, is no greater than that of a family home. Staff accept however that others by contrast may well bring long-term harm and significant amenity concerns for adjoining/neighbouring residents. Members will wish to note that the use of the main house as a care home has not yet commenced so there is no evidence that the use has created conditions detrimental to local amenity.

In granting planning permission for the annexe originally (application P1524.14), it was accepted that this building would be used for residential purposes. The building was purposely designed to

be used as living accommodation albeit as an annexe to the main house, and included a bedroom, wet room and living/kitchen/dining room on the ground floor (the same as is currently applied for) with a work room/loft room on the upper floor.

The use of the main dwelling as a care home and the use of the former "annexe" as a workshop/training area has already been established with the previous consent which is capable of being implemented. As part of that permission, it is important for members to consider that the annexe already has permission to be used in an ancillary capacity to the main dwelling, and would therefore have had a degree of activity associated with it. There was no restriction on the hours within which the annexe could be used.

The main considerations of the previous consent are still relevant, as is the justification for support. In considering the change of use of the main dwelling (and former annexe) to a care home, the view was taken that the level of activity associated would be no greater than a family home. In the context of what has already been permitted, the addition of two further occupants would bring the total number of inhabitants to five, which is well within what could be expected of a family dwelling. In view of the fact that the building was originally constructed for residential use, and that it was subsequently allowed to be ancillary facilities to the care home, Staff consider it is difficult to demonstrate that its use for sleeping accommodation as part of the approved care home use, to contribute to a level of harm any greater than the permission that has already been granted nor what could reasonably be expected of a residential home.

The residents of the accommodation would be expected to share the garden area for the site as a whole and so, for this reason, it is reasonable to impose conditions ensuring that the annexe only functions as part of the site of 15 Deri Avenue and is not sub-divided or sold off separately.

Staff observed at the time of site inspection that obscure glazing had been installed at first floor level and the window opening was restricted. Subject to a condition ensuring that the level of obscurity is sufficient and that it is retained permanently thereafter any issues relating to intern/overlooking would be negated. This has been raised as a concern by residents and it is worth noting that no condition was previously imposed to require that this window be obscurely glazed. This would therefore represent an improvement over the existing arrangement.

Members may also wish to consider that the development would align with the Council's policies on Community Facilities. Policy CP8 of the Core Strategy gives clear justification that such facilities should not be socially excluded.

HIGHWAY / PARKING

The change of use application fully considered the impacts of the development on the functioning of the highway, with the off-street parking retained for the host dwelling capable of accommodating up to three vehicles.

At the time of site inspection, it was observed that the applicant had altered the side boundary of the site to accommodate a further off-street vehicle space adjacent to the annexe building. It would appear that this had been undertaken utilising permitted development rights.

The Highway Authority have raised no objections to the increased capacity of the C2 use and

accordingly it does not appear that there would be sufficient grounds to substantiate a refusal.

KEY ISSUES / CONCLUSIONS

A residential annexe has already been approved within the rear garden environment. The principle of C2 use of the main dwelling, with the annexe used for ancillary purposes, has also been approved. In view of the planning history of the site, Members must therefore consider whether the increased capacity of the use, providing bedrooms for five rather than three persons, would create any adverse impacts capable of substantiating a refusal.

The annexe was granted planning permission (P1524.14) and accordingly there would be an expectation that it would be occupied by a family member(s) as overspill accommodation which would bring with it associated levels of activity. That it did not form part of the original change of use for the main premises (as sleeping accommodation) was the choice of the applicant and the premises would have continued to have been used in an ancillary capacity to the main dwelling and the use as a children's home.

The impacts of the annexe being used as living accommodation have previously been considered as has its use as part of the C2 use. The proposals would seek to use the first floor as a bed space which was not previously the case however obscure glazing has been incorporated to prevent overlooking/loss of privacy. Whilst the increase in the number of residents on site would increase by two and this presents a potential for increased noise and disturbance, on balance staff do not consider this to be of any significant harm over and above that previously considered, or that which could be expected of a conventional family home.

Accordingly it is the opinion of staff that planning permission be granted, subject to conditions to ensure that neighbouring amenity is preserved.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC32(Accordance with plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. SC34 Use as part of main dwelling

The rear annex (outbuilding) hereby permitted shall be used only in a capacity ancillary to the main C2 use at 15 Deri Avenue, Rainham, Rm13 9LX for a maximum of two occupants as overspill accommodation for the main dwelling and shall not be used as a separate unit of residential accommodation at any time.

Reason:-

The site is within an area where the Local Planning Authority consider that the sub-division of existing properties should not be permitted in the interests of amenity, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. SC33 Non Standard Condition 31

Any C2 use (care-home) occupation of the building hereby approved shall be limited to the use by staff and residents associated to the main unit at 15 Deri Avenue for care home (C2) purposes and shall not be occupied by any other persons.

Reason:-

In order that the annex remains ancillary to the main dwelling (C2 use) and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

5. SC34 (Obscure glazing) ENTER DETAILS

The window at first floor level of the "former annexe" shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained.

Reason:-

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. SC46 (Standard flank window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

7. SC52 Non Standard Condition 52

The outbuilding shall not be arranged or disposed of as a separate unit of residential accommodation from the use of the main dwelling.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

8. Annex Condition 1

The garden area shall not be subdivided at any time and nor shall there be any additional pedestrian or vehicular accesses into the site.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with Policy DC61 of the Development Control Policies Development Plan Document.

INFORMATIVES

1. **Approval - No negotiation required**

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 22nd February 2018

APPLICATION NO.	P1768.17	
WARD:	Emerson Park	Date Received: 13th November 2017 Expiry Date: 15th February 2018
ADDRESS:	Emerson Park Academy Wych Elm Road HORNCHURCH	
PROPOSAL:	Removal of existing classroom block and two demountable units. Replacement of teaching space with extension to existing school building.	
DRAWING NO(S):	6640/01 6640/02 6640/03 6640/04 6640/08 A 6640/06 6640/07 6640/09 A 6640/05	
RECOMMENDATION	It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report	

SITE DESCRIPTION

The application site is Emerson Park Academy, which is situated at the eastern end of Wych Elm Road. The site lies within the Metropolitan Green Belt.

The application site is set well away from the highway and as such is far removed from residential properties.

DESCRIPTION OF PROPOSAL

Permission is sought for the removal of an existing classroom block and the erection of a two storey pitched roof extension to the main building. The applicant states in an accompanying planning statement that the extension is a required improvement to maintain the existing facilities.

The removal of two demountable units is also shown on accompanying plans, as is the formation of a raised canopy area for the use of students.

RELEVANT HISTORY

Q0116.10 - Discharge of condition 3, 5 and 10 of P1336.09
DOC Dischge Complete 20-08-2010

- N0026.10 - Minor amendment to P1336.09
1. Surfaced spectator area and path
 2. Single and double gates on NE and SE corners
 3. Move floodlights on eastern perimeter
 4. Move goal recesses
 5. Drainages moved to SE corner
 6. Increase depth of goal recesses
 - 7 Re position central floodlights
- Approve no cons 26-04-2010
- P1336.09 - Construction of an artificial turf sports pitch (D2 use) with fencing and floodlighting
- Apprv with cons 20-11-2009
- P1350.07 - To erect a stainless steel flue to the sports hall
- Withdrawn - Invalid 09-10-2007
- P0196.07 - Construct a new pavillion/chaging room with car parking area (recieved 23-05-07)
- Apprv with cons 13-07-2007
- P1962.05 - Construction of an artificial turf sports pitch with fencing and floodlighting
- Apprv with cons 13-12-2005
- P0313.04 - Replacement classrooms/practice rooms for permanent accommodation
- Apprv with cons 29-03-2004
- P1334.03 - Single storey extension to replace existing demountable classrooms
- Apprv with cons 18-09-2003
- P0660.00 - Single storey detached building with glazed link corridor, new classrooms and pre room
- Apprv with cons 28-06-2000

CONSULTATIONS / REPRESENTATIONS

The proposal was advertised by way of a site notice and in the local press as development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development Control Policies Development Plan Document.

Notification letters were sent to 25 neighbouring properties. No letters of representation have been received.

Environmental Health - No Objection.

Highway Authority - No Objection.

RELEVANT POLICIES

LDF

- | | |
|--------|---|
| CP17 - | Design |
| DC26 - | Location of Community Facilities |
| DC27 - | Provision of Community Facilities |
| DC28 - | Dual Use of School Facilities |
| DC29 - | Educational Premises |
| DC32 - | The Road Network |
| DC33 - | Car Parking |
| DC45 - | Appropriate Development in the Green Belt |
| DC48 - | Flood Risk |

DC51 -	Water Supply, Drainage and Quality
DC57 -	River Restoration
DC59 -	Biodiversity in New Developments
DC60 -	Trees and Woodlands
DC61 -	Urban Design
DC63 -	Delivering Safer Places
DC68 -	Conservation Areas

OTHER

LONDON PLAN - 3.18 Education facilities

-

LONDON PLAN - 7.16 Green Belt

-

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not applicable.

STAFF COMMENTS

The issues in this case are the principle of the development, the impact on the open character of the Green Belt and on the Cranham Conservation Area, the impact of the development in the street scene, impact on the amenities of nearby residential occupiers and highways/parking.

The subject application is brought to the Regulatory Services Committee as it is for a school related development located within the Green Belt, which would represent a departure from adopted policy.

PRINCIPLE OF DEVELOPMENT

The application site lies in the Metropolitan Green Belt. Schools are not within the list of appropriate uses for the Green Belt. Nonetheless the National Planning Policy Framework (NPPF) indicates that where extensions are proposed to existing buildings/uses, providing they are not disproportionate additions, they are acceptable as an exception to national policy.

Policy DC45, in line with the previous National Guidance contained in PPG2, indicates that the extension of buildings other than dwellings or buildings that are associated with acceptable Green Belt uses, is inappropriate development. Nonetheless the NPPF adopted by Central Government in March 2012, in this respect supersedes the Council's LDF dating from 2008 as it is more up to date and is a material planning consideration. As such, and as above, the NPPF accepts extensions to any existing building in the Green Belt which are not disproportionate to the original.

Furthermore, LDF Policy DC29 states that educational premises should be of a suitable quality to meet the needs of residents. Staff are of the view that the proposed single storey extension is ancillary to the educational use of the site and will serve to improve educational facilities. It is therefore judged to be in accordance with Policy DC29.

GREEN BELT IMPLICATIONS

As indicated above, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Whilst the proposals would represent an increase in the scale, bulk and mass of this part of the school - the extension would represent a continuation of the existing building and would not extend unreasonably beyond any existing building lines. It would return back across the site and due to its positioning within the existing building envelope and close relationship to the main building when seen within the context of the main school, its proportions are considered to be subordinate.

The canopy area would be located centrally within the site and again would not be widely visible from its surroundings. Given its position relative to the main building and subordinate proportions, no objections are raised to this element.

Staff consider on this basis that the proposals can be perceived as relatively minor within the context of the existing school, which historically has been the subject of applications to increase its scale, bulk and mass to meet increasing demand for school places. The proposal also indicates the removal of existing demountable units within the sit.

In the absence of any material harm to the Green Belt, the proposed extension and enclosed canopy area are not considered to represent disproportionate additions.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The extension and canopy would be screened by the form of the main building and would not be readily visible, unless from within the application site. There are therefore no issues identified in visual amenity terms.

The proposed addition would replicate the form of the main school building with which it would adjoin and would appear visually in keeping with the character of existing development within the school site.

IMPACT ON AMENITY

There are no implications related to neighbouring amenity due to the siting of the development, where it would be screened for the most part by the form of the main school.

HIGHWAY / PARKING

There is no increase in either staff, or pupil numbers resulting from the development proposals. The proposal would replace existing accommodation to be lost from the site. The addition to the school is required to improve/maintain existing facilities.

The proposal will therefore not result in any loss of vehicular parking or create demand for additional car parking.

No objections were raised by the Highway Authority.

KEY ISSUES / CONCLUSIONS

Staff consider that the proposal would accord with Policy DC29 in relation to enhancing existing educational facilities and would accord with the general principles for development in the Green Belt laid out in the NPPF. In the absence of any harm to the open nature of the Green Belt, staff are satisfied with the scale and design of the proposed addition.

Subject to controls over external materials APPROVAL is recommended.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC09 (Materials) (Pre Commencement Condition)

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

3. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. SC62 (Hours of construction)

No construction works or deliveries into the site shall take place other than between the hours of 08:00 - 18:00 hours on Monday to Friday and 08:00 to 13:00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of

amenity.

INFORMATIVES

1. **Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 22nd February 2018

APPLICATION NO. P1916.17
WARD: Emerson Park **Date Received:** 22nd November 2017
Expiry Date: 17th January 2018
ADDRESS: Emerson Park Academy
Wych Elm Road
Hornchurch
PROPOSAL: Single storey extension to existing dining room and main entrance, with localized new external works around area of extension.
DRAWING NO(S): B08600BB-011/050.001 Rev P0
B08600BB-011/050.002 Rev P0
B08600BB-011/A/100.001 Rev P0
B08600BB-011/A/100.002 Rev P0
B08600BB-011/A/190.001 Rev P0
B08600BB-011/A/120.001 Rev P0
B08600BB-011/A/140.001 Rev P0
B08600BB-011/A/140.002 Rev P0
B08600BB-011/A/100.003 Rev P0
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site is Emerson Park Academy, which is situated at the eastern end of Wych Elm Road. The site lies within the Metropolitan Green Belt.

The application site is set well away from the highway and as such is far removed from residential properties.

DESCRIPTION OF PROPOSAL

The proposal is for a single storey extension to existing dining room and main entrance, with localized new external works around area of extension.

The current proposal represents an improvement solely of the existing facilities and does not result in an increase in pupil numbers.

RELEVANT HISTORY

- P1768.17 - Removal of existing classroom block and two demountable units. Replacement of teaching space with extension to existing school building.
Awaiting Decision
Q0116.10 - Discharge of condition 3, 5 and 10 of P1336.09
DOC Dischge Complete 20-08-2010

- N0026.10 - Minor amendment to P1336.09
1. Surfaced spectator area and path
 2. Single and double gates on NE and SE corners
 3. Move floodlights on eastern perimeter
 4. Move goal recesses
 5. Drainages moved to SE corner
 6. Increase depth of goal recesses
 - 7 Re position central floodlights
- Approve no cons 26-04-2010
- P1336.09 - Construction of an artificial turf sports pitch (D2 use) with fencing and floodlighting
- Apprv with cons 20-11-2009
- P1350.07 - To erect a stainless steel flue to the sports hall
- Withdrawn - Invalid 09-10-2007
- P0196.07 - Construct a new pavillion/chaging room with car parking area (recieved 23-05-07)
- Apprv with cons 13-07-2007
- P1962.05 - Construction of an artificial turf sports pitch with fencing and floodlighting
- Apprv with cons 13-12-2005
- P0313.04 - Replacement classrooms/practice rooms for permanent accommodation
- Apprv with cons 29-03-2004
- P1334.03 - Single storey extension to replace existing demountable classrooms
- Apprv with cons 18-09-2003
- P0660.00 - Single storey detached building with glazed link corridor, new classrooms and pre room
- Apprv with cons 28-06-2000

CONSULTATIONS / REPRESENTATIONS

The proposal was advertised by way of a site notice and in the local press as development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development Control Policies Development Plan Document.

Notification letters were sent to 45 neighbouring properties. No letters of representation have been received.

In addition the following comments were received from stakeholders.

Environmental Health - No Objection.

Highway Authority - No Objection.

RELEVANT POLICIES

LDF

- | | |
|--------|---|
| CP17 - | Design |
| DC26 - | Location of Community Facilities |
| DC27 - | Provision of Community Facilities |
| DC29 - | Educational Premises |
| DC32 - | The Road Network |
| DC33 - | Car Parking |
| DC45 - | Appropriate Development in the Green Belt |

OTHER

LONDON PLAN - 3.18 Education facilities

-

LONDON PLAN - 7.16 Green Belt

-

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Not applicable.

STAFF COMMENTS

The issues in this case are the principle of the development, the impact on the open character of the Green Belt, the impact of the development on the street scene, the amenities of nearby residential occupiers and any highways/parking matters.

The subject application is brought to the Regulatory Services Committee as it is for a school related development located within the Green Belt.

PRINCIPLE OF DEVELOPMENT

The application site lies in the Metropolitan Green Belt. Schools are not within the list of appropriate uses for the Green Belt. Nonetheless the National Planning Policy Framework (NPPF) indicates that where extensions are proposed to existing buildings/uses, providing they are not disproportionate additions, they are acceptable as an exception to national policy.

Policy DC45, in line with the previous National Guidance contained in PPG2, indicates that the extension of buildings other than dwellings or buildings that are associated with acceptable Green Belt uses, is inappropriate development. Nonetheless the NPPF adopted by Central Government in March 2012, in this respect supersedes the Council's LDF dating from 2008 as it is more up to date and is a material planning consideration. As such, and as above, the NPPF accepts extensions to any existing building in the Green Belt which are not disproportionate to the original.

Furthermore, LDF Policy DC29 states that educational premises should be of a suitable quality to meet the needs of residents. Staff are of the view that the proposed development will enhance the quality of the school and will provide improved access, including improved disabled facilities, and it is therefore judged to be in accordance with Policy DC29.

GREEN BELT IMPLICATIONS

As indicated above, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Whilst the footprint of the subject area of the school would increase, the increase proposed would be minor within the context of the existing school. The subject building has historically been the

subject of applications to increase its scale, bulk and mass to meet increasing demand for school-places. The extensions sought in this instance would largely represent infill development, which would be contained to the existing building envelope and would not extend beyond the existing established building lines. On this basis the proposed development does not represent a disproportionate addition to the host premises.

The impact of the development by way of the siting and nature of the additions proposed on the open nature of the Green Belt is considered to be negligible.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed addition focuses on the existing entrance, located on the eastern elevation of the school building, recessed between the form of the main building. It would not be readily visible from the street-scene owing to the manner in which the site has been developed and the siting of the school deep into its plot. Staff therefore consider that there would be no adverse impact on visual amenity.

When seen within the context of the existing school building, the increased bulk is offset by the introduction of greater levels of glazing which contribute to a more contemporary and modern facade, a contrast to the existing entrance which appears relatively dated. In terms of its design, the revised entrance relates well to the main school.

No objections are therefore raised as to the visual impacts of the proposal.

IMPACT ON AMENITY

There are no implications related to neighbouring amenity due to the siting and scale of the extensions sought to the main school building.

Furthermore, this proposal does not result in an increase in the levels of staff or pupils.

Staff are therefore of the view that the resultant impacts to the amenity of neighbouring occupiers would be no worse than the existing.

HIGHWAY / PARKING

The proposal will not materially affect existing parking provision or create demand for additional car parking. No objections were raised by the Highway Authority.

KEY ISSUES / CONCLUSIONS

Having regard to all relevant factors and material planning considerations staff are of the view that this proposed extension and alterations would be acceptable.

Staff consider that the proposal would accord with Policy DC29 in relation to enhancing existing educational facilities and would accord with the general principles for the development in the Green Belt laid out in the NPPF, as the proposal comprises of only a minor increase in the scale, bulk and mass of the existing entrance area.

APPROVAL is therefore recommended accordingly.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC10C Materials as per application form

The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 9 of the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document

3. SC62 (Hours of construction)

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:-

To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

4. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 22nd February 2018

APPLICATION NO. P1958.17
WARD: Emerson Park **Date Received:** 30th November 2017
Expiry Date: 26th February 2018
ADDRESS: 65 Wingletye Lane
HORNCHURCH
PROPOSAL: Internal alterations to use of fish and chips takeaway (A5) as a mixed use takeaway and restaurant(A3/A5). New shopfront and canopy.
DRAWING NO(S): Site Location Plan
WL-2311-3
WL-2311-2
WL-2311-1
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

This application has been brought to Regulatory Services Committee at the request of Councillor Ramsey who considers the proposals to represent an overdevelopment arising from too many diners/covers in the area allocated.

SITE DESCRIPTION

The application site is located within the Wingletye Lane Minor Local centre. The centre also lies within the Emerson Park Policy Area.

The site comprises a mid terrace ground floor commercial unit within an established parade. The site is in use currently as an A5 (takeaway).

DESCRIPTION OF PROPOSAL

Consent is sought for the change of use of the existing A5 unit to a mixed use of A3/A5.

This applications follows an earlier application which sought to convert number 65 and the adjoining unit 67 to a larger mixed use takeaway/restaurant which was refused by planning committee members, however was allowed on appeal.

The adjoining unit has since been brought back into use as an A1 unit and is not part of the current submission.

RELEVANT HISTORY

P0064.17 - Internal alterations merging adjoining units to form restaurant seating area (A3) in association with existing A5 use. Minor shopfront alterations to both units.
Refuse 07-04-2017

- P0461.12 - Variation of condition 3 re application P0625.09 to vary opening hours to allow trading between 11am-10pm Bank and Public Holidays only
 Apprv with cons 06-06-2012
- P0004.12 - Variation of condition 3 Re : Application P0625.09 to vary opening hours from 11am-9pm to 11am-10pm (Monday to Thursday)
 Apprv with cons 19-04-2012
- P0625.09 - Change of use from A1 retail to A5 take away. Extraction flue to rear.
 Apprv with cons 22-06-2009
- P0157.00 - Single storey rear extension to shop and rear external staircase to flat
 Apprv with cons 28-08-2000

CONSULTATIONS / REPRESENTATIONS

The application was publicised by the direct notification of nearby properties and 9 letters of objection, including from the Emerson Park and Ardleigh Green Residents Association have been received.

- Litter
- Smell
- Anti social behaviour
- Increased demand for on street parking
- Number of covers inappropriate for setting
- Proposed development would undermine function of centre
- Food hygiene

In response to the above, the layout shown is an indicative representation of the proposals and not necessarily conducive to the actual arrangement of tables. The proposals relate to a total given (in the accompanying planning statement) of 40 covers which is less than that permitted by the appeal inspector (45) for the previous application which related to 65 and 67 Wingletye Lane.

The current application which relates to 65 Wingletye Lane and P0064.17 (65 and 67 Wingletye Lane) are independent of one another and are not capable of being amalgamated.

Where material other matters will be addressed within the body of this report.

In addition the following stakeholders were consulted:

Highway Authority - No Objection

Environmental Health - No comments received, previous comments for P0064.17 relevant.

RELEVANT POLICIES

LDF

- DC16 - Core and Fringe Frontages in District and Local Centres
- DC23 - Food, Drink and the Evening Economy
- DC33 - Car Parking
- DC55 - Noise
- DC61 - Urban Design
- DC63 - Delivering Safer Places

MAYORAL CIL IMPLICATIONS

STAFF COMMENTS

Members may wish to consider that the change of use of the premises from A5 (takeaway) to A3 (restaurant) would not usually require planning permission. Planning permission has been sought in this case because of the mixed nature of the proposed use as part A3/part A5 use.

PRINCIPLE OF DEVELOPMENT

Policy DC16 states that planning permission for retail uses (A1) and other uses appropriate to a shopping area (A2, A3, A4, A5) in the borough's Minor Local Centres will be granted at ground floor level.

Whilst a mixed use is not recognised by the policy, the resultant mixed use in this instance would trade as an amalgamation of the accepted services above. It is worth noting that many restaurants in the borough operate as an A3 use and provide takeaway services as a secondary element without requiring planning permission.

Staff consider on balance, that the principle of development is acceptable and there is no material conflict with Policy DC16.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 states that planning permission will only be granted where proposals would not result in unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.

The visual impacts of the proposal are considered to be negligible within the context of an existing commercial parade. Whilst alterations to the shop-front are proposed, the resultant shop-front would maintain an active and open frontage. No objection is raised in terms of the visual impact of the shopfronts and local character or appearance of this part of the Emerson Park Policy Area.

IMPACT ON AMENITY

With regard to the impact upon neighbouring properties, consideration must be given to potential implications in terms of operating hours and noise and disturbance, particularly in view of the fact that there are residential properties located on the upper floors of the relevant frontage.

The site is already in use as a hot food takeaway within an area that is characterised by commercial premises, populated with other late night uses where a certain level of activity and associated noise is to be expected. A mixed use such as that proposed would be suitably located in such an area. As there is limited parking outside the premises, it is expected that patrons would be more likely to park nearby and/or arrive on foot.

From the site visit it was observed that Wingletye Lane is heavily trafficked, with much activity on secondary roads with relatively high ambient noise levels. Given the nature of this road, and the level of activity associated with the secondary roads nearby there is no reason to believe that

these observations are unusual. It is reasonable to assume then, given the location of the application site that the ambient noise level would remain reasonably high in the evening. This was a view echoed by the appeal inspector in dealing with the case to amalgamate 65 and 67 Wingletye Lane into one larger A3/A5 use which was permitted and still capable of being implemented.

It is noted that the hours of operation of commercial premises follow a trend within the parade and generally cease operation at 22:00 with few exceptions. It is acknowledged that within the parade there is an existing takeaway with advertised opening hours of 5pm to 10.30pm Sunday to Thursday and 5pm to 11pm on Saturday however no formal record of planning consent exists. The existing lawful A5 use at no.65 is permitted to operate between 11:00 and 22:00 Monday to Saturday in addition to Bank/Public Holidays, and not at all on Sundays without the written approval of the Local Authority. These hours were approved in 2012 and judged by Staff to be appropriate to this location. The applicant seeks no change in the operating hours of the premises and accordingly no objections are raised.

No details relating to extract ducting have been submitted as the applicant had indicated that the existing extract equipment would be utilised. Staff are unconvinced that this would be suitable for the intensification of the use sought and will seek to impose a condition requiring further detail be provided in line with the appropriate operating parameters expected by Environmental Health. This may address concerns expressed by residents and afford the Local Authority a degree of control over the potential impacts arising from the development.

Staff do not consider that there is adequate evidence relating to litter or criminal behaviour that could constitute a material planning consideration or grounds to refuse the application.

Subject to appropriate safeguarding conditions, staff do not consider the proposed change of use to have an adverse impact on the amenity of neighbouring occupiers over and above what is expected in a local centre setting.

HIGHWAY / PARKING

The application site is located within an area designated as a Minor Local Centre and is an existing A5 use.

Concerns have been raised by residents over the existing parking arrangement, with particular concern for Woodhall Crescent and Halcyon Way where it is claimed that shoppers/staff regularly park their vehicles. It is conveyed to staff that this has resulted in increased competition for on-street parking and confrontations between residents. Staff have no control over the manner in which vehicles are parked within secondary roads and can only determine the application based upon the policy requirement for parking and observations made during site inspection.

During the day (Monday to Saturday, 8am to 6.30pm) there is a part time restriction in Woodhall Crescent, however the public car park nearby is available. Outside of these hours, there is a considerable amount of unmarked on-street parking - set away from residents however at this point the car park is free (6pm to 7am Monday to Saturday and all day Sunday).

Given the relationship between the parade of shops, the availability of the Council maintained car

park and the perceived low risk of significant issues created by on-street parking, a view echoed by the appeal inspector in allowing number 63 and 65 Wingletye Lane to operate as one larger mixed use, it is the view of officers that there exists within the immediate vicinity an adequate level of parking to serve the centre. This would continue to be the case even if additional car parking restrictions were introduced on local roads.

Members must consider that the application does not involve any changes to the existing highway or creation of car parking provision in policy terms. The proposal utilises an existing commercial building, currently in use as an A5 hot-food takeaway. It cannot therefore be evidenced that the proposed mixed use would result in a materially greater demand for parking compared to the existing use of the site, or alternative uses that could take place without the need for planning permission. As such it is considered that the proposal would not result in any highways or parking issues that could not adequately be served by existing parking facilities and that there are no material highway grounds for refusal.

No objection has been made by the Highway Authority during the statutory consultation period

KEY ISSUES / CONCLUSIONS

Members may wish to consider that a change of use solely to A3 restaurant would not require planning permission. Permission is required solely as this is a mixed use. Following the recent appeal decision for 65/67 Wingletye Lane, which is a material consideration, consent exists for the double unit to change use. Use for either A3 or A5 purposes are compliant with Policy DC16 in land use terms.

In forming a view, staff are mindful that permission was granted at appeal for a larger A3/A5 unit with a greater number of covers than that sought in this instance. In allowing this appeal, the Inspector was of the opinion that there would not be a significant increase in noise, having regard to the existing activities that take place locally and there would not be harm to living conditions. The Inspector also considered there was not evidence of significant additional pressure on parking or congestion or harm to highway safety. As such, It would not seem in this case reasonable to substantiate a refusal of this application, which is for a smaller premises than that allowed on appeal.

Accordingly, staff recommend APPROVAL.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. S SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC27 (Hours of use) ENTER DETAILS

The premises shall not be used for the purposes hereby permitted other than between the

hours of 11.00 and 22.00 hours Monday to Saturday and on Bank and Public Holidays and not at all on Sundays

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. S SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. SC58 (Refuse and recycling)

Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:-

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. Non Standard Condition 1 (Pre Commencement Condition)

Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises.

6. Non Standard Condition 2 (Pre Commencement Condition)

Before the use commences, the building shall be insulated in accordance with a scheme which shall previously have been approved by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building and it shall be effectively sealed to prevent the passage of odours through the structure of the building to other premises and dwellings.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning & Noise 1994.

7. Non Standard Condition 3 (Pre Commencement Condition)

Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90-10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties.

8. Non Standard Condition 4 (Pre Commencement Condition)

Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises.

INFORMATIVES

1. **Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

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REGULATORY SERVICES COMMITTEE 22 February 2018

Subject Heading:

**P1898.17: Mead Primary School,
Amersham Road, Romford**

**Single storey extension to nursery and
single storey extension to provide
Alternative Resource Provision (ARP)
specialist unit, plus alterations to car
parking areas. (Application received 28
November 2017)**

Ward:

Harold Wood

SLT Lead:

**Steve Moore
Director of Neighbourhoods**

Report Author and contact details:

**Stefan Kukula
Principal Development Management
Officer
stefan.kukula@havering.gov.uk
01708 43 2655**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

The proposal is for various development works, which include the erection of a single storey extension to the nursery block, a single storey extension to provide Alternative Resource Provision (ARP) specialist unit, plus alterations to the car parking areas.

Although the application has been submitted on behalf of the Council, this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

The development raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of neighbouring occupiers, the suitability of the proposed parking and pedestrian access arrangements, and the implications for the surrounding highway network.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

1. Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the

details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. External Materials

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

4. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

5. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. Car Parking

Prior to the use of the new extensions, the proposed car parking areas as detailed on drawing no. NE/ARP-JAC-00-GF-DR-A-Zz-70_60_0010 Rev P03 shall be completed to the full satisfaction of the Local Authority, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development during the approved opening hours.

Reason: To ensure that there are adequate parking facilities to serve the development in the interests of highway safety and that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC33.

7. Contaminated Land

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase II (Site Investigation) Report. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a “Verification Report” that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

8. Contaminated Land (2)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a ‘Verification Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. Due to the nature of the building use and its proximity to the Paines Brook it is recommended that the following flood resilience measures are built into the construction (although this list is not exhaustive): Raising the level of the building by at least 300mm above local levels; Waterproof membrane in the ground floor; Waterproof plaster and waterproofing to ground floor; Electrics from the upstairs down and sockets high up off the ground floor; Non return

valves on the sewerage pipes; Emergency escape plan; Air brick covers; Movable flood barriers for entrances.

3. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £1116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.

REPORT DETAIL

1. Site Description

- 1.1 The application site relates to Mead Primary School, Amersham Road, Romford. The school campus comprises two main junior and infant blocks set out in a linear arrangement surrounded by playgrounds, playing fields and car parking areas.
- 1.2 The school is bounded by residential properties on Amersham Road to the south and west and by the Paine's Brook to the east. The site has access points from Amersham Road to the north and west.

2. Description of Proposal

- 2.1 The application is seeking planning permission for various development works, which include the erection of a single storey extension to the nursery block, a single storey extension to the infant block to provide an Alternative Resource Provision (ARP) specialist unit plus alterations to the car parking areas.
- 2.2 The nursery extension would bring forward capacity for an increase of up to 30 child places and the ARP specialist unit would cater for 12 pupils with an additional 8 members of staff as well as 2 staff for the general teaching classroom. The ARP unit is required to serve children with complex social and behavioural needs.
- 2.3 In addition, the staff car park to the north serving the junior and infant school would be reconfigured to provide additional parking bays and up to 93 cycle storage spaces. The nursery car park located to the west of the site would also be reconfigured to accommodate the new nursery extension. Across the site the car parking provision would be increased by 14 spaces to provide a total of 64 spaces including two accessible bays

3. Relevant History

- 3.1 P0774.16 - Proposed new canopy over play area to rear of Infant Block to provide sheltered play facility - Approved, 18 July 2016
- 3.2 P1352.12 - Single storey extension to existing Infants block to provide 3 New Classrooms, and shared toilet / cloakroom facilities and new DDA toilet / changing facility, and 4No. single storey pod extensions to existing Junior Block to provide additional shared teaching spaces - Approved, 3 April 2013

4. Consultations/Representations

- 4.1 Notification letters were sent to 93 properties and 2 representations have been received. The comments can be summarised as follows:

- Concerned the proposal would exacerbate existing parking problems in the roads surrounding the school.
- Request that suitable conditions are included to mitigate noise and disturbance and inconvenience during construction works.

- 4.2 In response to the above, parking is addressed in the Highways section of the report. A range of suitable environment related conditions to control hours of construction and mitigate noise and disturbance during construction are recommended.

- 4.3 The following consultation responses have been received:

- Environmental Health - no objection, recommended conditions relation to contaminated land precautions.
- Lead Flood Authority - no objection, recommended a range of flood resilience measures are built in to the development.
- Environment Agency - no objection.
- Local Highway Authority - no objection.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Facilities), DC34 (Walking), DC35 (Cycling), DC48 (Flooding), DC55 (Noise), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Policies 3.18 (Education Facilities), 5.3 (sustainable design and construction), 5.12 (Flood risk management), 6.9 (cycling), 6.10 (walking),

6.13 (parking), 7.3 (designing out crime) and 7.4 (local character) of the London Plan, are material considerations.

- 5.3 The National Planning Policy Framework, specifically Sections 7 (Requiring good design), 8 (Promoting healthy communities) and 10 (Meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development at the site, the impact on the character of the surrounding area and on the amenity of the neighbouring residential properties, as well as the implications for parking, and highway and pedestrian safety.

Principle of Development

- 6.2 The NPPF attaches great importance to ensuring that a sufficient choice of education facilities are available to meet the needs of existing and new communities. Local Authorities are encouraged to take a proactive and positive approach to development that will widen choice in education, with great weight given to the need to create, expand or alter education facilities.
- 6.3 Replicating this, Policy 3.18 of the London Plan details that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes.
- 6.4 Policy DC29 states that the Council will ensure that the provision of primary education facilities is sufficient to meet the needs of residents by, amongst other things, seeking to meet the need for increased school places within existing sites.
- 6.5 The proposal represents an expansion in the nursery and specialist education provision to add required facilities associated with the safe operation of an existing school use. The proposal is considered to be a necessary expansion in order for the school to continue to meet the needs of residents as well as future demands from population changes.
- 6.6 On this basis the proposal is considered to be acceptable in principle in landuse terms, subject to scale, layout and detailed design and highways considerations.

Design/Impact on Streetscene

- 6.7 The NPPF places significant emphasis on good quality design and architecture. Paragraph 58 sets out the standards that the development should aim to achieve, this includes adding to the overall quality of the area,

responding to local character and being visually attractive as a result of good architecture. Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.

- 6.8 The proposed Alternative Resource Provision (ARP) specialist unit extension to the eastern end of the infant block would be absorbed into the massing of the existing school block and would not be clearly visible from vantage points outside of the school campus. In addition, the proposed design would match the character and appearance of the adjoining block. Overall, in terms of its scale and massing the extension would form a relatively minor addition in comparison to the scale of the existing school buildings.
- 6.9 The proposed single storey nursery extension would occupy a more prominent location on the western end of the infant block, where it would be visible from the rear of the residential properties at Amersham Road and Amersham Walk. In terms of its appearance, the building would again be largely absorbed into the massing of the existing school block, matching the character and appearance of the adjoining building.
- 6.10 Overall, the proposed extensions and car park alterations would be of a character and design that would match the educational nature of the surrounding buildings within the school campus. As a result the proposed development would serve to maintain and enhance the character of the local area in accordance with policy DC61.

Impact on Amenity

- 6.11 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through over-dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, or noise and disturbance to existing properties.
- 6.12 The proposed ARP specialist unit extension would be positioned within a central section of the site away from any of the surrounding residential accommodation. Given the distances it is not considered that the proposal would present any undue issues in terms of overshadowing and over-dominance.
- 6.13 The proposed detached nursery extension would be set in from the closest point of the southern site boundary by some 4.8 metres. Given the spacing distances between the new extension and the residential properties at Amersham Walk and Amersham Road, it is not considered that this element of the proposal would present undue issues in terms of overshadowing and over-dominance.

- 6.14 The additional works at the site in relation to the proposal relate to the two existing car parks. It is recognised that the sound of vehicles manoeuvring and car doors closing could raise some concerns in relation to noise and disturbance to neighbouring residents. In this instance the neighbouring residential accommodation is back away from the school boundary, which would help to reduce any potential noise impact. In addition, the car parks will generally be in use during daytime hours at the beginning and end of the school day. Nevertheless, the residential properties have been erected adjacent to an existing school premises, so any residents living nearby can reasonably expect to experience a greater element of noise and disturbance from general activity associated with the school during peak morning and afternoon hours than those living in a purely residential area. As a result Staff are of the view that the proposed car park alterations would have an acceptable impact.

Flood Risk and Drainage

- 6.17 The eastern section of the site is located partly within Flood Zones 1. This would place the (ARP) specialist unit extension within this flood zone area. A supporting Flood Risk Assessment has been submitted which sets out a series of flood resilience measures which will be incorporated to mitigate a flooding event.
- 6.19 Both the Environment Agency and the Lead Flood Authority Officer have raised no objections to the proposal.

Parking and Highway Issues

- 6.20 The parking standard for primary schools is set out as 1no. space per teaching staff. The extension would create a further 8 full time jobs. Across the site the car parking provision would be increased by 14 spaces to provide a total of 64 spaces including two accessible bays, which is considered to be acceptable.
- 6.21 Staff and visitors arriving by car would continue to use the existing vehicular access arrangements from Amersham Road.
- 6.22 The Local Highway Authority have raised no objections to the scheme, and Staff are not of the view that the extensions would create additional pressures for parent parking in the surrounding streets.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable subject to conditions.

- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of neighbouring residents, the suitability of the proposed parking, and pedestrian access, and the implications for the surrounding highway network. In this instance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposed development would not be disproportionate or have a harmful impact on the character of the surrounding area nor would it result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be approved subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

The application relates to land which is within the Council's ownership. This does not affect the planning considerations relating to this development. Although the application has been submitted on behalf of the Council, this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 28 November 2017.

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REGULATORY SERVICES COMMITTEE 22 February 2018

Subject Heading:

**P1966.17: Brady Primary School,
Wennington Road, Rainham**

Various development including:

- Single storey flat roof classroom extension to rear of school, to provide 8no. additional classroom spaces with associated intervention rooms, toilet facilities, office accommodation, stores, boiler room and circulation space.
- Single storey flat roof infill studio extension to school hall.
- Construction of new staff car park to provide off street parking for 29 cars, including 2 disabled spaces.
- Construction of new playground area and football pitch. (Application received 1 December 2017)

Ward:

Rainham & Wennington

SLT Lead:

**Steve Moore
Director of Neighbourhoods**

Report Author and contact details:

**Stefan Kukula
Principal Development Management
Officer
stefan.kukula@haverling.gov.uk
01708 43 2655**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

The proposal is for various development works, a classroom and a hall extension and the construction of new staff car park to provide off street parking for 29 cars and the installation of a new playground area and football pitch.

Although the application has been submitted on behalf of the Council, this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

The development raises considerations in relation to the to the principle of the development, including the impact on the Green Belt and the visual impact of the development on the character and openness of the Green Belt, the impact on the residential amenity of neighbouring occupiers, the suitability of the proposed parking and pedestrian access arrangements, and the implications for the surrounding highway network.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

1. Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. External Materials

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

4. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;

i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

5. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. Car Parking

Prior to the use of the new extensions, the proposed car parking areas as detailed on drawing no. A2401-03 shall be completed to the full satisfaction of the Local Authority, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development in the interests of highway safety and that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC33.

7. Removal of Existing Vehicle Access

No part of the development hereby approved shall be occupied until the removal of the existing access to the highway has been completed in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies DPD, namely CP10, CP17, and DC61.

8. Vehicle Cleansing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

2. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.

3. **Changes to the public highway (including permanent or temporary access)**

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

REPORT DETAIL

1. Site Description

- 1.1 The application site relates to Brady Primary School, Wennington Road, Rainham. The school campus comprises one main block set out in a linear arrangement surrounded by playgrounds, playing fields and car parking areas.
- 1.2 The school is bounded to the north by the Harris Academy and open agricultural land to the south. Residential properties are located to the west on the opposite side of Wennington Road.

2. Description of Proposal

- 2.1 The application is seeking planning permission for various development works, which include the erection of a single storey flat roof classroom extension to rear of school, to provide 8no. additional classroom spaces with associated intervention rooms, toilet facilities, office accommodation, stores, boiler room and circulation space. In addition, the erection of a single storey flat roof infill studio extension to the school hall is proposed.
- 2.2 The proposal would also involve the construction of a new staff car park to provide off street parking for 29 cars (providing a total increase of 21 spaces), including 2 disabled spaces. The new car park would be served by a new vehicle access onto Wennington Road. The existing vehicular access would be removed and adapted to a pedestrianised entrance.
- 2.3 A replacement hard surfaced playground and a new football pitch would be set out to the north of the school adjacent to the boundary with the Harris Academy. In addition sections of the existing fence line would be replaced and new fence line sections erected across the site, comprising 3 metre high powder coated twin wire fencing.
- 2.4 The proposed classroom extensions would bring forward capacity for an increase of up to 210 child places, increasing the overall capacity of the school to 420 children, as well as up to 11 new members of staff.

3. Relevant History

- 3.1 P1729.10 - Single storey attached shelter - Approved, 15 February 2011

4. Consultations/Representations

4.1 Notification letters were sent to 26 properties and 1 representation has been received. The comments can be summarised as follows:

- The proposed disabled parking bay would be too close to the school house premises and the fumes and noise pollution will be intrusive and detrimental to health.

4.2 In response to the above: Issues of noise and disturbance are discussed in the amenity section of the report.

4.3 The following consultation responses have been received:

- London Fire and Emergency Planning Authority - no objection.
- London Fire Brigade - no objection.
- Essex Water - no objection.
- Environmental Health - no objection, recommended conditions in relation to contaminated land precautions.
- Local Highway Authority - no objection, recommended a condition in relation to vehicle cleansing.

5. Relevant Policies

5.1 Policies CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Facilities), DC34 (Walking), DC35 (Cycling), DC45 (Green Belt), DC55 (Noise), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

5.2 Policies 3.18 (Education Facilities), 5.3 (sustainable design and construction), 5.12 (Flood risk management), 6.9 (cycling), 6.10 (walking), 7.3 (designing out crime) 7.4 (local character) and 7.16 (Green Belt) of the London Plan, are material considerations.

5.3 The National Planning Policy Framework, specifically Sections 7 (Requiring good design), 8 (Promoting healthy communities), 9 (Protecting Green Belt land) and 10 (Meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.

6. Staff Comments

- 6.1 The main issues in this case are considered to be the principle of the development, including the impact on the Green Belt; the visual impact of the development on the character and openness of the Green Belt and the general landscape; impact on the amenity of adjoining residential occupiers and highways/parking issues.

Principle of Development

- 6.2 The NPPF makes it clear that there is a general presumption against inappropriate development which is harmful to the Green Belt except in very special circumstances.
- 6.3 The applicant has set out a case of very special circumstances in the supporting statement which outlines that Havering, in common with the many other London Boroughs and urban areas, is currently experiencing an increase in demand for school places. This increase in demand is due to rising birth rates in Havering and families moving into the borough from other parts of London, the UK and abroad.
- 6.4 The statement goes on to state that all Local Authorities, including Havering, have a statutory duty to ensure that there are enough school places available in the borough to accommodate all children who live in the borough and might require one. The increase in demand for school places has meant that in some areas of Havering, the demand for places is higher than the number of places available. Demand for places in the Rainham & South Hornchurch school planning area has been high and it is projected to continue, particularly due to the impact of the Rainham and Beam Park Housing Zone development. This will place additional pressure on existing primary places despite the provision of two primary schools within those proposals; therefore, the proposal is to expand Brady Primary School from 1FE to 2FE to ensure sufficient primary capacity in the area.
- 6.5 The statement advises that demand for places across this area has been high with a projected deficit anticipated. Many of the schools in this planning area have already been expanded. However, due to the sustained and increasing demand, a further permanent expansion in this area is required. The permanent expansion of Brady Primary Schools from One to Two forms of entry is therefore necessary in order to ensure that the Council fulfils the statutory duty of securing sufficient school places to meet the needs of children and families in Havering.
- 6.6 The NPPF attaches great importance to ensuring that a sufficient choice of education facilities are available to meet the needs of existing and new communities. Local Authorities are encouraged to take a proactive and positive approach to development that will widen choice in education, with great weight given to the need to create, expand or alter education facilities.
- 6.7 Replicating this, Policy 3.18 of the London Plan details that development proposals which enhance education and skills provision will be supported,

including new build, expansion of existing or change of use to educational purposes. Whilst outdoor playground facilities would be lost, the provision would be replaced within the site.

- 6.8 Policy DC29 states that the Council will ensure that the provision of primary education facilities is sufficient to meet the needs of residents by, amongst other things, seeking to meet the need for increased school places within existing sites.
- 6.9 The proposal represents an expansion in the primary education provision to add required classroom space and facilities associated with the safe operation of an existing school use. The proposal is considered to be a necessary expansion in order for the school to continue to meet the needs of residents as well as future demands from population changes.
- 6.10 On this basis the proposal is considered to be acceptable in principle in landuse terms, subject to scale, layout and detailed design and highways considerations and that very special circumstances can be demonstrated. The impact on the Green Belt is discussed in more detail below.

Green Belt Implications

- 6.11 NPPF states that Green Belts should seek to retain and enhance landscapes and visual amenity, mirroring the objectives of Havering's LDF Policy DC45. The NPPF also suggests that limited infilling, or the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building are potentially not inappropriate.
- 6.12 The proposed extensions would create some 875 square metres of net additional internal floorspace, increasing the overall floor area of the school from 1,275 square metres to 2,150 square metres.
- 6.13 Whilst the proposed development would significantly increase the size of the school building in terms of floorspace, the classroom and hall extensions would be absorbed into the massing of the existing school block owing to the positioning to the rear of the building. As a result the new development would not be visible from public vantage points outside of the school campus along Wennington Road. In addition, the proposed design would match the character and appearance of the adjoining block and harmonise well with the existing development.
- 6.14 The proposed car park extension and playground alterations would be located on a partially well planted and grassed strip of land between the primary school and the Harris Academy. The some of the new sections of 3 metre high fencing would replace parts of the existing fenceline. The new sections within the site would increase the amount of development within the site, but given the style and positioning of the fencing within the site this would not be to the detriment of the Green Belt. Whilst the car park would

introduce a greater extent of hard standing, the open setting between the buildings would still be retained without causing significant harm to openness in this part of the already developed site.

- 6.15 Therefore Staff are of the view that the proposed development would not form visually obtrusive additions and would serve to maintain the degree of openness within the parcel of land and the rural fringe setting in accordance with the Green Belt intentions of the NPPF.
- 6.16 It is also the view of staff that, in light of the information set out above and the unmet demand for additional school places in this school planning area, there are in this situation very special circumstances that outweighs the harm to the Green Belt in terms of inappropriate development.

Impact on Amenity

- 6.17 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through over-dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, or noise and disturbance to existing properties.
- 6.18 The proposed classroom and hall extensions would be positioned within central and rear sections of the site away from any of the surrounding residential accommodation. Given the distances it is not considered that the proposal would present any undue issues in terms of overshadowing and over-dominance.
- 6.19 The additional works at the site in relation to the proposal relate to the expansion of the car park and the intensification of vehicle movements. It is recognised that the sound of vehicles manoeuvring and car doors closing could raise some concerns in relation to noise and disturbance to neighbouring residents. In this instance the neighbouring residential accommodation is set back away from the school boundary on the opposite side of Wennington Road, which would help to reduce any potential noise impact. In addition, the car park will generally be in use during daytime hours.
- 6.20 The school caretaker's house is inherently associated with the functioning of the school campus and therefore any occupants living in this dwelling can reasonably expect to experience a greater element of noise and disturbance from general activity associated with the school than those living in a purely residential area. The car park will generally be in use during daytime hours at the beginning and end of the school day. As a result Staff are of the view that given the frequency the proposed car park would be used it would be acceptable in terms of amenity and health impacts.

Parking and Highway Issues

- 6.21 The parking standard for primary schools is set out as 1no. space per teaching staff. The school extension would create a further 11 full time jobs. Across the site the car parking provision would be increased by 21 spaces to provide a total of 29 spaces including two accessible bays, which is considered to be acceptable.
- 6.22 The new car park would be served by a new vehicle access onto Wennington Road. The existing vehicular access would be removed and adapted to a pedestrianised entrance.
- 6.23 Inevitably the morning and afternoon peaks will become busier given the proposed level of expansion. Nevertheless, the Local Highway Authority have raised no objections to the scheme, and Staff are of the view that the development would not create undue additional pressures for traffic congestion or parking in the surrounding streets.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable subject to conditions.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the openness of the Green Belt, the impact on the residential amenity of neighbouring residents, the suitability of the proposed parking, and pedestrian access, and the implications for the surrounding highway network. In this instance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposed development would not be disproportionate or have a harmful impact on the character of the surrounding area nor would it result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be approved subject to conditions.
- .

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

The application relates to land which is within the Council's ownership. This does not affect the planning considerations relating to this development. Although the application has been submitted on behalf of the Council, this has no material bearing on the consideration of this planning application, which is considered independently from the Council's role as applicant.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 1 December 2017.

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REGULATORY SERVICES COMMITTEE 22 February 2018

Subject Heading:

**P2078.17: Morland House, 12-16
Eastern Road, Romford**

Removal of condition 9 (Accessible and adaptable dwellings) of planning permission P0110.16 for the construction of roof extension to create two additional floors comprising 8no. new residential flats . (Application received 13 December 2017)

Ward:

Romford Town

SLT Lead:

**Steve Moore
Director of Neighbourhoods
Stefan Kukula**

Report Author and contact details:

**Principal Development Management
Officer
stefan.kukula@havering.gov.uk
01708 432655**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

Planning permission P0110.16 was granted in October 2017 for the construction of a roof extension to create two additional floors comprising 8no. residential flats.

Due to practical issues involving compliance, this application is seeking to remove condition 9 of the planning permission under Section 73 of the Town and Country Planning Act, 1990. The condition requires that the new dwellings are constructed to comply with the Accessible and Adaptable Dwellings legislation.

In this instance the removal of the condition is considered to be acceptable and it is recommended that planning permission is granted subject to conditions differing from those subject to which the previous permission was granted and the applicant entering into a deed of variation to the existing section 106 agreement.

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 315 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £6,300 Mayoral CIL payment (subject to indexation).

That the removal of condition 9 of the planning permission P0110.16 under Section 73 of the Town and Country Planning Act, 1990 proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the existing legal agreement, completed on 12 October 2017, in respect of the previous planning permission P0110.16 by varying the definition of Planning Permission which shall mean either planning permission P0110.16 as originally granted or planning permission P2078.17 and any other changes as may be required from this, to secure the following obligations, by 22 June 2018, and in the event that the deed of variation is not completed by such date then the application shall be refused:

- A financial contribution of £48,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from obtaining or purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Assistant Director of Development be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. External Materials

The external elements of the development shall be constructed in the materials approved under condition 3 of P0110.16; under discharge of condition reference Q0215.17.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Parking Provision

Before any part of the dwelling hereby permitted is first occupied the car parking provision as indicated in drawing 'PD01 Rev B' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

5. Construction Methodology

The Construction Methodology shall be carried out in accordance with the details approved under condition 5 of P0110.16; under discharge of condition reference Q0215.17, as detailed in the Demolition and Construction Statement, dated August 2017.

Reason: To ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

6. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Refuse and Recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the

case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. Cycle Storage

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

9. New Plant and Machinery

No building shall be occupied or use commenced until a scheme for the new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive property shall not exceed LA90 -10dB. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

10. Noise Insulation

The extension shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

11. Railway Noise Assessment

The dwellings shall be constructed in strict accordance with the measures set out in the Noise Impact Assessment, dated June 2017, produced by Venta Acoustics (Report VA1865.170623.NIA) submitted in relation to condition 12 of P0110.16 and approved under discharge of condition application reference Q0215.17.

Reason: To protect future residents against the impact of transportation noise and vibration, in accordance with Development Control Policies Development Plan Document Policies DC55 and DC61.

12. Water Efficiency

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £6,300 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees

for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.

5. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the property at Morland House, 12 Eastern Road, Romford. This is a five-storey former office block, which has been converted to residential flats through the prior approval legislation.
- 1.2 The building fronts onto Eastern Road with narrow service roads and parking areas to the sides. The railway line runs directly to the rear of the building. The property is located within Romford town centre, situated alongside other tall office blocks in this section Eastern Avenue.
- 1.3 The land is designated in the LDF as being within the Romford Office Quarter and as such is surrounded by a mixture of uses including commercial and residential.

2. Description of Proposal

- 2.1 Planning permission was granted under application reference P0110.16 in October 2017 for the construction of a roof extension to create two additional floors comprising 8no. residential flats. The accommodation would be split with four flats on each floor and would comprise 4no. one-bedroom units, 2no. two-bedroom units and 2no. three-bedroom units.

2.2 The current proposal is seeking to remove condition 9 of the planning permission, which requires that the new dwellings are constructed to comply with the Accessible and Adaptable Dwellings legislation under Part M4(2) of the Building Regulations.

2.3 The application proposes no other changes to the previously approved scheme.

3. Relevant History

3.1 Q0215.17 Discharge of Conditions 3, 5 and 12 of planning permission P0110.16

J0027.15 - Prior Approval for the conversion of Ground and First Floor from Office to Residential - Approved, 21 October 2015

J0001.15 - Prior approval application for the change of use from office to residential - Approved, 10 April 2015

4. Consultations/Representations

4.1 Notification letters were sent to 55 properties and no representations have been received.

4.2 The following consultation responses have been received:

- Building Control - no objection.

5. Relevant Policies

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC16 (Core and Fringe Frontages In District and Local Centres), DC29 (Educational Premises), DC32 (The Road Network, DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

5.2 Other relevant documents include the Romford Area Action Plan, Residential Design SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.

5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9

(mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.

- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 When considering the previous application for the residential development, Staff took into consideration issues in relation to the principle of development, the density and layout, the design and impact on the streetscene, the impact on amenity, and the implications for parking and highways. Under the previous application these considerations were assessed and judged to be acceptable in all material respects, which in turn led to planning permission being granted.
- 6.2 This application concerns the removal condition 9 of planning permission P0110.16, which requires that the 8no. new flats are constructed to comply with the Accessible and Adaptable Dwellings legislation under Part M4(2) of the Building Regulations.
- 6.3 As set out in 'Approved Document M of the Building Regulations - Volume 1: Dwellings', to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey.
- 6.4 The fifth and sixth floor roof extension relates to an existing residential building and it is intended that the new floors would be constructed to conform to the existing lift facilities that currently serve all floors of the building. The new flats on the fifth and sixth floors would therefore be served by lifts ensuring step free access would be provided for the new occupiers.
- 6.5 However, in this instance the existing lift shaft and corridor access points throughout the building would need to be widened to facilitate the full M4(2) compliant widths for the new floor levels. As a result the necessary works would involve a significant reconfiguration of the existing internal layout, including the repositioning of walls of the existing occupied flats, resulting in the displacement of the existing residents in the lower floors.
- 6.6 As a result it is the applicant's intention to replicate the existing lift facilities into the fifth and sixth floor extension, rather than embark on the disruptive and expensive alteration.
- 6.7 The Accessible and Adaptable Dwellings legislation is set out in Policy 3.8 of the London Plan and is primarily aimed at new build housing. In this case

the development relates to the extension of an existing residential block, rather than a new build.

- 6.8 Paragraph 206 of the NPPF states that “Planning conditions should only be imposed where they are: necessary; relevant to planning and; to the development to be permitted; enforceable; precise and; reasonable in all other respects.”
- 6.9 Staff have considered the specific circumstances relating to the implementation of condition 9 and on reflection form the view that it would not be necessary or reasonable in this instance for the Council to require full compliance with Part M(2). The measures put in place by the applicant would still ensure step free access to the new dwellings, which would adhere to the wider aims of Policy 3.8. As a result the removal of the condition is considered to be acceptable.

Principle of Development

- 6.10 The principle of the development was established under planning permission P0110.16. As with the previous application the provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area..

Density/Layout

- 6.11 The density and layout of the scheme was assessed under planning application P0110.16 and judged to be acceptable. This application proposes no alteration to these previously approved arrangements.

Design/Impact on Streetscene

- 6.12 The design and impact on the streetscene was assessed under planning application P0110.16 and judged to be acceptable. This application proposes no alteration to these previously approved arrangements.

Impact on Amenity

- 6.13 The impact on the amenity of neighbouring residents was assessed under planning application P0110.16 and judged to be acceptable. This application proposes no alteration to these previously approved arrangements.

Parking and Highway Issues

- 6.14 The parking provision and highways implications was assessed under planning application P0110.16 and judged to be acceptable. This application proposes no alteration to these previously approved arrangements..

Mayoral Community Infrastructure Levy

- 6.15 The proposed development will create 8 no new residential units with 315 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £6,300 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.16 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

- 6.17 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

- 6.18 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.

- 6.19 There has been a change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 6.20 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least

£20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.

- 6.21 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.22 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per unit towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.23 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £48,000 for educational purposes would be appropriate.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable subject to conditions differing from those subject to which the previous permission was granted and a deed of variation to the existing section 106 agreement.
- 7.2 Staff consider that the proposal is acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character and appearance of the area or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a deed of variation legal agreement.

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources would be required to prepare and complete the required deed of variation. The s106 contribution is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the contribution and obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating to planning obligations.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, supporting statements, and drawings received 13 December 2017.

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REGULATORY SERVICES COMMITTEE

22 February 2018

Subject Heading:

P1720.17: The Meeting Room, Branfill Road, Upminster

Demolition of the existing building and construction of a two storey residential building with roof level accommodation creating 4no. apartments with private/communal amenity space, off street parking, cycle storage and bin stores. (Application received 19 October 2017)

Ward:

Upminster

SLT Lead:

Steve Moore
Director of Neighbourhoods

Report Author and contact details:

Stefan Kukula
Principal Development Management Officer
stefan.kukula@havering.gov.uk
01708 432655

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

The proposal is for the demolition of the existing building and the construction of a new residential development consisting of 4no. flats.

It raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of the future occupants and of neighbouring residents, and parking and access.

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 194 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £3,880 Mayoral CIL payment (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following obligations, by 22 June 2018, and in the event that the Section 106 agreement is not completed by such date then the application shall be refused:

- A financial contribution of £24,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Save for the holder of blue badges that the future occupiers of the proposal will be prohibited from obtaining or purchasing residents or business parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.

- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Assistant Director of Development be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Materials

Before any development above ground level takes place, samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Terrace Screening Panel

Prior to the first occupation of the development a privacy screening panel shall be installed on the first floor outdoor terrace associated with unit 4, as indicated on

Drawing No. 1551/03 Revision A, in accordance with details previously submitted to and agreed by the Local Planning Authority. Following installation, the screening panel shall remain in place permanently.

Reason: In the interests of the amenity of the occupiers of neighbouring dwelling, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

6. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday,

and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Vehicle Cleansing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

8. Pedestrian Visibility Splay

The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access gates to the service road, set back to the

boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason: In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

9. Parking Provision

Before any of the dwellings hereby permitted are first occupied, the car parking as indicated in drawing no. 1551/01 Rev A & 1551/030 Rev A shall laid out to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

10. Refuse and Recycling

Before any of the dwellings hereby permitted are first occupied, the refuse and recycling facilities shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for the storage of refuse and recycling. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

11. Cycle Storage

Before any of the dwellings hereby permitted are first occupied, the cycle storage shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

12. Landscaping

No development above ground works shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

13. Boundary Fencing

The proposed building shall not be occupied until details of all proposed walls, fences and boundary treatment have been submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC6.

14. Lighting

Prior to the first occupation of the building external lighting shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

15. Railway Noise Assessment

No works shall take place in relation to any of the development hereby approved until an assessment of the impact of:

- a) railway noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995) and;
- b) vibration from the use of the railway lines upon the site; is undertaken and a scheme detailing the measures to protect future residents from railway noise and vibration is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupancy taking place.

Reason: Insufficient information has been supplied with the application to judge the impact of transportation noise and vibration upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of transportation noise and vibration, in accordance with Development Control Policies Development Plan Document Policies DC55 and DC61.

16. Contaminated Land Precautions

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
- b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61..

17. Contaminated Land (2)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

18. Water Efficiency

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent Gary Cumberland, via telephone. The revisions

involved changes to the layout of the building and amenity areas. The amendments were subsequently submitted on 15 January 2018.

2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £3,880 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. **Fire Safety**

The applicant is advised that a pump appliance should be able to approach to within 45 metres of all points within each dwelling measured along a line suitable for laying a hose. If this cannot be met, a fire main should be provided and a pump appliance should be able to approach to within 18 metres of the inlet to the main, which should be visible from the appliance. The fire main should comply with BS9990:2015. There should also be a fire hydrant within 90 metres of the inlet to the fire main. Further information in this respect should be obtained from the London Fire and Emergency Planning Authority on 020 8555 1200.

4. **Changes to the public highway (including permanent or temporary access)**

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.

Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street

Management should be contacted make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
6. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.
8. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.haverling.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The application relates to The Meeting Room premises at Branfill Road, Upminster. The site comprises a single building located on the north side of Branfill Road, currently in use as a community meeting hall (Use Class D1). The building has a part flat, part pitched roof and is set back from the street within its own curtilage.
- 1.2 The surrounding area is of a mixed nature with residential properties to the west and south on Branfill Road. Directly to the east of the site is a large car park which serves the commercial needs of Station Road which adjoins Branfill Road some 100 metres to the east of the application site. To the north the site adjoins the sidings of a railway serving Upminster station.
- 1.3 The building is not listed and is not located within a conservation area. The land is designated in the LDF as being within the Upminster Major District Centre.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the demolition of the existing building and the construction of a new residential development consisting of 4no. flats. The accommodation would comprise 1no. one bedroom unit and 3no. two-bedroom units.
- 2.2 The proposed building would be set back from Branfill Road continuing the building line of the adjacent residential properties, creating a forecourt area with 4no. off street parking spaces. The building would comprise two storeys with an additional third floor contained in the roof space served by front and rear dormers.
- 2.3 The new building would measure approximately 10.6 metres in width, and project back into the site with a depth of 14.15 metres. The proposal would incorporate a traditional pitched roof design with gabled flank elevations and a ridge height of approximately 8.7 metres.
- 2.3 A communal resident's refuse store and secure cycle storage facility would be positioned to the rear of the building.

3. Relevant History

- 3.1 P0386.17 - Demolition of existing building and erection of 2no. four-bedroom houses, with associated gardens and car parking - Approved, 20 June 2017.
- 3.2 P1932.16 - Demolition of existing building and erection of new three storey block comprising ground floor hall (with flexible B1, D1, D2 use) and 4no. two-bedroom flats in upper floor. - Refused, 26 January 2017.
- 3.3 P0130.15 - Demolish existing meeting room. Erect three storey building containing 2No. two bedroom maisonettes & 2No. one bedroom flats - Refused, 4 June 2015

4. Consultations/Representations

- 4.1 Notification letters were sent to 9 properties and 1 representation has been received.
- 4.2 The comments can be summarised as follows:
 - The proposal should not prejudice the potential future development of the adjacent car park site.
- 4.3 In response to the above: the proposed development would be orientated away from the adjacent car park site and would not include any habitable room windows on the flank elevations facing the adjacent plot.
- 4.4 The following consultation responses have been received:
 - Essex Water - no objection.
 - London Fire Brigade Water Team - no objection.
 - London Fire and Emergency Planning Authority - no objection.
 - Street Care - no objection.
 - Environmental Health - no objection, recommended conditions relating to contaminated land precautions, and noise assessments associated with the nearby railway line and road.
 - Local Highway Authority - no objection, recommended conditions in relation to pedestrian visibility splays, vehicle access and vehicle cleansing as well as a restriction on future residents obtaining car parking permits.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC16 (Core and Fringe Frontages In District and Local Centres), DC27 (Provision of Community Facilities), DC29 (Educational Premises), DC32 (The Road Network, DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC69 (Other Areas of Special Townscape or Landscape Character), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, Designing Safer Places SPD, and Planning Obligations SPD (technical appendices).
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), and 12 (Conserving and enhancing the natural environment), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the streetscene, the implications for the residential amenity of the future occupants and of nearby properties, and the suitability of the proposed parking, access and servicing arrangements.

Principle of Development

- 6.2 The existing building is in use as a meeting hall and as such Policy DC27 (Provision of Community Facilities) of the LDF is relevant. Policy DC27 states that planning permission which involves the redevelopment of a community facility will be granted where it can be demonstrated that there is no longer a need for the facility affected, either in its current use or any alternative use, or where suitable alternative provision is made.
- 6.3 This application follows the approval of planning application P0386.17 in June 2017 for the demolition of the existing building and erection of 2no. four-bedroom houses. The loss of the community facility was assessed as part of this application and judged to be acceptable, with the applicant

demonstrating that there is no longer a need for the facility affected in its current use. In terms of alternative uses the building would require substantial renovation and modernisation to make it fit for purpose, as it lacks the amenities expected of a modern facility. As with the previously approved scheme the current proposal is therefore considered to be in accordance with policy DC27.

- 6.4 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 6.5 The land is designated in the LDF as being within a fringe area of the Upminster Major District Centre. However the site is located on a residential side street some 125 metres from the main shopping high street at Station Road. Other than the adjacent car park the site is considerably disconnected from the commercial areas of Upminster and has a closer association with the adjacent residential environment.
- 6.6 On this basis the proposal is considered to be policy compliant in land use terms and its use for domestic residential purposes is therefore regarded as being acceptable in principle.

Density/Layout

- 6.7 Policy 3.4 of the London Plan provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.8 The proposal would provide 4no. residential units at a density equivalent to approximately 109 dwellings per hectare. This complies with the aims of Policy 3.4 which suggests that a greater dwelling density of between 70 to 130 dwellings per hectare would be appropriate in this location.
- 6.9 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.
- 6.10 The proposed dwellings would meet the relevant internal floor space standards for two-person one-bedroom flats, three-person two-bedroom flats, and four person two-bedroom flats. The bedrooms would also comply with the minimum requirements set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed development would be in accordance with the general principles of the technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.11 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private

amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.

- 6.12 The proposed dwellings would be served by an 80 square metre communal garden area located to the rear of the site. In addition, the ground floor rear flat (unit 2) would have a private terrace area comprising 22 square metres. In addition the first floor two-bedroom flat (unit 4) would benefit from a first floor terrace comprising 5.9 square metres.
- 6.13 Given the town centre location of the building, and the amenity areas associated with equivalent town centre accommodation, it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space. Accordingly, the communal garden space and terraces would be to a functional size and which would provide a satisfactory environment for their occupiers.

Design/Impact on Streetscene and Special Character Area

- 6.14 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.15 The proposed block would form a more prominent feature in the streetscene at Branfill Road in comparison to the detached single storey hall building that currently occupies the site. However, the replacement building would be set back within the plot to align with the established building and would be of a similar scale, bulk and height to the existing townhouse dwellings in the terraced row immediately to the west of the site. This would allow the larger building to sit more comfortably within the site and reduce any undue sense of over dominance in the streetscene.
- 6.16 The design of the proposed building is considered to be of a conservative appearance, which broadly adheres to the architectural character of the surrounding area.
- 6.17 The proposed residential block would be set-in approximately 1 metre from both flank boundaries with the neighbouring property and adjacent car park, maintaining a comfortable element of separation within the streetscene between the new and existing development.
- 6.18 In this instance Staff are of the opinion that the scale of the proposed development would be acceptable and in accordance with policy, given the height and massing of the surrounding buildings.

Impact on Amenity

- 6.19 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.20 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the adjacent property at 10 Branfill Road, located immediately to the west of the application site.
- 6.21 The new building would be set in from the boundary by over 1 metre, and would project some 6 metres beyond the rear building line of No.10 with a single storey flat roof section. This section of the development would effectively replicate the existing relationship with the hall building. In terms of height the new single storey section of the building proposal would sit lower than the parapet of the existing building, offering a small degree of improvement for the adjacent house.
- 6.22 At first floor level the rear elevation of the closest section of the proposed block would project marginally beyond the rear building line of No.10, by approximately 1.6 metres. The remaining first floor rear projection element of the new building would be set some 6.2 metres from the boundary with No.10 mitigating any undue impact in terms of overshadowing and over dominance. A condition will be included requiring the installation of a suitable screening panel to the first floor terrace serving unit 4, prior to the occupation of the dwelling, in order to maintain privacy and mitigate a sense of overlooking towards the rear garden of No.10. As such it is not considered that the proposed building would result in undue harm to the residential amenity of the occupants of No.10.
- 6.23 Staff are therefore of the opinion that the proposed development would not harm the amenities of neighbouring properties to an extent that would justify refusing the scheme on these issues alone. The proposal is therefore in accordance with Policy DC61 and the intentions of the NPPF.

Environmental Issues

- 6.24 The site is not located within a Flood Zone and presents no issues in relation to local flood risk.

Parking and Highway Issues

- 6.25 The application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 5, meaning that the site offers an good degree of access to surrounding public transport.
- 6.26 The scheme can demonstrate off street car parking provision for 4no. vehicles; one space per dwelling on a paved forecourt area, with a new dropped kerb vehicular access formed onto Branfill Road. The increase in traffic along Branfill Road as a result of the four additional dwellings, is considered to be negligible and within acceptable limits. This level of parking provision is acceptable and meets London Plan Policy 3.5.
- 6.27 The Local Highway Authority has raised no objection subject to the applicant entering into a legal agreement to prevent future occupiers from applying for parking permits. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed development would result in parking or highway safety issues.
- 6.28 A communal resident's refuse store and secure cycle storage area have been indicated on the proposed layout plan located to the rear of the block, however further details of these facilities and arrangements will be obtained through the inclusion of relevant conditions.

Mayoral Community Infrastructure Levy

- 6.29 The proposed development will create 4no. residential units with 194 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £3,880 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.30 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 6.31 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of

the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

- 6.32 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.33 There has been a change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.34 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.35 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.36 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per unit towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.37 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £24,000 for educational purposes would be appropriate.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable subject to conditions and the completion of a Section 106 legal agreement.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the area or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a Section 106 legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources would be required to prepare and complete the required Section 106 legal agreement. The s106 contribution is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the contribution and obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating to planning obligations.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, supporting statements, and drawings received 19 October 2017, and amended plans received on 15 January 2018.

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REGULATORY SERVICES COMMITTEE

22 February 2018

REPORT

Subject Heading:

P1501.17 52 Mashiters Walk, Romford

Demolition of existing bungalow and erection of pair of semi-detached dwelling houses

(Application received 15.09.17)

SLT Lead:

Steve Moore - Director of Neighbourhoods;

Report Author and contact details:

Mehdi Rezaie;
Principal Planner;
Mehdi.Rezaie@havering.gov.uk
01708 434732

Ward:

Romford Town

Policy context:

The National Planning Policy Framework 2012;
The London Plan 2016;
Local Development Framework 2008;

Financial summary:

None.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

The application is for the demolition of the existing bungalow and the construction of a pair of semi-detached houses. Staff consider that the proposal is consistent with the provisions of the Local Development Framework, Core Strategy and Development Control Policies Development Plan Document and the London Plan.

It is therefore recommended that planning permission be granted subject to conditions and completion of a S106 agreement to require a contribution to be used for educational purposes for the net additional gain of one dwelling.

This application is reported to Committee at the request of Councillor Joshua Chapman as he considers that the proposal will have an impact on the character of the street scene by reason of its design and the overdevelopment of the site, which may be perceived as having an overbearing impact for the road and the land and parking concerns.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The total gross internal floor areas after deduction of the existing would result in 167m² and therefore be liable for Mayoral CIL rate of £20 per square metre as net additional floorspace which amounts to £20 X 785m² which equates to £3,340 CIL liability. This is subject to indexation so the final liability may differ.

That the proposal is unacceptable as it stands but would be acceptable subject to applicant, by 22 June 2018, entering into a Section 106 Legal Agreement to secure the following:

- A contribution of £6,000 to be used for educational purposes
- In the event that the legal agreement is not completed by 31 August 2018 the application shall be refused.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

In the event that the legal agreement is not completed by 22 June 2018 the application shall be refused.

That the Assistant Director of Development be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time limit for commencement:

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Accordance with Plans:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice) and any other plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Materials:

No development above ground shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for the external construction of the dwellings are submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to

commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Boundary Treatment:

No development above ground level shall take place until details of all proposed walls, fences and boundary treatment are submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details prior to the first occupation of the development for residential purposes and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. Site levels:

Prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to judge the proposed site levels of the proposed development. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

6. Car parking:

Before the building(s) hereby permitted is first occupied, provision shall be made within each site for minimum 2.No, car parking spaces in accordance with current standards adopted by the Local Planning Authority, thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

7. Obscure Glazing:

The proposed window in the first floor side elevations (south and north facing) as shown on revised drawing No: 201 shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).

Reason: In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. Water Efficiency:

The dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan.

9. Access:

The dwelling hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

10. Construction Methodology:

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- d) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- e) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- f) siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;

h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

The development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

11. Vehicle Cleansing:

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed. The submission will provide;

a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.

b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;

c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.

d) A description of how vehicles will be cleaned.

e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

12. Hours of Construction:

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

13. Tree Protection:

No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:

The lime tree off-site targeted for retention, whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy DC60 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Protection of Trees*' 2009.

14. Refuse and Recycling:

Before either of the dwellings hereby permitted are first occupied, the refuse and recycling facilities shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for the storage of refuse and recycling. Submission of this detail prior to occupation in the case of new building works or

prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

15. Cycle Storage:

Before any of the dwellings hereby permitted are first occupied, the cycle storage shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

16. Landscaping:

No development above ground works shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

INFORMATIVES

1. Application Approved With Amendment:

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Fee:

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.

3. Changes to the public highway (including permanent or temporary access);

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. Highway legislation;

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

5. Temporary use of the public highway;

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a license is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised works on the highway is an offence.

6. Surface water management:

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

7. Street name/numbering:

Before occupation of the dwelling hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.haverling.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

8. CIL Liability:

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £3,340 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

REPORT DETAIL

1. Site Description:

- 1.1 In terms of its local context, the application site falls within the district boundary of Romford and within the ward of Romford town centre, as depicted on the Local Plan Policies Map. Mashiters Walk is situated 0.7m north of Romford town centre, just south of Eastern Avenue (A12 carriageway). The site and its surroundings do not fall under any special designation or special character area, site constraints that are of material planning relevance with the works proposed include: Waste site landfills 250m buffer and area of potential archaeological significance.
- 1.2 A character appraisal of the surrounding area reveals that properties on Mashiters Walk are characterised as either detached or semi-detached in type, and predominantly two-storeys in form together with a disbanded handful of chalet-bungalows. The architectural character of properties here are not necessarily 'uniform' in style and differ from one to another, varying in their mass and material use, notwithstanding this, a clear consistent building-line is however evident.
- 1.3 The vast majority of dwellings of Mashiters Walk retain areas of hardstanding for vehicular parking either to the front or side of their property, there is also some scattered parking bays in between the marked yellow lines on the highway. The area is well served with modes of public transport, the closest bus stops to the site lay off Havering Drive and Pettis Lane which is a 4 and 5 minute walk from the site and therefore easily accessible by public modes of transport.
- 1.4 In terms of its immediate setting, the application site falls on the eastern side of Mashiters Walk with the principle elevation fronting the main highway and orientated in a north-westerly position. The site relates to a relatively flat parcel of land which is rectangular in shape and measuring approximately 0.1212 hectares or 1212m². The north-western boundary of the site encompasses a low lying plinth wall with a relatively small (self-planted) cherry tree in close proximity. The remainder of the sites curtilage is bound by wooden fence panelling with scattered and overgrown vegetation.
- 1.5 The site comprises a two bedroom bungalow (hipped-roof design) with a garage (lean-to roof design) at its side. The existing bungalow retains a built footprint amounting to approximately 149m² with amenity areas amounting to approximately

1016m² to the front/side and rear of the property. The existing bungalow is constructed of red-brick and white rendering, clay roof tiles and white UPVC window/door frames and double glazing windows.

- 1.6 The site retains an area of hardstanding to the front (north-west) which is capable of accommodating at least two vehicles with no overhang on the pedestrian pavement. Vehicular access to and from the site lies on the western corner of the site benefitting from a dropped curb from the highway, Directly outside the application site lies two marked parking bays, these spaces are free parking bays.

2. Description of Proposal:

- 2.1 The applicant seeks planning permission to demolish their existing 2 bedroom bungalow and to erect a pair of two-storey, semi-detached residential properties (pitched and crown-roof design).
- 2.2 The proposed internal layouts fall symmetric to one another, both incorporate at ground floor an open plan kitchen/dinning/living room with a reception room whilst at first floor 4.No bedrooms (one en-suite) and a bathroom.
- 2.3 The proposal encompasses curtilage parking, through providing areas of hardstanding which are located towards the front of the properties that offers 2.No of dedicated vehicular parking spaces to serve each property. Vehicular ingress/egress to and from one of the dwellings necessitates the widening of the existing access and dropped curb with a second opening and dropped curb required to serve the other dwelling, consequentially resulting in loss of both on-street parking bays.

3. Planning History:

- 3.1 There is no relevant planning history.

4. Consultations/Representations:

- 4.1 Public consultation was carried out by way of site notices and a press notice as well as notification to 26 nearby properties. In total 8 objection letters had been received. Comments from a material planning perspective suggested insufficient parking, traffic congestion, adverse impact to mature trees, overdevelopment of the site, excessive scale, untimely construction hours, privacy intrusion, light, noise and odour pollution, appearance of the buildings and detrimental impact on character of the streetscene.
- 4.2 The following statutory consultee responses have been received:

LBH Environment Protection: No objection or comments in relation to contaminated land or air quality.

Highways Authority: No objection subject to imposition of informatives. Highways advise that the area is within a controlled parking zone, but the parking bays are "free bays" with no restriction on who can use them or for how long. It is considered that their loss (the equivalent of 2 vehicles) is not significant and we would not seek their reprovision. Our parking team are of the view that the bays are used by commuters in the main and residents in the area generally have plenty of off-street parking. If we had resident permit or bay and display bays, then the loss would be more of an issue.

5. Planning Policy:

5.1 The 'National Planning Policy framework' ("NPPF") 2012;

The National Planning Policy is set out in the "NPPF" which was published in March 2012. The "NPPF" and Guidance ("NPPG") states clearly that its content is to be a material consideration in the determination of applications. The "NPPF" states that due weight should be given to the adopted policies of the Local Development Framework (LDF) according to their degree of consistency with the "NPPF" (the closer the policies in the plan to the policies in the "NPPF", the greater the weight that may be given). Accordingly, due weight is also given to the Nationally Described Space Standards (2015).

5.2 The London Plan 2016;

The relevant policies from the 'London Plan' include: Policy 1.1 (Delivering the Strategic Vision and Objectives for London), Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential), Policy 3.5 (Quality and Design of Housing Developments), Policy 3.8 (Housing Choice), Policy 5.1 (Climate change mitigation), Policy 5.21 on (Contaminated Land), Policy 5.3 (Sustainable design and construction), Policy 5.13 (Sustainable drainage), Policy 5.14 (Water quality and wastewater infrastructure), Policy 5.15 (Water use and supplies), Policy 5.18 (Construction, excavation and demolition Waste), Policy 5.21 (Contaminated Land), Policy 6.13 (Parking), Policy 7.1 (Lifetime neighbourhoods), Policy 7.3 (Designing out crime), Policy 7.4 (Local character), Policy 7.6 (Architecture), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 8.3 (Community Infrastructure Levy).

5.3 London Borough of Havering's Development Plan Document ("DPD") 2008;

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the provisions of the development plan and any other material considerations when dealing with an application for planning permission. Havering's Development Plan comprises the London Plan (2016), London Borough of Havering's "DPD" (2008), together with London Borough of Havering's ("LBH") Supplementary Planning Documents ("SPD"), 'Designing Safer Places' (2010), 'Landscaping' (2011), 'Residential Design' (2010), 'Sustainable Design Construction' (2009); 'Protection of Trees during Development' (2009).

5.4 The relevant policies from Havering's "DPD" include; Policies CP1 (Housing Supply), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes and Mobility Housing), DC33 (Car Parking),

DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC51 (Water Supply, Drainage and Quality), DC53 on (Land Contamination), DC60 (Trees and Woodlands), DC61 (Urban Design), DC63 (Delivering Safer Places).

6. Mayoral CIL implications:

- 6.1 The proposed development, for each individual dwelling would create a built footprint of 79m² at ground floor level and a further 79m² at first floor level, resultant of 158m² per dwelling. As this is a development for a pair of semi-detached properties, the combined amount equates to 316m². The total gross internal floor areas after deduction of the existing (149m²) would result in 167m². The proposal would therefore be liable for Mayoral CIL rate of £20 per square metre as net additional floorspace which amounts to £20 x 785m² which equates to £3,340 CIL liability. This is subject to indexation so the final liability may differ.

7. Planning Considerations:

- 7.1 Officers consider that the determining issues with regards to the proposal are as follows:
- a) Principle of Development;
 - b) Sitting/Orientation/Layout;
 - c) Scale/Design;
 - d) Resident/Occupant Amenity;
 - e) Vehicular Access/Parking;
 - f) Other Material Considerations;
 - g) Planning Obligations;

8. Principle of Development:

- 8.1 In terms of national planning policies, Para 17 from the “*NPPF*” 2012 sets out the overarching roles that the planning system ought to play, a set of core land-use planning principles that should underpin decision-taking, one of those principles are that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Para’s 50 and 52 from the document seek to provide opportunities for achieving sustainable development, delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.
- 8.2 Policy 1.1 on ‘Delivering the Strategic Vision and Objectives for London’ from the ‘*London Plan*’ 2016 sets out the strategic vision for growth and change in London to be managed in order to realise the Mayor’s vision for London’s sustainable development to 2036. Policy 3.3 on ‘Increasing Housing Supply’ of the ‘*London Plan*’ 2016 sets out the pressing need for more homes in London in order to

promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.

- 8.3 In terms of local planning policies, Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008 expresses the need for a minimum of 535 new homes to be built in Havering each year through prioritising the development of brownfield land and ensuring it is used efficiently. Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year.
- 8.4 In light of the above policy considerations, officers are of the view that there are no in principle objection to a residential-led development coming forward for this site, the proposal would in effect contribute in increase the housing stock and choice by a net gain of one dwelling within an established residential area. The proposal, subject to satisfying other policy requirements would adhere with guidance from Paras 17, 47 and 52 of the '*NPPF*' 2012; and Policies 1.1, 3.3 and 3.5 of the '*London Plan*' 2016; and with Policy CP1 of LBH's '*Development Plan Document*' 2008.
- 8.5 In respect of demolishing the existing detached bungalow, officers need highlight that the building has no statutory listing, nor is it on any heritage asset register or within a special character area. The existing bungalow holds little architectural merit and aesthetic value, therefore there is no in principle objection for its retention. Moreover, officers made note of the buildings internally dilapidated state, the proposal would in effect bring back into use a vacant building, rejuvenating the site in accordance with principles under Para 55 from the '*NPPF*' 2012 which encourages the development and re-use of buildings and land to lead to an enhancement to the immediate setting and policies CP17 and DC61 of LBH's '*Development Plan Document*' 2008.

9. Siting/Orientation/Layout;

- 9.1 A character appraisal and desk based assessment (block plan) exposes a pattern of development whereby to a degree building-lines in the streetscene respect the curvature of the road, and in this regard the existing bungalow would not differ immensely.
- 9.2 The proposal on the other-hand, when reviewed contextually (drawing labelled: 203 Revised) reveals a building-line set parallel with that of its neighbour: 54 Mashiters Walk and set 380mm behind the front bay window of its opposite neighbour: 50 Mashiters Walk, retaining 1.2m distances between the common party boundary where presently the garage abuts the boundary. As the proposal is nestled in between both these neighbouring properties in a non-invasive manner, with unchanged distances between the front flanking walls (north-west facing) to the main highway at 5.8m, officers regard its position and orientation to be acceptable on their planning merits.
- 9.3 As the scheme continues to preserve the defining characteristics of the local area, the above mentioned aspects from the proposal continue to adhere with guidance

and principles envisaged under Para's 55, 56, 58, 63 from the '*NPPF*' 2012; and policies 7.4(a,d) and Policy 7.6(d) of the '*London Plan*' 2016; and policies CP17 and DC61 from the LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010.

- 9.4 The proposal, when assessing its internal layout (drawing labelled: 201 Revised) reveal two dwellings that mimic one another's internal and external layout plans. Internally the proposals provide at ground floor an open plan kitchen/dinning/living room with a reception room whilst at first floor 4.No bedrooms (one en-suite) and a bathroom. Officers consider the layout to be functional and acceptable on its planning merits.
- 9.5 Externally, the layout plans offer inclusive access around the site with ease of movement, incorporating concealed refuse and recycling areas together with secure cycle storage spaces situated in the rear gardens. Distinguished boundaries remain aligned and unchanged, evidently preserving defensible spaces which uphold 'Secured By Design' principles. These aspects of the proposal continue to adhere with guidance under Para's 55, 58, 59, 61, 69, 96 from the '*NPPF*' 2012; and policies 7.3(b,c,e), 7.4(a,d) and 7.6(a,b,d) of the '*London Plan*' 2016; and policies CP17, DC3, DC40, DC61 and DC63 from the LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010 and '*Designing Safer Places*' 2010.

10. Scale/Design:

- 10.1 The width of the existing plot (to the front/adjacent the main highway) remains unchanged, spanning a distance of approximately 15.1m, which by comparison to nearby properties of similar form appears comparable, if not less. By example, officers have swotted shared similarities between: 32 and 34 Mashiters Walk (pair of two-storey semi-detached dwellings) which maintain a front boundary width of 13.9m, marginal less than that proposed here by 1.2m.
- 10.2 The dimensions of the existing bungalow measure a building width of 13.5m at a projected depth of 13.4m, an eaves height of 2.5m and roof ridgeline peaking at 5.7m. The proposal however measures a building width of 12.7m and projected depth of 12.9m with its eaves height set no greater than 4.9m and its roof ridgeline peaking at 7.9m. The built footprint of the existing bungalow amounts to approximately 149m² with approximately 1016m² of amenity space. The proposal offers a built footprint (with aspects that jut in/out) that amount to a combined 158m² of built footprint to 1113m² of solely private amenity space, when sub-divided per dwelling this equates to 79m² of built footprint against 556m² of private amenity space.
- 10.3 In comparing the dimensions, built footprint and amenity spaces offered between the exiting bungalow and the proposed pair of semi's, the proposal portrays a marginally reduced building width and depth by contrast to that of the existing, its built footprint however is marginally increased by 9m² and private amenity area significantly reduced but spaces used more appropriately. The ridgeline of the proposed roof is to be 2.2m above that of the existing, which upon examination

contextually (drawing labelled: 201 Revised) portrays a lesser ridge-height of 360mm than that of its neighbouring property: 50 Mashiters Walk. The proposal is sited 1m away from the boundary fences of both neighbouring properties, whereby existing purpose-built extensions abut the boundary fence.

- 10.4 In light of the above mentioned analytical assessment, and off the backdrop of a contextual study, officers remain content that the scale of development and its roofscape is comparable against that of nearby and neighbouring properties (whereby precedent has already been established) and as such would integrate well on harmonising to the visual quality of the area. The proposal also preserves local distinctiveness through its distinguished form and separation distancing of 1.2m from the boundary fences of its neighbouring properties.
- 10.5 Officers also remain content with the amount of amenity space being provided, the reduced amount of amenity space now being offered against the existing bungalow allow for the proposal to optimise the full potential of the site, nevertheless, occupant amenity is not compromised and considered plentiful.
- 10.6 By virtue of its scale and level of occupant amenity on offer, the development proposal would be acceptable in policy terms as it falls compliant with guidance from Para's 17, 55, 57, 58, 59, 61, 63, 65 of the '*NPPF*' 2012; Policies 3.5, 5.3, 7.1, 7.4, 7.6 of the '*London Plan*' 2016; and Policies CP17, DC61 of LBH's '*Development Plan Document*' 2008; and guidance from the Councils SPD on '*Residential Design*' 2010.
- 10.7 The appearance of the proposed building, being of a pitched and crown-roof design would not fall out of place within the streetscene, officers consider the design to mimic others in the vicinity and regard it as promoting local distinctiveness. All windows and doors have been scaled and fenestrated to symmetrical values against one another, moreover against its neighbouring properties, thus reflecting local variations where appropriate.
- 10.8 The proposed ridgeline from the roof falls beneath that of its neighbouring two-storey property which forgoes a slight step-down whilst transitioning against the ridgeline of its neighbouring bungalow, as such this aspect portrays a sympathetic approach in its overall height without appearing overbearing to them or against that of the streetscene. Moreover, officers need highlight that this type of development (two-storey dwellings abutting the boundary of neighbouring bungalows) is widely evident across Mashiters Walk, examples include bungalow at No: 4 Mashiters Walk which neighbours 2.No. two-storey dwellings and bungalow at No: 9 Mashiters Walk which again features similar similarities. The proposal, by virtue of its design and appearance would harmonise on the character of the streetscene and fall policy compliant with policies 'DC69, CP17' from LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010.
- 10.9 Specified materials and finishes do appear to complement one another and appear to mimic those in their surroundings, which include roof tiles; white colour fascia boards and guttering; brickwork; double glazed windows with white UPVC window frames. The proposal, subject to condition 3 requesting sample materials to be provided would by virtue of its intended material use not cause any detrimental

harm to the character of the streetscene or the appearance of the dwellings, materials appear consistent with others in the local context and therefore in accordance with policies 'DC69, CP17' from LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010.

11. Residential Amenity:

- 11.1 Staff have also reviewed the internal layout and space being offered to its occupants and concluded a functional layout which exceeds the minimum space standards set under the Nationally Described Space Standards (2015). Officers have also examined the amount of private amenity spaces offered to both dwellings and concluded that an area of 556m² of amenity space is considered plentiful for its occupants and a refusal on the grounds of overdevelopment could not be justified as the proposal is not considered excessive or cramped given its plot coverage.
- 11.2 Officers have considered and reviewed the scope of privacy intrusion and remain satisfied that the proposal would not result in direct overlooking as all windows (except the side flanking ones) which would otherwise overlook the applicants own rear garden. In respect of the side flanking windows, it needs be appreciated that both serve non-habitable rooms (a bathroom) and have been labelled as obscure glazed and of the non-opening type which shall be safeguarded by way of condition 7. This aspect from the proposal, subject to condition would adhere with Policy CP17 on 'Design' from the LBH's '*Development Plan Document*' 2008 and guidance from LBH's SPD entitled '*Residential Design*' 2010.
- 11.3 Officers have also conducted a 'Sunlight/Daylight' assessment and concluded that the proposal surpasses both the 25 and 45 degree tests to both neighbouring properties given that both the front and end flanking walls of the development falls aligned with that of its neighbours (if not further set-back) which rids any protruding aspect of development that may have potentially blocked natural daylight from entering habitable windows. In particular, officers need highlight that the 2.No. side flanking windows serving No. 50 Mashiters Walk (neighbours) serve a bedroom and a hallway (as shown under approved planning reference: P0385.11), notwithstanding this the bedroom being sited to the rear benefits by a secondary window to its end elevation (principle) therefore any overshadowing to this window negligible. The proposal would by virtue of its siting not overshadow either its neighbour's windows served on a principle elevation, the scheme therefore adheres to policies CP17 and DC61 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD entitled '*Residential Design*' 2010.
- 11.4 Officers have considered concerns of overbearing impact to its neighbouring bungalow, mindful that there is a purpose built side extension to that bungalow (with no side flanking windows) with the proposal being suitably distanced from the party boundary and a roofing design formed to slope away, officers explicate that neighbour amenity remains unaffected, and a refusal on these ground could not be justified for the reasons mentioned here and under sections 9.2, 10.3 and 10.8 of this report. The proposal remains policy compliant in accordance with Policies

DC69 and CP17 from LBH's *'Development Plan Document'* 2008 and LBH's SPD's entitled *'Residential Design'* 2010.

12. Vehicular Access/Parking:

- 12.1 The application site achieves a PTAL score of 2 (low-moderate accessibility), the proposal for 2.No. four-bedroom dwellings is accompanied by the provision of 2.No. curtilage bound vehicular parking spaces each, the increase in the number of bedrooms has provided a commensurate increase in onsite parking provision which adheres with the minimum parking standards suggested in the Planning Framework and Policy 6.13 on 'Parking' from the *'London Plan'* 2016; and with Policy DC33 on 'Car Parking' from LBH's *'Development Plan Document'* 2008.
- 12.2 Existing vehicular access to and from the site shall run off Mashiters Walk, the proposal would however require the loss of two on-street vehicular parking bays. Officers have consulted the Highways Authority who concluded that there is no objection to the loss of the bays. This is on the grounds that the parking bays are "free bays" with no restriction on who can use them or for how long and considers their loss (the equivalent of 2 vehicles) as not being significant enough to justify re-provision. As it stands a refusal on grounds of loss of on-street parking cannot be justified and the proposal is in accordance with Policy 6.13 on 'Parking' from the *'London Plan'* 2016; and with Policy DC33 on 'Car Parking' of the LBH's *'Development Plan Document'* 2008.

13. Other Material Considerations

- 13.1 In respect to arboriculture matters, officers acknowledge the presence of a lime tree which lies on the pavement directly outside the application site, the tree is sited at a distance of 1.5m from the existing boundary wall (north-west). Officers have carried out a desk based assessment and can confirm that the tree in question is not safeguarded by any Tree Preservation Orders, nor are there any trees within the curtilage of the site that are served/protected by that order.
- 13.2 Officers are of the view that the lime tree in question does hold an aesthetical value which contributes to the character of the streetscene. The tree is sited away from the proposed works by a considerable distance (approximately 7.5m) nevertheless officers still feel it appropriate to apply a condition requesting a Root Protection Zone during any building works so that development would not compromise the health of this tree. Subject to adhering with condition 16 from the conditions list, the development proposal would fall in keeping with guidance from Policy 7.21 from the *'London Plan'* 2016; and Policy DC60 of the LBH's *'Development Plan Document'* 2008 and LBH's SPD on *'Protection of Trees'* 2009.
- 13.3 A second tree (from the cherry tree species) also lies in close proximity to the above mentioned boundary wall, however within the curtilage of the application site. Officers can confirm that this tree is a self-planted one and not aged nor veteran by type. Therefore, its removal (if needs be) can be justified as it holds little to no amenity value, no reference to its removal is made under this submission yet

officers need to mention why no Root Protection Zone condition should be warranted here as it would not be considered reasonable, thus contrary to guidance under Para 206 from the '*NPPF*' 2012.

- 13.4 In respect of light, noise and odour concerns, it needs be acknowledged that the intended planning use of the proposal is to function as residential dwellings, and in established residential area which poses no threat or harm to either neighbouring properties or occupants themselves. Notwithstanding this, the councils Environment Health and Protection team have reviewed the site and proposal and raised no objection as the development proposal adheres to policy and guidance from Policy 5.21 of the '*London Plan*' 2016 and Policy DC53 of LBH's '*Development Plan Document*' 2008.
- 13.5 Objector comments make reference to loss of view, with this regard it needs be noted that there is no relevance in planning terms for the loss of a view. This is not a material planning consideration and refusal cannot be justified on these grounds. Other objector comments reference untimely construction hours, with this in mind officers have mitigated growing concerns by of imposing conditions relating to construction method and hours. Officers have concluded and remain satisfied that any material harm that the development would otherwise give rise to has been offset by the conditions imposed.

14. Planning Obligations:

- 14.1 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 14.2 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 14.3 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 14.4 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed

development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.

- 14.5 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 14.6 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 14.7 It would therefore be necessary to require a contribution to be used for educational purposes for one of the additional dwellings. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £6,000 for the additional dwelling for educational purposes be required.

13. Conclusion:

- 13.1 Having regard to the individual circumstances of this proposal, by reason of its siting, scale, design and appropriate use of materials the development is considered to represent appropriate form of replacement dwelling that would optimise the sites potential without detracting the visual quality of the streetscene or amenities of its neighbours. It is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks: None.

Legal implications and risks: None.

Human Resources implications and risks: None.

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity.

REGULATORY SERVICES COMMITTEE

22 February 2018

Subject Heading:

**P2032.17: 167 Brentwood Road,
Romford**

Internal refurbishment and modernisation of the property, including the addition of two ensuite bathrooms, to convert the property from a single dwelling (C3) to a 4 (four) room HMO dwelling (C4).
(Application received 12 December 2017)

Ward:

Romford Town

SLT Lead:

Steve Moore - Director of Neighbourhoods

Report Author and contact details:

Kevin McLaughlin
Planning Officer
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01708 431279

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

Internal refurbishment and modernisation of the property, including the addition of two ensuite bathrooms, to convert the property from a single dwelling (C3) to a 4 (four) room HMO dwelling (C4).

It raises considerations in relation to the impact on the character and appearance of the area, the impact on the residential amenity of the future occupants and of neighbouring residents, and the implications for parking, access and highway safety.

Staff consider the proposed development to be acceptable in all respects and approval is accordingly recommended.

A legal agreement is required due to the intensification of the site and the limited availability of on-street parking.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 of the Greater London Council (General Powers) Act 1974, to secure the following obligations by and in the event that the legal agreement is not completed by 22nd June 2018 the item shall be refused:

- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- Pursuant to Section 16 of the Greater London Council (General Powers) Act 1974 save for the holder of blue badges that the future occupiers of the proposal will be prohibited from purchasing residents or business parking

permits for their own vehicles for any existing, revised or new permit controlled parking scheme.

That the Assistant Director of Development be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. SC4 - Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC32 - Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. SC06 – Parking Provision

The area to the front of the site as indicated on drawing no.007-00010-00' shall be set aside for car parking for two vehicles and retained permanently thereafter and kept free of obstruction.

Reason:-

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

4. SC58 – Refuse and Recycling

No bedroom shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. SC59 – Cycle Storage

No bedroom shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

6. House in Multiple Occupation

The use of the building shall be as a House in Multiple Occupation (HMO) as defined in the Housing Act (2004), and by Use Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended), and shall not be occupied by more than six persons at any time.

Reason:-

In order to ensure that the use of the building and level of occupancy does not give rise to an unacceptable level of impact on adjoining residential occupiers or have an adverse impact on the character and appearance of the area in accordance with policies DC4, DC5 and DC61 of the Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. No self-containment of rooms

The applicant should note that this planning permission relates to the use of the building as a house of multiple occupation (HMO), providing communal living accommodation for six persons. Any self containment of the rooms to create separate residential units or studio flats would require planning permission in its own right.

2. Approval – No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. *Site Description*

- 1.1 The application relates to the property at 167 Brentwood Road, Romford. This is a two-storey detached property located close to the junction with Globe Road and adjacent to the Wyse Mews access road which runs to the rear. The property is set back from the road to provide a front garden area along with space for on site parking. Further amenity space is available to the rear.
- 1.2 The surrounding area is largely residential in nature featuring a mixture of semi-detached, terraced and flatted properties. The neighbouring premises to the west is currently 'The Kingdom Hall of Jehovah's Witnesses'.

2. *Description of Proposal*

- 2.1 The application is seeking planning permission for the internal refurbishment and modernisation of the property, including the addition of two ensuite bathrooms. The applicant wishes to convert the property from a single dwelling (C3) to a 4 (four) bedroom HMO dwelling (C4).
- 2.2 The proposed HMO would comprise two en-suite, double bedrooms and two single bedrooms set out over two floors. The property will feature a shared kitchen/dining area and a toilet at ground floor level. The first floor will include a TV/sitting room, one main bathroom and another single toilet.
- 2.3 The rear garden area would be utilised to form communal amenity space shared by the occupants. Although internal access to the rear garden would be through a downstairs bedroom and via the conservatory, the conservatory can also be accessed directly from the garden.
- 2.4 The site will include on street parking for two vehicles at the front of the dwelling.

4. *Relevant History*

- 4.1 None

5. Consultations/Representations

5.1 Notification letters were sent to 53 neighbouring properties and 1 representation has been received. The comments can be summarised as follows:

- The area is already highly populated
- New development and existing HMO's are contributors to the high population.
- Parking is currently difficult in the area.
- Potential impact upon local amenities/infrastructure and traffic.
- Concerns in relation to anti-social problems, crime and excess waste.

5.2 In response to the above: the issues in relation to the amenity of the surrounding residents as well as the amenity of future occupiers is discussed in the following sections of the report. Planning applications can only be determined based on material planning considerations. Officers cannot pre-empt the future occupiers or what may or may not happen following development.

5.3 Environmental Health - No objection.

5.4 Local Highway Authority - No objection, provided a legal obligation is applied which will restrict the use of the parking spaces.

6. Relevant Policies

6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), DC4 (Conversions to Residential & Subdivision of Residential Uses), DC5 (Specialist Accommodation), DC33 (Car Parking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design), DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

6.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), and 8.2 (planning obligations) of the London Plan, are material considerations.

6.3 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), and 7 (Requiring good design), are relevant to these proposals.

7. *Mayoral CIL implications*

- 7.1 The application does not result in the creation of any additional floorspace and is therefore not liable for any charges under Mayoral CIL legislation.

8. *Staff Comments*

- 8.1 This application is for a change of use to a house in multiple occupation (HMO), which is defined in the Housing Act 2004 as including a building which has been converted entirely into flats or bedsits which are not wholly self-contained and which are let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- 8.2 The applicant has not stated who would use the building other than providing accommodation for up to six persons. However, the only requirement is that in order to be an HMO the property must be used as the tenants' only or main residence and it should be used solely or mainly to house tenants. Therefore, as long as the occupants have a tenancy agreement and the property is their main or only residence then it would qualify as an HMO. If planning permission is granted for a change of use to an HMO then in theory tenants could come from any category. It would be a matter for the landlord to let to tenants they deemed appropriate. This would be the same as with any property that is let, such as fully self-contained flats.
- 8.3 Changes of use between a dwelling house (Class C3) and a smaller HMO (Class C4) and vice versa, are often permitted development within certain Wards across the Borough. Within Romford Town though, an Article 4 Direction requires that such applications are not permitted unless permission is first approved by the Local Planning Authority.

9. *Principle of Development*

- 9.1 Policies DC4 and DC5 of the Core Strategy and Development Control Policies DPD accept the principle of HMOs in residential areas subject to meeting a number of criteria. Policy DC4 concerns the conversion to a residential use and requires, amongst other things that the property is detached and well separated from neighbouring dwellings, and that the nature of the use does not have an adverse impact on the surrounding area. Any disturbance to adjoining residential occupiers should be no greater than that of an ordinary single family dwelling.
- 9.2 The criteria in policy DC5 which relate to specialist accommodation, include location within a residential area, good accessibility to services and public transport and adequate parking for residents and visitors.
- 9.3 Subject to meeting these criteria the use of the building as an HMO would be in accordance with the Council's policies.

10. *Design/Impact on Street / Gardenscene*

- 10.1 Policy DC61 of the LDF states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 10.2 The property is in the process of being refurbished and modernised internally. No notable changes are being made to the appearance of the property apart from the resurfacing of the front garden/parking area.
- 10.3 The proposals are not considered to give rise to an unacceptable visual impact in the street scene. It is therefore considered that the proposal would be in accordance with policy DC61.

11. *Impact on Amenity*

- 11.1 Policies DC4 and DC5 set criteria that seek to ensure a change of use to an HMO would not be out of character with the locality and would not be likely to give rise to unacceptable levels of noise and disturbance to residential occupiers nearby. Policy DC4 requires that the proposal should not result in an unacceptable loss of privacy enjoyed by the occupants of adjoining dwellings by reason of overlooking and that it would not be likely to give rise to significantly greater levels of noise and disturbance compared with an ordinary single family dwelling.
- 11.2 In terms of the amenity of future occupants: each of the bedrooms would demonstrate a reasonable outlook and aspect, two of which would include an en-suite bathroom. It is considered that the shared kitchen would be adequate in terms of size and sufficiently spacious to accommodate a suitable dining table. Future residents would also benefit from a first floor TV/Sitting room and a communal garden area to the side and rear which is comparable in scale to that of the neighbouring dwellings. Although internal access to the garden would be through a downstairs bedroom and via the conservatory, the rear conservatory can also be utilised from the garden. Generally the house would be set out to ensure safe and secure access from the street. The overall layout and functionality of the dwelling would be to a good standard.
- 11.3 The site is located on a relatively busy road and it is acknowledged that those residents living near to the application site and those within it could reasonably expect a certain amount of background noise on a day to day basis as well as a different type of environment from that which would be found in an entirely suburban housing area.
- 11.4 The main impact on the adjoining residents at 169 Brentwood Road would be likely to arise from activities in the rear garden and front parking area with vehicles, manoeuvring and residents coming and going. The application building is located on a spacious plot and the site can be regarded with a degree of separation within this setting. Whilst it is recognised that the level of occupancy of up to six persons is likely to be greater than for a typical

single family dwelling, again, given the size of the house this is unlikely to give rise to a significantly greater potential for additional harm. The proposed HMO would be restricted by condition to accommodate not more than 6 persons (if all of the rooms are fully occupied). Under these circumstances it is not considered that the intensification of use would cause harm to neighbouring occupiers to such a degree as to justify a refusal.

- 11.5 On balance, it is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61 and the intentions of the NPPF.

12. *Parking and Highway Issues*

- 12.1 Policy DC33 sets out the appropriate level of parking for this type of development with Annex 5 setting a maximum of 1 no. space per two habitable rooms. The proposal would provide four bedrooms and two resident parking spaces, which achieves the standard.
- 12.2 The Local Highway Authority considers this level of provision to be acceptable and have raised no objections to the proposal subject to a Section 106 obligation that would prevent future occupiers from obtaining residents parking permits which would offset the highways impacts of the development.

13. *Conclusion*

- 13.1 A house in multiple occupation (HMO) is a recognised form of residential use that is acceptable in a residential area, subject to there being no significant adverse impacts. In this case whilst there could be some additional impact on neighbours compared with the former use as a single dwelling house, it is considered that, as a matter of judgement the likely impact on adjoining residents would not be materially harmful to an extent to justify the refusal of planning permission. In reaching this conclusion staff have also taken account of the amount off street car parking provision to the front of the site.
- 13.2 It is therefore considered that the scheme complies with the relevant policies of the Core Strategy and Development Control Policies DPD and it is recommended that planning permission be approved subject to a section 106 agreement and conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources would be required to prepare and complete the required legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 and Section 16 of the Greater London Council (General Powers) Act 1974. The legal agreement is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating to planning obligations.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

REGULATORY SERVICES COMMITTEE

22 February 2018

REPORT

Subject Heading:

P1389.17

Land at Rom Valley Way, Rom Valley Way;

Redevelopment of the site to provide 620 Residential units (use class C3) and 830sqm commercial floorspace (use class A1/A3/D1) in buildings extending to between 4 and 8 storeys in height together with associated car and cycle parking, hard and soft landscaping and infrastructure works;

(Application received 21.08.2017);

SLT Lead:

Steve Moore - Director of Neighbourhoods;

Report Author and contact details:

Mehdi Rezaie;
Principal Planner;
Mehdi.Rezaie@havering.gov.uk
01708 434732

Ward:

Brooklands;

Policy context:

The National Planning Policy Framework 2012;
The London Plan 2016;
Development Plan Document 2008;

Financial summary:

None;

The subject matter of this report deals with the following Council Objectives

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[X]
[X]
[X]
[X]

SUMMARY

This application is reported to Committee because it is for a major development within Romford.

This report concerns a detailed planning application for the redevelopment of the site to provide 620 Residential units with 830sqm of commercial floorspace in buildings extending to between 4 and 8 storeys in height together with associated car and cycle parking, hard and soft landscaping and infrastructure works.

Officers consider that the proposal would protect the natural and built environment in accordance with the principles of sustainable development and meet an identified housing need. The proposal is sustainable in terms of transportation and would improve the visual character of the area.

The proposal is consistent with the provisions of the Local Development Framework, Core Strategy and Development Control Policies Development Plan Document and the London Plan. It is therefore recommended that planning permission be granted subject to conditions and completion of a S106 agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

That the application is unacceptable as it stands but would be acceptable subject to applicant entering into a Section 106 Legal Agreement to secure the following obligations by 21st August 2018 and in the event that the Section 106 agreement is not completed by such date the application will be refused.

The application is subject to referral to Mayor of London at Stage 2.

All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council. The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.

Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

HEADS OF TERMS

Affordable Housing

- 11% of units (67.No. units) as Affordable;
- Tenure split 57% affordable rent and 43% intermediate shared ownership, the housing option in terms of affordable rent is the London affordable rent.
- Review mechanisms at stages of the development and benchmark values/return to be agreed in consultation with GLA;

Education

- Financial contribution of £3,888,372 towards provision of education costs, comprising:
 - £1,250,800 early years;
 - £1,715,480 primary years;
 - £643,320 secondary years;
 - £278,772 post 16 years;

Highways

- Financial contribution of £250,000 towards provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road and ancillary route improvements linked to the above;
- Financial contribution of £100,000 towards provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street and ancillary route improvements linked to the above;
- Financial contribution of £180,000 towards public transport infrastructure required by TfL;
- Provision of cycle/footway along eastern boundary of the site adjoining Rom Valley Way;
- The provision of 2 car club spaces on the site and 3 years free membership for future residents to the Car Club;
- The provision of travel plans covering the residential and commercial elements of the scheme;
- Restrictions on Parking Permits to apply to both residents and commercial operators within the site.

- 21 allocated parking spaces at no charge to be allocated for all 3 and 4 bed affordable units.

Carbon offset

- Financial contribution of £854,145 towards carbon offset schemes;

BTR

- The Western blocks (242 units) as Build to Rent under a covenant for at least 15 years;
- Provide units that are all self-contained and let separately;
- Operate under unified ownership and management;
- Offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
- Offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;
- Include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
- Be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme;
- Not to charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.

Public Realm

- Requirement to obtain a management company to maintain the public realm and landscaped areas;
- Requirement to make the pedestrian route a pedestrian right of way;
- Requirement to assume liability over the pedestrian right of way;

Quality of Architecture

- Requirement to retain novation of architect, as a minimum as executive architects for the scheme;

Subject to the above legal agreement, that planning permission be granted subject to the conditions set out below:

1. Time limit for commencement:

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Accordance with Plans Condition:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as amended), particulars and specifications (as set out on page one of this decision notice) and any other plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Policy DC61 of LBH's *'Development Plan Document'* 2008.

3. Materials Condition:

No development above ground shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for the external construction of all building(s) are submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved and thereafter the development shall be constructed with the approved materials. In respect of the brickwork, full sample panels of the brickwork including colour, texture, face bond and pointing shall be provided.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of LBH's *'Development Plan Document'* 2008.

4. Boundary Treatment:

No development above ground level shall take place until details of all proposed walls, fences and boundary treatment are submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details prior to the first occupation of the development for residential purposes and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with DC61 of LBH's *'Development Plan Document'* 2008.

5. PD Withdrawal Condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or Orders amending or revoking and re-enacting the same, other than boundary treatment approved in accordance with Condition 4 no gate, fence, wall or other means of enclosure shall be erected or constructed unless prior written permission has been granted by the Local Planning Authority (pursuant to an application).

Reason: In order to safeguard the character and visual amenities of the locality in accordance with Policy 3.5 of the '*London Plan*' 2016 and Policy CP17 of LBH's '*Development Plan Document*' 2008.

6. Site levels Condition:

No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall be carried out in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to judge the proposed site levels of the proposed development. Submission of a scheme prior to commencement will ensure that the development accords with Policy DC61 of LBH's '*Development Plan Document*' 2008 and with Section 197 of the Town and Country Planning Act 1990.

7. Drainage Condition:

No development shall commence until full details of the drainage strategy, drainage layout, together with SUDS information to serve the development have been submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained in accordance with Policy DC49, DC51 and CP15 of LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

8. Drainage Condition Continued:

No development shall commence until full details of the proposed means of foul and surface water sewage disposal have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is properly drained in accordance with Policy DC49 and Policy 51 and CP15 of LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

9. Layout Condition:

The layout of this site shall incorporate children's play areas in complete accordance with the approved plans (as amended), full details of a scheme of implementation and phasing to be submitted to before any above ground level works have commenced and agreed in writing by the Local Planning Authority prior to works commencing on development. Any area(s) so provided shall not thereafter be used for any purpose other than recreation for use by residents.

Reason: To avoid undue pressure on existing local recreation facilities in accordance with Policy 3.6 from the '*London Plan*' 2016.

10. Landscaping Condition:

No development above ground shall take place until details of both on-site hard and soft landscape works (in accordance with the illustrative landscape masterplan) have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours;
- means of enclosure to both the private garden areas and public spaces;
- hard surfacing materials;
- minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines, intruder alarm boxes, communal aerals, including lines, manholes, supports etc);

Soft landscape details shall include the following as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment;
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- retained areas of grassland, hedgerow and trees;
- implementation programme;

Reason: To improve the appearance of the site in the interests of visual amenity and to ensure the long term retention of soft landscaping including future protection from those in private gardens and public spaces.

11. Landscaping Condition Continued:

All hard and soft landscape works shall be carried out in accordance with the approved details. Hard landscaping works shall be completed prior to the occupation of the dwellings. The soft landscaping shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity and to ensure the long term retention of soft landscaping including future protection from those in private gardens and public spaces in accordance with Policy DC60 of the LBH's *'Development Plan Document'* 2008.

12. Land Contamination Condition:

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase II (Site Investigation) Report, as the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- c) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Policy DC53 of the LBH's '*Development Plan Document*' 2008.

13. Land Contamination Condition Continued:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

- a) Following completion of the remediation works as mentioned above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

14. Electric Vehicle Parking Provision Condition:

Electric charging points shall be installed in 20% of the allocated parking spaces at the development. The charging points shall be supplied with an independent 32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The sockets shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: So to protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people in accordance with guidance under Para's 58 and 69 from the '*NPPF*' 2012.

15. Non-Road Mobile Machinery Condition:

- a) Prior to the commencement of the development hereby approved, the developer or contractor must be signed up to the NRMM register.
- b) The development site must be entered onto the register alongside all the NRMM equipment details.
- c) The register must be kept up-to-date for the duration of the construction of development.
- d) It is to be ensured that all NRMM complies with the requirements of the directive.
- e) An inventory of all NRMM to be kept on-site stating the emission limits for all equipment.

Reason: Being a major development in Greater London, but outside the Non-Road Mobile Machinery (NRMM) Central Activity Zone, NRMM used on site must meet Stage IIIA of EU Directive 97/68/EC as a minimum. From 1st September 2020 the minimum requirement for any NRMM used on site within Greater London will rise to Stage IIIB of the Directive.

16. Dust Monitoring Scheme Condition:

- a) Prior to the commencement of the development, a Dust Monitoring Scheme for the duration of the demolition and construction phase of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority. The scheme shall detail:
- Determination of existing (baseline) pollution levels;
 - Type of monitoring to be undertaken;
 - Number, classification and location of monitors;
 - Duration of monitoring;
 - QA/QC Procedures;
 - Site action levels; and
 - Reporting method.
- b) Following the completion of measures identified in the approved Dust Monitoring Scheme, a “Dust Monitoring Report” that demonstrates the effectiveness of the dust monitoring carried out must be produced, and is subject to the approval of the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the construction activities do not give rise to any exceedances of the national air quality objectives/limit values for PM10 and/or PM2.5, or any exceedances of recognised threshold criteria for dust deposition/soiling.

17. Construction Methodology Condition:

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- d) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;

- e) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- f) siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

The development shall be carried out in accordance with the approved scheme and statement.

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords with Policy DC61 of the LBH's '*Development Plan Document*' 2008.

18. Vehicle Cleansing Condition:

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed. The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with Policy DC32 and DC61 of the LBH's *'Development Plan Document'* 2008.

19. Lighting Condition:

Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior development above ground level. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, and in order that the development accords with Para's 58 and 69 from the *'NPPF'* 2012; and Policy 7.3 of the *'London Plan'* 2016; and Policies CP17 and Policy DC63 of LBH's *'Development Plan Document'* 2008; and with LBH's SPD on *'Designing Safer Places'* 2010.

20. Hours of Construction Condition:

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity, and in order that the development accords with Policy DC55 of LBH's *'Development Plan Document'* 2008.

21. Noise Pollution Condition:

All noise mitigation measures in the form of appropriate glazing and ventilation units will need to be incorporated into the scheme and in accordance with the report entitled *'Noise Impact Assessment'* Ref: Rev P1 dated 01.06.2017. Any deviation from works prescribed or methods agreed in accordance with the report shall be agreed in writing to the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with Policy DC55 of LBH's *'Development Plan Document'* 2008.

22. Noise Pollution Condition Continued:

Before any works relating to new plant or machinery commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with Policy DC55 of LBH's *'Development Plan Document'* 2008.

23. Surfacing Materials Condition:

Before any above ground development is commenced, surfacing materials for the access road and parking areas shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent uses of the access road for anything but access.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the surfacing materials. Submission of this detail prior to commencement will ensure that the development accords with Policy DC61 from LBH's *'Development Plan Document'* 2008.

24. Car Parking Provision Condition:

Prior to the first occupation of any of the relevant residential blocks hereby permitted, a phased scheme outlining the areas set aside for car parking spaces, and laid out and surfaced to the satisfaction of the Local Planning Authority to provide a minimum of 248.No. vehicular parking spaces (inclusive of 30.No. spaces wheelchair accessible standard) shall be submitted. Those areas shall be retained permanently thereafter for the accommodation of vehicles associated with the site.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy DC32 of LBH's *'Development Plan Document'* 2008.

25. Cycle Parking/Storage Provision Condition:

Prior to the first occupation of any of the relevant residential blocks hereby permitted, a phased scheme outlining the cycle storage areas shall be provided and laid out and surfaced to the satisfaction of the Local Planning Authority to

provide a minimum of 1,031.No. secure cycle parking stores provided for building residents (long stay) exclusive of a minimum of 18.No. cycle parking spaces provided for commercial units and 16.No. cycle parking spaces for visitors (short stay). The safe, secure and accessible areas as marked on the plans shall be retained permanently thereafter for the accommodation of cycle parking spaces associated with the site.

Reason: To ensure that cycle parking spaces are made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy DC35 of LBH's *'Development Plan Document'* 2008.

26. Refuse and Recycling Condition:

Prior to the first occupation of any of the individual blocks hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection arising from that block in accordance to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with Policy DC40 of LBH's *'Development Plan Document'* 2008.

27. Community Safety Condition:

Prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' accreditation. The development shall only be carried out in accordance with the approved details.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and LBH's SPD on *'Designing Safer Places'* (2010) and *'Sustainable Design Construction'* (2009).

28. Community Safety Condition Continued:

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and

LBH's SPD on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

29. Fire Safety Condition:

Any inlet for a fire main shall, where ever possible, be positioned on the face of the building which it serves and be visible from the appliance. Any access point shared with a pedestrian/cycle route shall be capable of supporting a pump appliance with a minimum carrying capacity of 14 tonnes. No part of a proposed access route shall contain a grassed area.

Reason: In order to comply with Policy 3.8 of the '*London Plan*' 2016 and Policy DC7 of the LBH's '*Development Plan Document*' 2008.

30. Water Efficiency Condition:

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the '*London Plan*' 2016 and DC51 of the LBH's '*Development Plan Document*' 2008.

31. Access Condition:

At least 62 of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy 3.8 of the '*London Plan*' 2016 and Policy DC7 of LBH's '*Development Plan Document*' 2008.

32. Archaeology Condition:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the sites which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: Insufficient information has been supplied with the application in relation to the above matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of LBH's *'Development Plan Document'* 2008.

33. Ecology/Biodiversity Condition:

No development above ground shall take place until a scheme for the provision of bat and bird boxes integrated into the built form of new buildings shall be submitted to and approved by the Local Planning Authority. The boxes so approved within each phase of the development shall be completed and available for use before the last dwelling within that phase is occupied.

Reason: To ensure that any protected species remain safeguarded, and in accordance with Policy CP15 and Policy CP16 of LBH's *'Development Plan Document'* 2008.

34. Ecology/Biodiversity Condition Continued:

Works shall be carried out in full accordance with the specific recommendations and mitigation measures set out from the Preliminary Ecological Appraisal dated June 2017, unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to secure adequate ecological mitigation and enhancement, including with regards to protected species, and in accordance with Policy CP15 and Policy CP16 from LBH's *'Development Plan Document'* 2008.

35. A1/A3 Further Details Condition:

No parts of blocks E1 or E4 shall be constructed until details of internal core running to roof level suitable for fume extraction equipment are submitted and approved by the Local Planning Authority. The building shall be constructed in accordance with the approved details. Before the A1 and A3 uses hereby permitted commences, details of the hours of use, together with a scheme for the mechanical ventilation of the working area (utilising the internal core) and for the filtration of grease and cooking odours shall be submitted to and approved in writing by the Local Planning Authority and thereafter so retained unless further written approval

from the Local Planning Authority for an alternative scheme is gained. Details shall include the noise attenuation measures for the ventilation machinery.

Reason: To preserve the residential and visual amenities of the locality in accordance with Policy CP17 of LBH's '*Development Plan Document*' 2008.

36. D1 Further Details Condition:

Before the D1 use hereby permitted commences, details of the hours of use shall be submitted to and approved in writing by the Local Planning Authority and thereafter so retained unless further written approval from the Local Planning Authority for an alternative scheme is granted.

Reason: To preserve the residential and visual amenities of the locality in accordance with Policy CP17 of LBH's '*Development Plan Document*' 2008.

37. Phasing Condition:

In the event that the development approved is to be developed in phases and prior to the commencement of a phased development, a Phasing Plan shall be submitted to and approved by the Local Planning Authority. The conditions outlined in this decision notice shall be applied for and approved in accordance with the phasing strategy.

Reason: To ensure that the development programme is not unnecessarily prolonged.

INFORMATIVES

1. Approval following Revisions:

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework In accordance with para 186-187 of the National Planning Policy Framework 2012.

2. Fee:

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended); a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse is needed.

3. Changes to the Public Highway:

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. Highway Legislation:

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised works on the highway is an offence.

5. Temporary use of the public highway;

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a license is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised works on the highway is an offence.

6. Surface Water Discharge:

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 08000093921 so to ensure that the surface water discharge from the site shall not be detrimental to the existing sewage system.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures

he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

With regard to water supply, this comes within the area supplied by the Essex and Suffolk Water Company. For your information the address to write to is -Essex and Suffolk Water Company, Sandon Valley House, Canon Barns Road, East Hanningfield, Essex CM3 8BD Tel - (03457) 820999.

7. Surface water management:

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

8. Street name/numbering:

Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see: <https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

9. Protected species:

The presence of European protected species, such as bats, is a material consideration in the planning process and the potential impacts that a proposed development may have on them should be considered at all stages of the process. Occasionally European protected species, such as bats, can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, it is advised that the developer stops work immediately and seeks the advice of the local authority ecologist and/or the relevant statutory nature conservation organisation (e.g. Natural England). Developers should note that it is a criminal offence to deliberately kill, injure or capture bats, or to deliberately disturb them or to damage or destroy their breeding sites and resting places (roosts). Further works may require a licence to proceed and failure to stop may result in prosecution.

10. Protected species continued:

The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981, and the Countryside & Rights of Way Act 2000. Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost,

regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD. Their telephone number is 0845 1300 228.

11. Crime and disorder:

The applicant is advised to seek the advice of the Metropolitan Police Services Designing out Crime Officers (DOCOs). The services of the MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 02082173813.

12. Community Safety:

In aiming to satisfy the condition the applicant should seek the advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 02082173813.

13. Archaeology:

A written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

14. Water Regulations:

The applicant is advised to seek the advice of the Water Regulations Team on 01268664890 as failure to comply with the Water Supply (Water Fittings) Regulations 1999 is an offence which may result in a fine of up to Level 3 on the standard scale, or summary of conviction.

15. CIL Liability:

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be an estimated £1,425,580. (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development.

A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

16. Planning Obligations:

Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. Site Description:

- 1.1 The application site is located within close proximity to the Romford town centre and within the Romford Housing Zone. Site constraints that are of material relevance with the works proposed include; Contaminated Land; Landfill 250m Buffer; Flood Zone 1; Area of Archaeological Significance; Aerodrome Safeguarding.
- 1.2 In terms of its local context, the application site lies southeast of Rom Valley Way (A125) dual carriageway which forms part of the Strategic Road Network ("SRN"). The application site is bound to the north by a public car park and to its west by Oldchurch Rise and Queen's Hospital. The southern boundary of the site lies adjacent to the hospital site access, also the main vehicular access point.
- 1.3 The surrounding buildings/uses are varied, a mix of residential, community, retail and small scale industrial uses surround the site. To the east of the site beyond Rom Valley Way lies a substantial retail park, residential dwellings and a small amount of industrial use lies further to the north and a substantial residential area is located beyond this further north of Oldchurch Road. Beyond the hospital further south lies more large areas of residential development.
- 1.4 The application site is rectangular in shape with a site area of approximately 2.9ha (29,000m²). The site has been vacant since the former Ice Rink on the northern half of the site (single storey building at 3300m²) was demolished. The site is now largely hard-surfaced with some grassland and some trees/shrubs around its perimeter, and is relatively level (slight gradient from north-west to south-east).

2. Description of Proposal:

- 2.1 The proposal seeks a comprehensive redevelopment of the site to deliver a residential-led mixed use scheme. The proposal seeks to erect nine apartment blocks that range between four to eight storeys in height to contain a total of 620 residential apartments and two residents' gyms with ground floor commercial units, together with associated landscaping, car and cycle parking.
- 2.2 A total of 5.No. apartment blocks are to be six storeys in height, the tallest part of the proposal would be sited in the northern part of the site adjacent to the town centre boundary and the Rom Valley Way frontage which peaks at eight storeys set at a height of approximately 26m high at its tallest point. The height of the buildings will then be stepped down across the site towards the southern end of the site, which extends between 4 and 5 storeys.
- 2.3 The proposed layout introduces a wide, north-south pedestrian link through the site which connects Rom Valley Way to Queens Hospital as the main pedestrian through link. The layout of the site has been integrated and framed around the central communal areas, which include a range of public, communal and private amenity spaces with street entrances providing outward frontages.
- 2.4 The residential mix proposed across the site (at 65,876m² gross internal area) includes 240.No. of 1 bedroom flats, 294.No. of 2 bedroom flats, 83.No. of 3 bedroom flats and 3.No. 4 bedroom flats.
- 2.5 The commercial mix proposed across the site provides mixed retail units and community floorspace (totalling 830m² of gross internal areas), this includes a café/restaurant/shop (515m² gross internal areas), together with a medical use facility (315m² gross internal area).
- 2.6 The proposal is for 248.No. dedicated vehicular parking spaces for residents at a ratio of 0:4 per dwelling, with secure cycle parking stores capable of accommodating 397.No. cycle parking spaces for the west blocks and 634.No. cycle parking spaces for the east blocks and 16.No. visitors/commercial cycle parking spaces, together with internal refuse areas.
- 2.7 Vehicular access into the site would be provided via two points at the northern and southern end of the site. The main vehicular route into the site will be taken from Rom Valley Way (A125) via the roundabout to the south-east of the site, a secondary vehicular access will be provided via Oldchurch Rise, to the north-west of the site.

3. Planning History:

- 3.1 A planning history search revealed an extensive planning background, as this application seeks the complete re-development of a particular site, the specific historical permissions issued to the land in question are not considered overly relevant in this instance, except for:

- Full application submitted under planning reference: P0732.13 for 'Change of Use of existing ice rink car park to a public pay & display'. Application approved on 23.07.2013 for temporary period which expired on 31.12.2015.
- Full application submitted under planning reference: P1468.12 for 'Proposed food store within Class A1 (retail) use, petrol filling station, associated parking and landscaping, alterations to existing access to Rom Valley Way and formation of new access/egress on to Rom Valley Way; and outline planning application for a residential scheme of up to 71 units comprising a mix of 3 bedroom town houses and two blocks of 1 and 2 bed flats (access only to be considered)'. Application approved on 18.12.2013, permission now lapsed.

4. Consultations/Representations:

- 4.1 Public consultation was carried out by way of site (6.No. notices) and press notices as well as notification to nearby properties.
- 4.2 In total, 19 letters of objection and 9 letters of support had been received. Objector comments from a material planning perspective are summarised as follows: potential loss of light or overshadowing; adequacy of parking, road access and traffic generation; crime and disturbance; pressures on existing infrastructure (schools and surgeries); design/appearance (height) and landscaping. Supportive comments from a material planning perspective are summarised as follows: supports housing targets; makes use of a vacant brownfield site.
- 4.3 The following statutory consultee responses have been received:
- 4.3.1 Greater London Authority: Concerns raised over the level of affordable housing on offer, and whether the density should be increased and parking levels decreased (extent of surface parking). GLA have further expressed that they do support proposals for high density housing in the Romford Housing Zone, especially ones which fall close to Romford town centre and the emerging Crossrail station which welcome and respond well to London Plan policy and the Mayor's aspirations for Outer London. Moreover, GLA have highlighted that this level of retail and community floorspace is acceptable for this location and will support the delivery of new housing and that the principle of development is supported. Further comments and remedies have been set out in their conclusion which they believe could address deficiencies, with further update to be provided at stage 2.
- 4.3.2 Transport for London: No objection subject to financial contributions being sought through the S106 agreement. Initial concerns have been overcome.
- 4.3.3 LBH Highways Authority: No objection subject to financial contributions being sought through a S106 agreement which include ancillary improvements in order to support making the site more accessible to walking and cycling. Additional S106 obligations requested include restrictions on future occupiers from obtaining any parking permits in any future zone.

- 4.3.4 LBH Environment Health and Protection: No objection in relation to land contamination/pollution, subject to the imposition of conditions 12 and 13.
- 4.3.5 LBH Environment Protection: No objection in relation to air or noise pollution subject to the imposition of conditions 14-17 and 21-22.
- 4.3.6 LBH Waste and Recycling: No objection, initial concerns over waste storage areas, and refuse collection and their vehicle routes (access/egress) have all been resolved by submission of revised drawings.
- 4.3.7 LBH Street Management: No objection.
- 4.3.8 LBH Energy Strategy Team: No comment.
- 4.3.9 School Organisation and Pupil Place Team: No objection subject to a S106 education contribution which is requirement to support the following generated number of pupils in each school phase; 106.No. early years, 104.No. Primary, 30.No. Secondary and 13.No. Post-16 pupils.
- 4.3.10 Historic England: No objection subject to a condition being imposed on any forthcoming consent, requesting that the applicant submit a satisfactory written methodology for archaeological evaluation to the LPA to comply with condition 32.
- 4.3.11 Metropolitan Police: No objection subject to Secured by Design ("SBD") conditions requiring the developer to achieve SBD accreditations by way of conditions 27-28 and informatives 11-12.
- 4.3.12 Cadet Gas Network: No objection raised, standard guidance given.
- 4.3.13 Thames Water Developer Services: No objection, comments received on in part advise that with regard to sewerage infrastructure capacity, Thames Water would not have any objection to the above planning application. A list of requirements on the subject of surface water drainage and trade effluent has been included by way of informative 14.
- 4.3.14 Essex and Suffolk Water: No objection.
- 4.3.15 London Fire Brigade: No objection subject to the imposition of condition 29 to address potential concerns.

5. Planning Policy:

- 5.1 The 'National Planning Policy framework' ("NPPF") 2012:
The National Planning Policy is set out in the "NPPF" which was published in March 2012. The "NPPF" and Guidance ("NPPG") states clearly that its content is to be a material consideration in the determination of applications. The "NPPF" states that due weight should be given to the adopted policies of the Local Development Framework (LDF) according to their degree of consistency with the "NPPF" (the closer the policies in the plan to the policies in the "NPPF", the

greater the weight that may be given). Accordingly, due weight is also given to the Nationally Described Space Standards (2015).

5.2 The London Plan 2016:

The relevant policies from the '*London Plan*' include: Policy 1.1 (Delivering the Strategic Vision and Objectives for London), Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential), Policy 3.5 (Quality and Design of Housing Developments), Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities), Policy 3.7 (Large Residential Developments), Policy 3.8 (Housing Choice), Policy 3.9 (Mixed and Balanced Communities for All), Policy 3.10 (Definition of Affordable Housing), Policy 3.11 (Affordable Housing Targets), Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), Policy 5.1 (Climate change mitigation), Policy 5.2 (Minimising carbon dioxide emissions), Policy 5.3 (Sustainable design and construction), Policy 5.4 (Electricity and Gas Supply), Policy 5.6 (Decentralised energy in development proposals), Policy 5.7 (Renewable energy), Policy 5.9 (Overheating and cooling), Policy 5.10 (Urban greening), Policy 5.11 (Green roofs and development site environs), Policy 5.12 (Flood risk management), Policy 5.13 (Sustainable drainage), Policy 5.14 (Water quality and wastewater infrastructure), Policy 5.15 (Water use and supplies), Policy 5.16 (Waste self-sufficiency), Policy 5.18 (Construction, excavation and demolition Waste), Policy 5.19 (Hazardous Waste), Policy 5.21 (Contaminated Land), Policy 6.1 (Strategic Approach), Policy 6.3 (Assessing effects of development on transport capacity), Policy 6.9 (Cycling), Policy 6.10 (Walking), Policy 6.13 (Parking), Policy 7.1 (Lifetime neighbourhoods), Policy 7.2 (An inclusive environment), Policy 7.3 (Designing out crime), Policy 7.4 (Local character), Policy 7.5 (Public realm), Policy 7.6 (Architecture), Policy 7.7 (Location and design of tall and large buildings), Policy 7.14 (Improving air quality), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 7.19 (Biodiversity and access to nature), Policy 8.2 (Planning obligations), Policy 8.3 (Community Infrastructure Levy).

5.3 London Borough of Havering's Development Plan Document ("*DPD*") 2008:

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the provisions of the development plan and any other material considerations when dealing with an application for planning permission. Havering's Development Plan comprises the London Plan (2016), London Borough of Havering's '*DPD*' (2008), together with London Borough of Havering's ("LBH") Supplementary Planning Documents ("SPD") '*Designing Safer Places*' (2010), '*Landscaping*' (2011), '*Planning Obligations*' (2013), '*Residential Design*' (2010), '*Sustainable Design Construction*' (2009).

5.4 The relevant policies from Havering's '*DPD*' include; Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions to Residential and Subdivision of Residential Uses), DC6 (Affordable Housing), (DC7 - Lifetime Homes and Mobility Housing), DC29 (Educational Premises), DC32 (The road network), DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste

recycling), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated land), DC55 (Noise), DC58 (Biodiversity and Geodiversity), DC60 (Trees and Woodlands), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), DC66 (Tall Buildings and Structures), DC72 (Planning Obligations).

6. Mayoral CIL implications:

- 6.1 Through powers provided under Part 11 of the Planning Act 2008, and the Community Infrastructure Levy Regulations 2010 (since amended by the CIL [Amendment] Regulations of 2011, 2012, 2013 and 2014) the development proposed is liable for the Mayor's Community Infrastructure Levy in accordance with London Plan Policy 8.3 on 'Community Infrastructure Levy' of the '*London Plan*' 2016.
- 6.2 The retail aspect of the development at 830m² gross internal areas would be liable for CIL rate of £20 per square metre as net additional floorspace which amounts to £16,600.
- 6.3 The residential and ancillary (parking) aspect of the development for market housing at 70,449m² gross internal areas would be liable for CIL rate of £20 per square metre as net additional floorspace which amounts to £1,408,980.
- 6.4 The total CIL amount payable (retail and residential combined) is therefore estimated at £1,425,580.

7. Planning Considerations:

- 7.1 Officers consider that the determining issues with regards to the proposal are as follows:
 - a) The Principle Development;
 - b) Housing Mix/Density, Tenure/Affordable Housing;
 - c) Layout/Siting, Scale/Heights, Design/Appearance, Residential Amenities;
 - d) Road Network/Access, Parking/Servicing Areas;
 - e) Archaeological, Ecological and Arboricultural, Flooding/Drainage, Infrastructure and Utilities, Sustainability, Crime and Disorder;
 - f) S106 contributions/CIL Implications:

8. Principle of Development:

- 8.1 In terms of national planning policies, Para 17 from the '*NPPF*' 2012 sets out the overarching roles that the planning system ought to play, a set of core land-use planning principles that should underpin decision-taking, one of those principles are that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high

environmental value. Para's 50 and 52 from the document seek to provide opportunities for achieving sustainable development, delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.

- 8.2 Policy 1.1 on 'Delivering the Strategic Vision and Objectives for London' of the '*London Plan*' 2016 sets out the strategic vision for growth and change in London to be managed in order to realise the Mayor's vision for London's sustainable development to 2036. Policy 3.3 on 'Increasing Housing Supply' of the '*London Plan*' 2016 sets out the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.
- 8.3 In terms of local planning policies, Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008 expresses the need for a minimum of 535 new homes to be built in Havering each year through prioritising the development of brownfield land and ensuring it is used efficiently. Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year. The proposal for 620 units would be equivalent to 53% of the annual target and the principle is therefore supported.
- 8.4 The proposal is sited on land formerly referred to as Romford Ice Rink, therefore Policy SSA7 on 'Romford Ice Rink' from LBH's '*Site Specific Allocations Development Plan Document*' 2008 becomes a material policy consideration. The policy, outlines that mixed use development comprising residential, leisure and retail facilities will be acceptable. As the proposal is for a residential-led mixed use scheme this aspect fulfils the above policy requirement and would be acceptable in principle, furthermore given its urban location supported by a PTAL score 5-6, the site is considered a sustainable location.
- 8.5 In light of the above policy considerations, officers are of the view that there are no in principle objections to a residential-led development coming forward on this site, the proposal seeks to increase housing supply in an area supported by sustainable transport patterns. The proposal, subject to satisfying other policy requirements would adhere with guidance from Paras 17, 47 and 52 of the '*NPPF*' 2012; and Policies 1.1 and 3.3 of the '*London Plan*' 2016; and with Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008 and Policy SSA7 on 'Romford Ice Rink' from LBH's '*Site Specific Allocations Development Plan Document*' 2008.

9. Housing Mix/Density, Tenure/Affordable Housing:

- 9.1 In terms of national planning policy, paragraph 50 from the '*NPPF*' 2012 aims to steer development to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Whilst paragraph 10 emphasises that decisions need to take local circumstances into account so that they respond to the different opportunities for achieving sustainable development in different areas.

- 9.2 In recognising the importance of new developments offering a range of housing choices, in terms of the mix of housing sizes and types, Policy 3.8 on 'Housing Choice' of the *'London Plan'* 2016 comes into effect. The above policy stance is to allow Londoners a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.
- 9.3 In terms of local planning policies, Policy DC2 on 'Housing Mix and Density' of the LBH's *'Development Plan Document'* 2008 suggests a mix for market housing of 24% 1 bedroom units, 41% 2 bedroom units, and 34% 3 bedroom units. The Council's Housing and Needs Assessment (2012) suggested that future market housing delivery should be split between 50% small (1- and 2-bedroom units) and 50% large (3+ bedrooms) units. Overall, around 70% of small units should provide 2-bedrooms, although it has been noted that this may not apply to all sites.
- 9.4 The proposal incorporates 38.8% 1 bedroom apartments (47.No one persons and 193.No. two persons), 46.6% 2 bedroom apartments (46.No two persons and 248.No. three persons), 13.7% 3 bedroom apartments (6.No four persons and 47.No. five persons and 30.No. six persons), and 0.8% 4 bedroom apartments (1.No five persons and 2.No. six persons). Although, the proposed mix would not necessarily coincide with the above policy expectation, it needs be appreciated that the policy portrayed only an indicative mix, and even the Council's Housing and Needs Assessment (2012) emphasises that their split between 50% small and 50% large may not apply to all sites. Therefore, and in keeping with the new Housing Zone status of the framework area, the immediate environment of the site and proximity to the town centre not necessarily being suited to large numbers of larger family dwellings and commitment to achieving the delivery of significant amounts of much-needed housing of varying types to suit a variety of household sizes, officers are content that the mix on offer is suitable and closely aligned with the indicative mix from Policy DC2 on 'Housing Density and Mix' of the LBH's *'Development Plan Document'* 2008.
- 9.5 With regards to density, Policy 3.4 on 'Optimising Housing Potential' from the *'London Plan'* 2016 emphasises that development should optimise housing output for different types of location within the relevant density range shown and that development proposals which compromise this policy should be resisted. Moreover, Policy 7.1 on 'Lifetime Neighbourhoods' from the *'London Plan'* 2016 emphasises that development should be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure, the Blue-Ribbon Network, local shops, employment and training opportunities, commercial services and public transport.
- 9.6 More site specific, Policy SSA7 on 'Romford Ice Rink' from LBH's *'Site Specific Allocations Development Plan Document'* 2008 in keeping with Policy DC2 on 'Housing Density and Mix' of the LBH's *'Development Plan Document'* 2008 provides an indicative density range of 165-275 units per hectare. The London Plan provides an indicative density range of between 45-260 units, or 200-700 habitable rooms per hectare (PTAL 5a).

- 9.7 The development proposal would provide 620.No residential units (net gain of 620) on a site area of amounting to approximately 2.9ha which equates to a density of 214 units per ha in a site which achieves a PTAL score of 6. Given the range of densities that could be applicable to this site, a proposed density of 214 units per hectare falls within the density parameter of the framework and considered in keeping to the density guidance set out within Policy 3.4 and Policy 7.1 from the '*London Plan*' 2016 and Policy SSA12 of LBH's '*Site Specific Allocations Development Plan Document*' 2008.
- 9.8 Policy 3.13 on 'Affordable Housing Thresholds' emphasises that Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes. The affordable housing and contribution approach is also supplemented through Policy 3.8 on 'Housing Choice'; Policy 3.9 on 'Mixed and Balanced Communities'; Policy 3.10 on 'Definition of Affordable Housing'; Policy 3.11 on 'Affordable housing targets' from the '*London Plan*' 2016.
- 9.9 Policy 3.12 on 'Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes' from the '*London Plan*' 2016 also sets out that "negotiations on sites should take account of their individual circumstances including development viability and in support of this, the London Plan requires a tenure split of 60:40 in favour of affordable rented. Currently LBH seek a split of 70:30 in favour of social rented.
- 9.10 The Mayor of London's Supplementary Planning Guidance ("SPG") on '*Homes for Londoners*' 2017 states that it is essential that an appropriate balance is struck between delivery of affordable housing and overall housing development. The preferred tenure split as set out in the SPG is for 30% of affordable housing to be delivered as social/affordable rent, 30% as intermediate, to include London Living Rent and shared ownership. The SPG seeks to maximise the amount of affordable housing and sets guidelines in relation to viability. The SPG specifies that where 35% affordable housing is proposed in accordance the Borough's preferred tenure mix, then a detailed viability appraisal would not be required.
- 9.11 The proposed development seeks provision of privately rented units within the apartment blocks labelled W1, W2 and W3 which are located on the north-western end of the site, these 'Build for Rent' units are purposely built for rent, with a single landlord for all the units . The proposed 'Build for Rent' units incorporates a mix of 38% being 1 bedroom apartments (7.No one persons and 85.No. two persons), 49% being 2 bedroom apartments (27.No three persons and 91.No. four persons), 14% being 3 bedroom apartments (2.No four persons and 19.No. five persons and 11.No. six persons), totalling 242 units.
- 9.12 The proposed development seeks provision of 'Market Sale' units within the apartment blocks labelled E1, E2, E3, E4 and E5 which are located in the centre of the site. The proposed "Market Sale' units incorporates a mix of 43% being 1 bedroom apartments (40.No one persons and 94.No. two persons), 49% being 2 bedroom apartments (14.No three persons and 138.No. four persons), 8% being 3 bedroom apartments (17.No five persons and 8.No. six persons), totalling 311 units.

- 9.13 The proposed development seeks provision of affordable rented units within the apartment blocks labelled E6 allocated for Social and Affordable housing (split into three cores, Cores 1 and 2 are Affordable Rent and Core 3 is Intermediate) which are to be located on the south-eastern corner of the site. The proposal incorporates a mix of 11% being 1 bedroom apartments (4.No two persons), 34% being 2 bedroom apartments (5.No three persons and 8.No. four persons), 48% being 3 bedroom apartments (4.No four persons and 6.No. five persons and 8.No. six persons), 8% being 4 bedroom apartments (1.No five persons and 2.No. six persons), totalling 38 units. Within Core 3 which is allocated as Intermediate and intended for Shared Ownership use, the unit mix is predominantly one and two bedroom apartments through some larger family units are also included to ensure diversity of mix. The proposal incorporates a mix of 34% being 1 bedroom apartments (10.No two persons), 38% being 2 bedroom apartments (11.No four persons), 27% being 3 bedroom apartments (5.No five persons and 3.No. six persons), totalling 29 units.
- 9.14 The proposed delivery of 11% of the total number of units as affordable equates to 14% on a habitable room basis. This equates to 67 affordable units in total, and the affordable mix comprises a tenure split of 38 affordable rent units (57%) and 29 intermediate rent units (43%). The submitted viability assessment states that any deviation from the above would make the scheme unviable. Further, the developers have approached Registered Providers to explore whether with grant the level of affordable housing could be increased in line with advice in the Mayor's recent SPG.
- 9.15 Havering is in need of affordable housing and the Mayors SPG and Havering's emerging local plan highlights the need to deliver 35% affordable housing on all schemes with a tenure split of 70:30 % ratio in favour of affordable rent. This development also falls within the housing zone, where one of the zone outputs is the delivery of affordable housing. The failure to provide this level of affordable housing therefore needs to be carefully scrutinised.
- 9.16 Officers have reviewed the viability assessment submitted as part of this application and sought to run differences in the modelling supporting the viability statement to take account of higher sales values and likely future increases in values in the area. The viability scenarios have been reviewed by the Council's appointed viability consultants and Housing staff who have concluded that the amount on offer is most that can viably be achieved at the present time. It may be possible that a different scheme with different costs and returns (e.g. more units) would increase the viability but it would be difficult to refuse the current application on these grounds given that the current proposal is considered acceptable in other respects and no similar consideration of the full planning merits of possible alternatives has been undertaken.
- 9.17 The level of affordable housing proposed is disappointing, nevertheless it is considered that the Council has insufficient grounds to come to an alternate conclusion on viability. In accordance with the Mayor of London SPG, the applicant was requested to engage with Registered Providers to see if there is any opportunity to increase the level of affordable housing through use of grant. The applicant has since engaged with a dozen RP's who either confirmed that no grant

funding would be applied or that the that affordable housing value with grant would be lower than market value, the results of this are that the cost of the housing proposed could not be met through grant. It is therefore recommended, in accordance with conclusions of the Council's viability consultant, that through a S106 legal agreement, the level of affordable housing be reviewed. The exact details of any review, including number of reviews, benchmark land value and appropriate developers return are still to be agreed and will be subject to further discussion with the GLA at appropriate stages of the development to be agreed.

10. Layout/Sitting, Scale/Heights, Design/Appearance, Residential Amenity;

- 10.1 In terms of national planning policy, paragraphs 10, 56, 57, 58 and 131 from the "NPPF" 2012 fall relevant on all design related matters, and highlights that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas and that the desirability of new development making a positive contribution to local character and distinctiveness.
- 10.2 Policy 7.1 on 'Lifetime neighbourhoods' of the 'London Plan' 2016 states that the layout of new development should be designed to ensure that the proposed new uses interface with surrounding land. Policy 7.4 from the above document on 'Local character' seeks to ensure high quality design that has regard to existing form and spaces, is informed by the surrounding environment and contributes to positive relationships between the built and natural environment. In addition, Policy 7.6 seeks on 'Architecture' seeks high quality architecture that makes a positive contribution to a coherent public realm, streetscape and wider cityscape.
- 10.3 In terms of local plan policies, Policy CP17 on 'Design' from the LBH's 'Development Plan Document' 2008 seeks to maintain or improve the character and appearance of the local area in its scale and design in line with guidance from LBH's SPD on 'Residential Design' 2010. Furthermore, Policy DC61 on 'Urban Design' from LBH's 'Development Plan Document' 2008 states that planning permission will only be granted where buildings respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context and integration with surrounding land and buildings.
- 10.4 The layout of the site has been well-integrated and framed around the central communal areas, which include a range of public, communal and private amenity spaces with street entrances providing outward frontages. The layout of the blocks and configuration of spaces and buildings are orientated positively to the sun's path which ensures that the apartments as well as the public and private amenity spaces benefit from natural sunlight throughout different parts of the day.
- 10.5 The proposed layout introduces a wide, north-south pedestrian link through the site which connects Rom Valley Way to Queens Hospital as the main pedestrian through link. The secondary pedestrian routes run the outer perimeter of the site, any leftover space from the development has been successfully integrated into the wider network of walkways, cycle paths, and open spaces without undermining

defensible spaces. The open spaces, which include landscaped podiums, roof terraces and balconies as well as children's play space would be suitably landscaped and overlooked from the residential aspect of the development which in turn promotes heightened natural surveillance of the areas. The Rom Valley Way frontages to the blocks include active frontages with semi private areas and entrances. Combined with the proposed widened and landscaped cycle/pedestrian route along the road frontage, there would be significant visual improvements to this part of the site and the adjacent highway. The sites layout accords with Policy 3.5 on 'Quality and Design of Housing Developments' of the '*London Plan*' 2016.

- 10.6 The proposal seeks to enhance the permeability of the area for pedestrians and cyclists by opening up the site, and providing improved pedestrian and cycle infrastructure along the eastern frontage of the site (along Rom Valley Way), this is regarded important as it will enhance sustainable travel to the site and beyond.
- 10.7 The Councils Highways Engineer has commented that the upgraded cycle track along Rom Valley Way is welcomed, and would like to seek financial contributions through a S106 agreement to improve walking and cycling infrastructure to help connect the site to Romford Town Centre. With regard to the financial contributions sought through the S106 there are two main requirements, firstly the provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road, and secondly the provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street. It is regarded that the Oldchurch Road (west) crossing would provide a better walking route to the Town Centre via Oldchurch Road and South Street and the Oldchurch Road (east) crossing would provide a better walking and cycling route between the northern corner of the site on Rom Valley Way and the existing walking/ cycling route on western side Waterloo to the north of Oldchurch Road.
- 10.8 Policy 6.10 on 'Walking' from the '*London Plan*' 2016 emphasises that planning decisions should ensure that development proposals provide high quality pedestrian environments and emphasise the quality of the pedestrian and street space by referring to Transport for London's Pedestrian Design Guidance.
- 10.9 Officers consider the increased permeability and active frontages that the proposal brings acceptable, and crucially the pedestrian access through the site to linking quicker access to the town centre and also to the existing bus stops outside the Queens Hospital. Officers have also reviewed the baseline Pedestrian Environment Review System (PERS) audit in line with the objectives of the PERS assessment and are satisfied that all links, routes, crossings, and Public Transport Waiting Areas and Interchange Spaces fall in keeping with best practice and guidance from within Policy 6.10 of the '*London Plan*' 2016 and Policy DC61 from the LBH's '*Development Plan Document*' 2008.
- 10.10 Policy 7.7 on 'Location and design of tall and large buildings' of the '*London Plan*' 2016 states that tall and large buildings should relate well to the form, proportion, composition, scale, and character of surrounding buildings, urban grain, and public realm. The policy seeks to ensure that tall and large buildings contribute to improving the legibility and permeability of the site and wider area.

- 10.11 In local policy terms, Policy DC66 on 'Tall Buildings and Structures' from LBH's '*Development Plan Document*' 2008 states that tall buildings may be permitted outside the town centre where they create an attractive landmark building, preserve or enhance the natural environment, the historic environment, local amenity and the local character of the area; and act as a catalyst for regeneration without marring the skyline or having significant adverse impact on the amenity of nearby occupiers.
- 10.12 On a site specific note, Policy SSA7 on 'Romford Ice Rink' from LBH's '*Site Specific Allocations Development Plan Document*' 2008 specifies that development on this site should in its scale and massing be consistent with the Queen's Hospital and Blades Court. In context, the Queen's Hospital extends to equivalent eight storeys set at a height of approximately 27m high at its tallest, adjacent buildings include Blade Court which is up to five residential storeys and former Oldchurch hospital site located to the north west is between six and nine storeys in height.
- 10.13 The proposal for 9.No. apartment blocks of varying heights from four to eight storeys includes 5.No. apartment blocks in excess of six storeys in height. The mix includes block E1 which extends to 8 storeys in height (comprising 56.No. residential units); block E2 at 7 storeys in height (comprising 53.No. residential units); block E3 at 6 storeys in height (comprising 44.No. residential units); block E4 between 5 and 6 storeys in height (comprising 101.No. residential units); block E5 between 8 storeys in height (comprising 57.No. residential units); block E6 between 5 storeys in height (comprising 67.No. residential units); block W1 between 7 storeys in height (comprising 93.No. residential units); block W2 between 7 storeys in height (comprising 85.No. residential units) and block W3 between 6 storeys in height (comprising 64.No. residential units).
- 10.14 The tallest part of the proposal would be sited in the northern part of the site adjacent to the town centre boundary and the Rom Valley Way frontage which peaks at eight storeys set at a height of approximately 26m high at its tallest point. The height of the buildings will then be stepped down across the site towards the southern end of the site, which extends between 4 and 5 storeys.
- 10.15 It is considered that the proposal, in terms of its scale and height will be generally consistent with that of surrounding development. The setting of the site, next to the hospital, on a busy dual carriageway, opposite large shed retail park and away from traditional forms of housing means that a degree of height and scale to the buildings would be appropriate in this case. Given the context to the site, officers are satisfied that the proposal would create no adverse effect on the skyline or overbearing impacts, subject to a high quality of architecture and standard of accommodation being achieved. The proposal is consistent with provisions of Policy 7.7 of the '*London Plan*' 2016; and policies DC66 and SSA7 from LBH's '*Development Plan Document*' 2008.
- 10.16 Policy 7.6 on 'Architecture' of the '*London Plan*' 2016 requires new buildings and structures to ensure that they do not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to a number of factors, including overshadowing and privacy.

- 10.17 In light of the above, the applicant has submitted a Sunlight/Daylight report as part of this application which determines that the proposed units will receive appropriate levels of daylight and sunlight in accordance with BRE guidance which officers are in agreement with. Moreover, officers have reviewed the separation distances between buildings and those of the boundary and consider the layout, distances and set-backs as appropriate to mitigate any concerns of loss of privacy as a result of overlooking in keeping with Policies DC3, DC61 and CP17 of the LBH's *'Development Plan Document'* 2008 and LBH's SPD for *'Residential Design'* 2010.
- 10.18 Policy 7.7 on 'Location and design of tall and large buildings' of the *'London Plan'* 2016 requires proposals to incorporate the highest standards of architecture and materials. In local policy terms, Policy DC61 on 'Urban Design' from LBH's *'Development Plan Document'* 2008 states the materials used in new development should complement or improve the amenity and character of the local area and surrounding land and buildings.
- 10.19 The proposal seeks to incorporate two different types of facade materials, red brick for blocks to the west of the site and buff brick for blocks to the east of the site. The buff brick blocks will provide faceted and corner projecting balconies. The red brick blocks will provide recessed corner balconies and some projecting metal balconies. Further, building typology will also vary across the site, through the use of expressive facades on the linear blocks and recessive facades on corner blocks, as well as projecting corner balconies across the site. The site is of a size and location where it can define its own character. The proposed material choices and finishes are considered to provide a high quality appearance contributing to the legibility and appearance of the site in accordance with Policy 7.7 on of the *'London Plan'* 2016 and Policy DC61 from LBH's *'Development Plan Document'* 2008.
- 10.20 Policy 7.2 on 'An inclusive environment' of the *'London Plan'* 2016 requires that new development should achieve the highest standards of accessible and inclusive design. In local policy terms, Policy CP17 on 'Design' from the LBH's *'Development Plan Document'* 2008 requires new development to provide a high standard of inclusive design so it is accessible to those who require access to it. Policy CP2 on 'Sustainable Communities' from the document states that new development should ensure that the needs of those households with special needs, including the elderly, are met and that in their design and layout, new homes provide for the lifetime needs of households. Lastly, Policy DC26 on 'Access' states planning permission will only be granted for buildings which provide a service where a high standard of inclusive access is provided.
- 10.21 The residential blocks all encompasses lobbies which are formed as recesses within the rusticated ground floor brick work, which offer a degree of shelter from the elements. Concierge spaces are provided for both the east and west sides of the site, these areas are considered the focal hub of the site with double height volumes and generous vertical circulation and access to upper level podium gardens and residences. The commercial frontages sit within the ground floor corbelled brick rustication and will be defined with more open areas of glazing providing appropriate frontages. There is a clearer delineation between the

commercial and residential elements, both construction materials/shades and physical demarcation.

- 10.22 The development proposal has allocated 10% of the proposed residential accommodation as wheelchair accessible, a total of 12.No. 1 bedroom (two persons), 39.No. 2 bedroom (four persons), 2.No. 3 bedroom (five persons), and 9.No. 3 bedroom (six persons) totalling 62.No. units are aimed to be wheelchair accessible accommodation and provision safeguarded under condition 31, additionally 30.No. parking spaces are to be provided to wheelchair accessible standards under condition 27. The proposal, subject to accordance with condition 27 and 38 would fall keeping with Policy 7.2 of the '*London Plan*' 2016; Policies CP2, CP17, DC26 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Residential Design*' 2010.
- 10.23 Policy 3.6 on 'Children and Young People's Play and Informal Recreation Facilities' from the '*London Plan*' 2016 expresses that the Mayor and appropriate organisations should ensure that all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation provision. In terms of local plan policies, Policy DC3 on 'Housing Design and Layout' of LBH's '*Development Plan Document*' 2008 expresses that planning permission will only be granted if, in their design and access statements, developers demonstrate how they have addressed the policies in this plan which impact on the design and layout of new developments.
- 10.24 The proposal which generates a child yield of 112 children provides 886m² of door step provision for under-fives within the communal courtyard areas whereby only 530m² is required by policy. The proposed play areas would be accommodated within the communal courtyards to provide secure safe environments for the younger children, 133m² of playable space provided within the Podium Garden, 232m² of Integrated Play provided within the Central Street, 259m² of playable space provided within the Podium Garden and 371m² of playable space provided within the Courtyard Garden (Affordable Courtyard). Further playspace would be met on-site within the 'main square' onsite, as well as offsite, with Oldchurch Park and Union Road Park within 400 metres of the site, and Park Lane Recreation Ground and Grenfell Park within 800 metres. This aspect of the proposal complies with Policy 3.6 from the '*London Plan*' 2016 and the Mayors SPG on 'Shaping Neighbourhoods: Play and Informal Recreation' and Policy DC3 of LBH's '*Development Plan Document*' 2008.
- 10.25 Policy 3.5 on 'Quality and Design of Housing Developments' from the '*London Plan*' 2016 relates to the quality and design of new housing and seeks to ensure that all new development enhances the quality of local places. The policy expresses that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.
- 10.26 Officers have further reviewed the proposed unit sizes, and bedroom sizes and it has been acknowledged that all units either meet or exceed the minimum space standards in line with Nationally Described Space Standards 2015 and requirements from Table 3.3 from the '*London Plan*' 2016 and Policy DC3 from the

LBH's '*Development Plan Document*' 2008 and LBH's SPD for '*Residential Design*' 2010.

- 10.27 In respect of outdoor amenity space, in addition to providing communal amenity space the proposal further provides a minimum of 5sq.m of private outdoor space in the form of a balcony, this aspect of the development complies with the requirements of the London Plan Housing SPG 2017, which requires a minimum of 5m² of private outdoor space for a 1-2 person dwelling and an extra 1m² for each additional occupant.
- 10.28 Officers considered that the proposal delivers a high quality design; however, there is a need to ensure that this is delivered and a clause is recommended in the S106 which seeks to retain a role for the present architects in ensuring the quality of development is delivered.

11. Residential Amenity:

- 11.1 In terms of national planning policy, paragraph 109 from the '*NPPF*' 2012 emphasise that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 123 from the document then goes on to state that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 11.2 Policy 7.15 on 'Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes' from the '*London Plan*' 2016 seeks to steer development to reduce and manage noise to improve health and quality of life and support the objectives of the Mayor's Ambient Noise Strategy.
- 11.3 Policy DC55 on 'Noise' of the LBH's '*Development Plan Document*' 2008 highlights that where the proposal would lead to a noise sensitive development being located near to a noise generating activity, a formal assessment will be required to ensure compliance with the noise exposure categories in Planning Policy Guidance Note 24. Policy CP15 on 'Environmental Management' of the LBH's '*Development Plan Document*' 2008 also emphasises that construction and use new development should avoid a noise sensitive use being exposed to excessive noise.
- 11.4 The applicant has submitted a Noise Impact Assessment whereby baseline noise surveys had been undertaken at four different measurement locations with noise modelling being prepared. The report had taken into consideration road traffic noise levels, noise sources associated with the hospital and the emergency helipad, and noise from proposed fixed plant noise sources. The noise assessment concluded that mitigation measures in the form of appropriate glazing and ventilation units will need to be incorporated into the scheme in order to protect amenities of future residents.

- 11.5 The applicant has in their Noise Assessment included a qualitative assessment of the helipad and as such stated that there are four helicopters operating in the area which officers have confirmed. In light of this, officers are of the understanding that the helipad would only be used in the case of an emergencies, it is considered that the helipad will be infrequent in its use and therefore will not cause a constant source of disturbance. In any event, officers can confirm that the helipad is located approximately 100m northwest of the nearest proposed residential dwellings and the associated noise attenuation as a result of this distance will not be substantial. Moreover, it needs be appreciated that presently there are existing dwellings that are within 45m of the helipad and Environmental Health Officers have no record of noise complaints from these properties as a result of the helipad use. Notwithstanding this, the glazing specification for the units facing towards the helipad is proposed to be of a higher attenuation level as a result of the noise associated with the hospital, which will also acts as attenuation against any noise associated with the helipad. Finally, as a result of the positioning of the proposed units and the hospital, the hospital building will effectively act as a noise barrier from the helipad.
- 11.6 The Councils Environmental Protection Officer has reviewed the submitted Noise Impact Assessment and raised no objection subject to the imposition of conditions 21-22 covering details specified in the report (for glazing, ventilation). With this respect, the proposal subject to adhering with conditions imposed will fall complaint with Para's 109 and 123 from the '*NPPF*' 2012; and Policy 7.15 from the '*London Plan*' 2016; and Policies DC55 and CP15 of the LBH's '*Development Plan Document*' 2008.
- 11.7 Officers have reviewed the proposed waste strategy for both the residential and commercial aspects of the development, the collection of bins and storage facilities which are to be provided in communal stores and secure storage stores located across the ground floor of the site. Residential refuse areas are to be provided in each building block (segregated recyclable and non-recyclable waste) for use by residents, and designed based on a weekly collection. The submitted Site Waste Strategy suggests that residents drop off their refuse at designated refuse stores adjacent to each core where site management team will then take all refuse together for collection to a single point for the east of the site (blocks E1-6) and a single point for the west of the site (blocks W1-3). Refuse vehicles enter the site via the roundabout to the south (for eastern blocks) or the car park to the north (for western blocks) and within a 10m drag distance of the refuse.
- 11.8 Commercial and residential waste will be kept separate through the nature of their management at the site and collections will be strictly managed to ensure they occur during the off-peak periods All refuse areas are to be accessible to building occupants (except commercial) and facilities operators and of a capacity that is appropriate to the building's type, size and predicted volumes of waste.
- 11.9 The Councils Street Management and Waste and Recycling team has reviewed the submitted information and raised no objection. As it stands, there are no overriding concerns with the proposed waste arrangement as the scheme demonstrates convenient, safe and accessible solutions to waste collection in keeping to guidance from within Policy 3.2 on 'Improving Health and Addressing

Health Inequalities' from the '*London Plan*' 2016; and Policy DC40 on 'Waste Recycling' of the LBH's '*Development Plan Document*' 2008.

- 11.10 Policy 5.21 on 'Contaminated Land' from the '*London Plan*' 2016 seeks that planning decisions ensure that appropriate measures be taken to ensure that development on previously contaminated land does not activate or spread contamination. This is supplemented under local planning Policy DC53 on 'Land Contamination' of LBH's '*Development Plan Document*' 2008.
- 11.11 The Environment Agency website lists the site and surrounding area (Queens Hospital) as a historical landfill named as Oldchurch Park. The Crowlands Open Space and Jutsoms Recreation Ground landfill sites are also indicated to be present approximately 450m west of the site. As such, the applicant has submitted a Geo-Environmental Risk Assessment as part of this submission, which outlines that based on the information available regarding the site, the potential for Statutory Authority action based on 'pollution of controlled waters' or 'significant harm' as defined by Part IIA of the Environmental Protection Act 1990 is considered to be 'moderate' based upon the known elevated contamination issues within the shallow soils and groundwater at the site.
- 11.12 The Councils Environment Health and Protection team have reviewed the Preliminary Environmental Risk Assessment and consider the recommendations made for the development implications are appropriate subject to conditions 14 to 15 being applied with the grant of any consent. Therefore, subject adhering with and satisfying conditions imposed, the development proposal would adhere with Policy 5.21 of the '*London Plan*' 2016 and Policy DC53 of LBH's '*Development Plan Document*' 2008.

12. Road Network/Access, Parking/Service Areas:

- 12.1 In terms of national planning policies, guidance under paragraph 36 from the '*NPPF*' 2012 expresses that all developments which generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and required to provide a Travel Plan. Guidance from the document emphasises that decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 12.2 The integration between transport and development is discussed under Policy 6.1 on 'Strategic Approach' and under Policy 6.3 on 'Assessing Effects of Development on Transport' from the '*London Plan*' 2016. The aforementioned policies encourages patterns and nodes of development that reduce the need to travel, especially by car, and refers to supporting measures that encourage shifts to more sustainable modes whilst ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Similarly,

and in terms of local planning policies this is supplemented under local plan Policy CP9 on 'Reducing the Need to Travel' and Policy CP10' on Sustainable Transport' and Policy DC32 on 'The road network' from LBH's '*Development Plan Document*' 2008.

- 12.3 The site is bound to the south and the west by the hospital, and to the east by Rom Valley Way (A125 dual carriage) which forms part of the Strategic Road Network. Each corner of the site has an Accessibility Index ("AI") which falls within the band for Public Transport Accessibility Level ("PTAL") ratings of 6a (access index range 25.01-40.0) which is regarded a very high level of accessibility. An average AI taken for the site based on the AI of each corner of the site also produces a PTAL of 6a. The existing vehicular access to the site is primary from the Rom Valley Way/Queens Hospital junction (south of the site); the proposal will maintain this provision (east and west of the site). The site is however to provide further vehicular access to its northern corner which will exit onto an access road, right of entry via Oldchurch Rise. The proposed works to form the access would not affect the character and amenity of the area or the convenience and safety of other highway users in keeping with guidance from within Policy DC62 on 'Access' from LBH's '*Development Plan Document*' 2008.
- 12.4 The applicant has submitted a Transport Assessment and draft Travel Plan as part of this application, the Transport Assessment highlights that the proposed residential development is likely to generate around 363 person movements during the weekday morning peak, and around 256 movements during the evening peak, this provides the opportunity to reduce the level of vehicle movements to the site by 300 in the morning peak and 600 in the evening peak period when compared to the historic food store permission. The assessment highlights that the site benefits from excellent access to local public transport, with a PTAL rating of 6 and lies within an 8 minute walk from Romford rail station, which provides significant onward journey opportunities and will provide access to Crossrail in the future. The assessment also identifies that the site has access to 27 local bus services connecting it to the wider community with local education, employment and leisure facilities all within easy walking distance of the site. The proposal provides cycle parking for all residential and adopted an on-site refuse collection strategy whilst further outlining the provision of a car club, with 3 years membership being provided to each unit.
- 12.5 The Councils Highways Engineer has reviewed the submitted Transport Assessment and reaffirmed that the site will generate 40 vehicle movements in the morning peak and 29 movements in the evening which is suggested to be negligible in the overall scheme of things. In light of the submitted documents, GLA have also commented in support of this application from this aspect.
- 12.6 Transport for London has commented that they have reviewed the site and its surroundings and reaffirmed a PTAL score of 6a which equates to a 'high' level of accessibility (where 1 represents the lowest accessibility level and 6b the highest). TfL have sought financial contribution by way of S106 agreement in order to improve the access to the bus stops at Queens Hospital (from the southern end of the site) to reconfigure the highway layout in the area, increase stop provision and

introduce a zebra crossing. All other outstanding transport issues have now been resolved and concerns mitigated by way of S106 agreements and conditions.

- 12.7 Officers have assessed the site location and existing conditions, taking into consideration the Trip Generation Assessment and Highway Capacity Assessment and anticipate the vehicular traffic associated with the development would not adversely impact the safety and convenience of other highway users, the scheme falls compliant with Policies 6.1 and 6.3 from the '*London Plan*' 2016; and Policies CP9, CP10 and DC32 from LBH's '*Development Plan Document*' 2008.
- 12.8 The strategic approach to parking is emphasised under Policy 6.13 on 'Parking' from the '*London Plan*' 2016. The Policy stresses that planning decisions on parking should seek the maximum standards (and provide parking for disabled people) as set out in Table 6.2 whilst meeting the minimum cycle parking standards set out in Table 6.3 from the Parking Addendum to this chapter which should be the basis for considering planning applications. Policy 6.9 on 'Cycling' and Policy 2.8 (g) on 'Outer London Transport' from the document also seeks to encourage greater use of cycling and walking as modes of choice in outer London.
- 12.9 In terms of local planning policies this is supplemented under local plan Policy DC2 on 'Housing Mix and Density' which identifies that flatted developments should seek to provide a low car parking provision, with less than 1 space per dwelling. Further policy guidance parking and cycling provisions and servicing areas is expressed under Policies DC33 on 'Car Parking', Policy DC35 on 'Cycling' and Policy DC36 on 'Servicing' from LBH's '*Development Plan Document*' 2008.
- 12.10 The proposed development initially incorporated a total of 251.No. vehicular parking spaces which has subsequently been reduced to 248.No. spaces following submission of amended plans which allow an improved layout to allow emergency vehicle ability to better access and manoeuvre. The parking areas are contained almost entirely at ground floor level beneath podiums and at the amount provided account a rate of 0.4 per unit, from this amount 30.No. spaces will be provided to accessible standards and 20% of the car parking will have electric vehicle charging point. The scheme also provides secure cycle parking stores capable of accommodating a total of 1,031.No. cycle parking spaces, a further 18.No. cycle parking spaces provided for the proposed commercial floorspace and 16.No. visitor cycle parking spaces which is 29.No. spaces above the required number anticipated under the London Plan requirements.
- 12.11 A total of 70.No. vehicular parking spaces (inclusive of 11 disabled spaces) will be provided on-site (to the western car park) serving 242 dwellings which represents a ratio of 0.3 spaces per rented dwelling. A total of 178.No. vehicular parking spaces (inclusive of 20 disabled spaces) will be provided on-site (to the southern car park) serving 378 dwellings which represents a ratio of 0.47 spaces per dwelling. A total of 2.No. vehicular parking spaces will be provided on-site (to the north) which represents a ratio of 0.3 spaces per rented dwelling.
- 12.12 Officers have assessed the proposed vehicular and cycling parking facilities and dedicated areas for service vehicles and consider the spaces capable of accommodating the parking requirements generated by the use at the site in

accordance with guidance from Policies 2.8, 6.9 and 6.13 from the '*London Plan*' 2016; and Policies DC33, DC35 and DC36 from LBH's '*Development Plan Document*' 2008.

- 12.13 The Councils Highways Engineer has raised no objections over the parking provisions provided onsite, they have however expressed to seek an agreement under the Greater London Council (General Powers) Act 1974; S16 -Restrictions on Parking Permits to apply to both residents and commercial operators within the site. Furthermore, Transport for London have commented that the close proximity of Romford Station is ideal to the site and the proposed provision of car parking spaces made available is acceptable and in line with London Plan policy 6.13 parking maximum standards as is the proposed provision of 1,031 cycle spaces which falls in line with Policy 6.9 of the '*London Plan*' 2016.
- 12.14 It is considered by officers that in areas with high public transport accessibility, as is the case here, that low parking ratios would be acceptable. Particularly in regard to this site, there is nowhere nearby for parking to take place so it would not be possible to demonstrate that a lower parking provision would result in overspill parking. The opportunity for residents to have access to the car would be reduced, but given the site's proximity to the town centre and associated retail and other services and availability of car club vehicles on site, that the parking levels proposed are acceptable. As car parking spaces would likely be sold or rented separately to the units, a clause is proposed in the S106 agreement that allocated a parking space to the proposed 3 bed or more affordable units.
- 12.15 The London Fire Brigade has made comments and referenced requirements to Part B5 of Approved Document B Volume 2 of The Building Regulations 2010. Subject to adhering with condition 32, the proposal would adhere to Policy DC36 on 'Servicing' of LBH's '*Development Plan Document*' 2008.

13. Archaeological:

- 13.1 In terms of national planning policy, paragraph 128 from the '*NPPF*' 2012 expresses that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage and assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.
- 13.2 In recognising the importance of archaeology so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping, Policy 7.8 on 'Heritage and Assets and Archaeology' of the '*London Plan*' 2016 accentuates that the conservation of archaeological interest is a material consideration in the planning process.
- 13.3 In terms of local plan policy, Policy DC18 on 'Heritage' of the LBH's '*Development Plan Document*' 2008 emphasise the importance of preservation and enhancement

of historic assets. The policy is unambiguous in highlighting that all new development affecting sites of archaeological importance must preserve their setting. Furthermore, Policy DC70 on 'Archaeology and Ancient Monuments' of the LBH's *'Development Plan Document'* 2008 emphasises the need for the Council to ensure that the archaeological significance of sites is taken into account when making planning decisions and will take appropriate measures to safeguard that interest.

- 13.4 The application site lies in an area of archaeological interest; the site is divided between areas of very low archaeological potential (where modern quarrying has removed any buried remains) and an area of higher potential that avoided quarrying. The undisturbed portions of the site may preserve prehistoric and medieval remains, especially remains connected with the original settlement of Oldchurch. The applicant has submitted an appraisal of the site using the Greater London Historic Environment Record, information submitted with the application indicates the need for field evaluation to determine appropriate mitigation, a trial trenching report has also been submitted.
- 13.5 In light of the above, Historic England have commented, although not entirely content with the efforts to date, the developers have accepted the potential for archaeological remains in their desk based assessment and have sought to agree the required condition with Historic England. Whilst the Archaeological Advisor was included in terms of trial trenching, he has recommended a condition which the applicant is willing to accept. Notwithstanding this, the archaeological interest and/or practical constraints are such that a condition could provide an acceptable safeguard and a condition is recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.
- 13.6 The development proposal, subject to satisfying mitigation requirements imposed under condition 35 would then adhere to safeguarding guidance under Policy 7.8 on 'Heritage and Assets and Archaeology' of the 'London Plan' 2016; and Policy CP18 on 'Heritage' and Policy DC70 on 'Archaeology and Ancient Monuments' of LBH's *'Development Plan Document'* 2008; and Para 128 of the *'NPPF'* 2012.

14. Ecological and Arboricultural:

- 14.1 In terms of national planning policies, guidance under paragraph 118 from the *'NPPF'* 2012 emphasises that when determining planning applications, local planning authorities should seek to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations. This conserve and enhance approach to biodiversity is further supplemented under Policy 7.19 on 'Biodiversity and access to nature' from the *'London Plan'* 2016 and by Policy CP15 on 'Environmental Management' and Policy CP16 on 'Biodiversity and Geodiversity' from LBH's *'Development Plan Document'* 2008.
- 14.2 The application site itself is not subject to, nor located adjacent to, any area identified by a statutory or non-statutory nature conservation designation. The

location of Non-Statutory Sites of Importance for Nature Conservation within a 2km Radius of the Application Site include East Brookend Country Park LNR and SINC (1.3km south); The Chase LNR (1.3km south); Romford Cemetery SINC (0.5km west); Railsides west of Romford (0.5km north).

- 14.3 The applicant has submitted a Preliminary Ecological Appraisal whereby the details received from a desk top study and the site walkover have confirmed the site is of low ecological value with some potential value for nesting birds in some of the denser areas of vegetation and trees. The report does however highlight some key enhancement recommendations be provided to ensure net gains in biodiversity, to include the provision of biodiverse, roof, bird and bat boxes in built into the building fabric, a wildlife-friendly landscaping (including swale planting, shrubs, trees and hedgerow) and invertebrate features (such as stag beetle loggery, lacewing box and solitary bee house)
- 14.4 Independently, officers have conducted a site appraisal and identified the vast majority of the site to be of low to moderate ecological value; as such the loss of grassland and shrubs for development is of little to no ecological significance or landscape value. Notwithstanding this, a range of recommendations and measures put forward in the supporting statement. The development proposal, subject to conditions 33-34 and informatives 9-10 would adhere to guidance from para 118 from the "NPPF" 2012 and Policy 7.19 from the 'London Plan' 2016 and Policies CP15 and Policy CP16 from LBH's 'Development Plan Document' 2008.
- 14.5 From an arboricultural perspective, Para 118 from the "NPPF" 2012 seeks to conserve and enhance biodiversity. Policy 7.21 on 'Trees and Woodland' from the 'London Plan' 2016 emphasises that existing trees of value should be retained and any loss as the result of development should be replaced. In terms of local plan policies, Policy DC60 on 'Trees and Woodlands' of the LBH's 'Development Plan Document' 2008 stresses the amenity and biodiversity value afforded by trees and woodland which should be protected and improved where appropriate.
- 14.6 The application site comprises areas of hardstanding, surrounded by overgrown, rough amenity grassland and semi-mature scattered trees which include elder, ash, holly, oak, maple and cherry. Officers can confirm that none of the trees from within the site are protected by any Tree Preservation Orders. The applicant has submitted a Preliminary Ecological Appraisal which highlights a small patch of elder, Pyrocantha and bramble which can be found in the north western corner of the site, with a single silver birch tree along the southern site boundary.
- 14.7 Officers consider that the removal of the trees on site hold little to no amenity value if not for the ecological aspects which shall be mitigated from the proposed landscaping plan and ecological strategy. The proposal would however mitigate the loss of any existing trees through the planting of trees across the proposals, and any loss is unlikely to have any adverse impact upon the character and amenities of the local area, this in accordance with guidance from within Policy 7.21 of the 'London Plan' 2016; and Policy DC60 of the LBH's 'Development Plan Document' 2008 and LBH's SPD on 'Protection of Trees' 2009 and 'Landscaping' 2011.

15. Flooding and Drainage:

- 15.1 In terms of national planning policies, guidance under paragraph 103 from the ‘*NPPF*’ 2012 seeks to safely manage residual risk including by emergency planning and give priority to the use of sustainable drainage systems.
- 15.2 In order to address current and future flood issues and minimise risks in a sustainable and cost effective way Policy 5.12 on ‘Flood risk management’ of the ‘*London Plan*’ 2016 emphasises that new developments must comply with the flood risk assessment and management requirements and will be required to pass the Exceptions Test addressing flood resilient design and emergency planning as set out within the NPPF and the associated technical Guidance on flood risk over the lifetime of the development. Furthermore, Policy 5.13 on ‘Sustainable drainage’ of the ‘*London Plan*’ 2016 stresses that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 15.3 The Flood and Water Management Act 2010 gives London boroughs clearer responsibilities related to surface water flood risk. Subsequently, the Mayor of London’s SPG on ‘Sustainable Design and Construction’ 2014 expounds on the use of efficient design which should be resilience to flooding. Additionally, the Mayor of London’s SPG on ‘*Housing*’ 2016 standard 38 requires development sited within an area at risk of flooding to incorporate flood resilient design whilst standard 39 from the document requires new development to incorporate SUDS and green roofs where practical with the aim of achieving a Greenfield run-off rate, increasing bio-diversity and improving water quality.
- 15.4 In terms of local planning policies, Policy DC48 on ‘Flood Risk’ of LBH’s ‘*Development Plan Document*’ 2008 emphasises that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. The policy highlights that the use of SUDS must be considered. Further guidance of how to meet the requirements as presented in the Core Strategy is supplemented under LBH’s SPD on ‘*Sustainable Design Construction*’ 2009 which encourages developers to consider measures beyond the policy minimum and centred on Flood risk.
- 15.5 Policy DC51 on ‘Water Supply, Drainage and Quality’ from the LBH’s ‘*Development Plan Document*’ 2008 seeks to promote development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems. Whilst Policy CP15 on ‘Environmental Management’ Quality’ from the LBH’s ‘*Development Plan Document*’ 2008 seeks to reduce environmental impact and to address causes of and to mitigate the effects of climate change, construction and new development to reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; whilst having a sustainable water supply and drainage infrastructure.

- 15.6 The application site is entirely brownfield in nature, with ground levels ranging from 15.12mAOD to 11.72mAOD and identified as having (Hackney Gravel Member) sand and gravel superficial deposits underlain by (London Clay Formation) clay, silt and sand bedrock. The site is shown to be situated within a Flood Zone 1 of the Environment Agency Flood Map (Low Probability) and defined as land having less than a 1 in 1000 annual probability of river or sea flooding (<0.1%). The Environment Agency identifies the Main River, the River Rom being located approximately 130m to the east of the site, with no minor watercourses within the vicinity of the development.
- 15.7 A Strategic Flood Risk Assessment has been submitted and it is recommended that finished floor levels are raised by a minimum of 150mm above immediate surrounding ground levels, that no unit is located in any topographical depression, and that ground levels are profiled to direct runoff to the nearest positive drainage point. To mitigate the development's impact on the current runoff regime it is proposed to incorporate surface water attenuation and storage as part of the development proposals. A surface water drainage strategy has been prepared for the site. This demonstrates that water from the development will be directed to the local public sewer network at a controlled rate, and that sufficient storage will be provided at the site to accommodate the 1 in 100 year storm, including an allowance for climate change.
- 15.8 Advice obtained by the case officer from the London Greater Authority has commented that measures taken by the developer would mitigate against such low level surface water risks and are acceptable in line with London Plan Policy 5.12. Furthermore, the case officer has examined potential risks in the local vicinity, particularly the overland flow routes crossing the A124 and A125 towards the River Rom and accepts that limit peak run-off rates to 14 litres per second through the use of green roofs, swales, permeable paving and five water attenuation tanks is considered acceptable in line with London Plan Policy 5.13.
- 15.9 In light of the information provided together with the perceived strategy, this aspect from the development is consistent with guidance from Paras 104 and 121 from the 'NPPF' 2012 and the provisions of Policies 5.12 and 5.13 from the 'London Plan' 2016; and Policies DC48 and DC49 of LBH's 'Development Plan Document' 2008; and LBH's SPD on 'Sustainable Design Construction'.

16. Infrastructure and Utilities:

- 16.1 Policy 5.18 on 'Construction, excavation and demolition Waste' of the 'London Plan' 2016 requires developers to produce site waste management plans (SWMPs) to arrange for the efficient handling of construction, excavation and demolition waste and materials. Policy CP11 on 'Sustainable Waste Management' of LBH's 'Development Plan Document' 2008 outlines the council's commitment to minimising the production of waste, increasing recycling and composting and achieving substantial reductions in the use of landfill.
- 16.2 In this respect, a Site Waste Strategy had been prepared and submitted to outline the development's approach to applying the waste hierarchy regarding both

construction/demolition phases as well as the operational phases of the proposal. The measures outlined in the waste strategy suggest that a principal contractor will be appointed and shall be responsible for preparing and implementing the SWMP in line with the Joint Waste Development Plan for the East London Waste Authority Boroughs 2012. Subject to satisfying condition 20, the proposal would adhere with Policy 5.18 of the '*London Plan*' 2016 and Policy CP11 of LBH's '*Development Plan Document*' 2008.

- 16.3 Comments received by UKPN, ESW and TW raise no objections to the proposal and highlight that the existing surrounds appear to be well served by their utilities and service. The site appears capable of accommodating the proposal with no added pressure to existing infrastructure and aligned with guidance from within Paras 162 of the '*NPPF*' 2012; and policies 4.11, 5.4, and 5.17 from the '*London Plan*' 2016; and Policy DC51 of LBH's '*Development Plan Document*' 2008.

17. Sustainability:

- 17.1 In terms of national planning policy, paragraph 94 from the '*NPPF*' 2012 falls aligned with the objectives of the Climate Change Act 2008. Guidance from the document encourages local planning authorities when determining planning applications for new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 17.2 In recognising the importance of climate change and meeting energy and sustainability targets and the statutory duty to contribute towards the mitigation under the Greater London Authority Act 2007, Policy 5.2 on 'Minimising Carbon Dioxide Emissions' of the '*London Plan*' 2016 seeks all major developments to meet targets for carbon dioxide emissions reduction in buildings, leading to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019. The policy requires all major development proposals to include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy.
- 17.3 The Mayor of London's SPG on '*Housing*' 2016 applies a zero carbon standard to new residential development, and defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. Furthermore, the Mayor of London's SPG on 'Sustainable Design and Construction' 2014 provides guidance on topics such as energy efficient design; meeting carbon dioxide reduction targets; decentralised energy; how to off-set carbon dioxide where the targets set out in the London Plan are not met.
- 17.4 In terms of local plan policy, Policy DC50 on 'Renewable Energy' of LBH's '*Development Plan Document*' 2008 stipulates the need for major developments to

include a formal energy assessment showing how the development has sought to ensure that energy consumption and carbon dioxide emissions are minimized applying the principles of the energy hierarchy set out in the London Plan.

- 17.5 The applicant has submitted an Energy Statement which includes an Energy Strategy, the Energy Assessment outlines that the combination of Energy Efficiency measures will result in a 1.5% reduction over the Part L (2013) baseline, achieving the target of 37.3% regulated carbon dioxide reduction over the Part L 2013 baseline (through the use of a CHP and Air Source Heat Pump) at the base of block W3 together with a carbon offset payment calculated at £854,145.
- 17.6 In calculating the baseline energy demand and carbon dioxide emissions from the residential aspect of development, officers acknowledge that the CO₂ has been calculated at 474.5 tonnes a year, which at a cost of £60 a tonne of CO₂ equates to £28,470 per year. Therefore, a financial contribution of £854,100 will be sought as carbon emissions offset contribution in lieu of on-site carbon reduction measures. The development proposal, subject to engaging into S106 agreement and providing the necessary contributions sought after would present a scheme that adheres with Policy 5.2E of the '*London Plan*' 2016 and the Mayor of London's SPG on 'Housing' 2016; and Policy DC50 on 'Renewable Energy' and Policy DC72 on 'Planning Obligations' of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Planning Obligations*' 2013.
- 17.7 Policy 5.3 on 'Sustainable Design and Construction' from the '*London Plan*' 2016 seeks that developers utilise the highest standards of sustainable design and construction to be achieved to improve the environmental performance of new developments. This is supplemented under Policy DC49 on 'Sustainable Design and Construction' of LBH's '*Development Plan Document*' 2008 which requires for all major new development to a high standard of sustainable construction.
- 17.8 Guidance of how to meet the requirements as presented from the above policy is further discussed within LBH's SPD on '*Sustainable Design Construction*' 2009 which encourages developers to consider measures beyond the policy minimum and centred around development ratings, material choice, energy and water consumption.
- 17.9 Officers have reviewed the design measures aimed at maximising the energy efficiency incorporated to both the residential and non-residential aspects of the development through enhanced insulation in the building envelope (walls, roofs, floors and glazing). The scheme is to incorporate double-glazed Low-emissivity windows and walls to unheated areas; all party walls will be fully insulated and sealed achieving high performance of building envelopes that minimise heat loss from apartments. The applicants energy strategy is to reduce energy demand through effective use of locally sourced materials and low embodied energy materials, and that which achieves average U-Values better than those required by Part L (2013) and thus in accordance with Policy 5.3 from the '*London Plan*' 2016 and the Mayor of London's SPG on 'Sustainable Design and Construction' 2014; and Policy DC49 on of LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

- 17.10 Policy 5.9 on 'Overheating and Cooling' from the '*London Plan*' 2016 emphasises that major development proposals should reduce potential overheating and reliance on air conditioning systems. The applicant has submitted an Overheating Assessment as part of the overheating mitigation strategy, undertaking a series of dynamic thermal modelling studies (model geometry and local shading on a selection of unit types to evaluate and minimise the risk of summer overheating. Design modelling had also played a key part in the assessment from an early stage, factoring in weather data, building fabric, construction, windows (solar control glazing (low g-value)) and ventilation (mechanical and natural cross-ventilation)) and infiltration. It has been stated that there is no provision for active cooling within the development that all dwellings instead shall use a passive cooling strategy to mitigate the risk which falls in keeping with the above policy.
- 17.11 In recognising the need to protect and conserve water supplies and resources a series of measure and guidance has been provided under Policy 5.15 on 'Water Use and Supplies' from the '*London Plan*' 2016 where it is stressed that planning decisions should seek development to minimise the use of mains water by incorporating water saving measures and equipment and designing residential development so that mains water consumption would meet a target of 105 litres or less per head per day. This is supplemented under Standard 37 from the Mayor of London's SPG on '*Housing*' 2016, the target set out in this standard is in line with the lower optional maximum water consumption requirement which is set out in Part G of the Building Regulations from October 2015.
- 17.12 Policy DC51 on 'Water Supply, Drainage and Quality' Sustainable Design and Construction' of LBH's '*Development Plan Document*' 2008 highlights that applicants are required, as a minimum, to incorporate a high standard of water efficiency which can include greywater and rainwater recycling to help reduce water consumption.
- 17.13 The applicant has submitted a Sustainability Statement which provides details of sustainable design and construction measures aimed at reducing the sites energy and water consumption. It has been highlighted that for all the new dwellings proposed, the development shall achieve 105 litres/person/day internal water consumption targets (installed leak detection and water metering) with a commitment to energy efficiency measures which result in a 1.5% reduction over the Part L (2013) baseline. For the commercial spaces however, the internal water consumption is also anticipated to be reduced through the use of water efficient fixtures and fittings in line with the Wat 01 requirements of the BREEAM assessment. These aspects from the development adhere with guidance from Policy 5.15 on 'Water Use and Supplies' from the '*London Plan*' 2016 and Standard 37 from the Mayor of London's SPG on '*Housing*' 2016; and Policy DC51 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

18. Crime and Disorder:

- 18.1 Section 17 of the Crime and Disorder Act 1998 as amended by the Police and Justice Act 2006 requires that Local Authorities take community safety into consideration in all of its decision-making, compliance with Section 17 can be used as a means to demonstrate the department's response to crime and disorder. Secured by Design ("SCD") is a police initiative to guide and encourage those engaged within the specification, design and build of new homes to adopt crime prevention measures, although non-prescriptive. Guidance of the latest security standards that have been developed to address emerging criminal methods of attack can be scoped under SBD on 'New Homes' 2014 which addresses the community safety and security requirements for most types of housing development including low and high rise apartment blocks.
- 18.2 In terms of national planning policy, paragraphs 58 from the 'NPPF' 2012 emphasise that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Paragraphs 69 from the document then accentuates that planning policies and decisions should aim to ensure that developments create safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
- 18.3 The above strategic approach is further supplemented under Policy 7.3 on 'Designing out Crime' from the 'London Plan' 2016 which indoctrinates measures to designing out crime so to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In local plan policies terms, Policy CP17 on 'Design' and Policy DC63 on 'Delivering Safer Places' from LBH's 'Development Plan Document' 2008 falls in line with national and regional planning guidance which places design at the centre of the planning process. The above mentioned policy piece together reasoned criteria's for applicants to adopt the principles and practices of SBD. More detail on the implementation of the above policy is provided from LBH's SPD on 'Designing Safer Places' 2010, this document which forms part of Havering's Local Development Framework was produced to ensure the adequate safety of users and occupiers by setting out clear advice and guidance on how these objectives may be achieved and is therefore material to decisions on planning applications.
- 18.4 The submitted Design and Access Statement has referenced a management and security strategy, benefits of this approach provide a sense of security to its residents and the local community and discourage antisocial behaviour. The statement outlines that the design has been developed with SBD principles in mind following subsequent meetings with the Metropolitan Police Designing out Crime Officer. Points of discussion include improved residential areas (secure access and access control), residential amenity spaces (secure gated access to include presence of servicing staff), refuse collection and bicycle storage areas (secure access to include presence of maintenance and servicing staff).

- 18.5 The council consulted the Metropolitan Police Designing out Crime Officer (“DOCO”) who prior to the submission had the opportunity to meet with the developers and examine the details submitted. In gauging the outcome of their crime risk analysis and an understanding of local crime occurrence in line with Havering’s Crime and Disorder Strategy 2005-2008, the DOCO raised no objection, but recommended that specific conditions be attached to the grant of any planning approval requiring the developer to achieve a SBD accreditation and completion of the relevant SBD application forms at the earliest opportunity.
- 18.6 The commercial units which range from planning use class A1, A3 and D1 sit within the ground floor and are well-defined with the open areas. Officers have considered the level of human activity and crime and disorder associated with those uses and regards the uses appropriate to the location as the reduced risk of crime and a sense of safety integrate well with its surrounding context, the proposal reinforces the distinctive qualities of its surroundings. The lighting strategy for the ground floor public areas include column and up-lighting, whilst the Podium lighting strategy incorporates the aforementioned alongside bollard lighting, all lighting strategies are subject to detailed design under condition 19.
- 18.7 Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application in line with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the development proposal subject to satisfying SBD requirements imposed under conditions 27-28 would not undermine crime prevention or the promotion of community safety in accordance with guidance from Para’s 58 and 69 from the ‘*NPPF*’ 2012; and Policy 7.3 of the ‘*London Plan*’ 2016; and Policies CP17 and Policy DC63 of LBH’s ‘*Development Plan Document*’ 2008; and with LBH’s SPD on ‘*Designing Safer Places*’ 2010.
19. **Planning Obligations/Financial contributions:**
- 19.1 Policy DC72 on ‘Planning Obligations’ of LBH’s ‘*Development Plan Document*’ 2008 which in part emphasises that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 19.2 In 2013, the Council adopted its SPD on ‘*Planning Obligations*’ which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure. There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 19.3 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 on 'Planning Obligations' of LBH's *'Development Plan Document'* 2008 and Policy 8.2 on 'Planning obligations' of the *'London Plan'* 2016.
- 19.4 Policy DC29 on 'Educational Premises' of LBH's *'Development Plan Document'* 2008 highlights how the Council will ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of residents. This is partly achieved by seeking payments from residential developers for the capital infrastructure of schools required to meet the demands generated by the residential development. Therefore, financial contribution shall be sought to be used for educational purposes in accordance with the Policy DC29 and LBH's SPD on *'Planning Obligations'* 2013. Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early year's school places generated by new development.
- 19.5 Comments received by the Councils Children's Services have confirmed as a result of the breakdown by unit size/tenure that they have applied the GLA Population Yield Calculator and that the development will generate the following number of pupils in each school phase; 106.No. early years, 104.No. primary and 30.No. secondary and 13.No. Post-16 pupils. The cost per place figures for early years, primary, secondary and post-16 as calculated by the DFE for Havering is £11,800, £16,495 and £21,444 respectively (the cost per place for Post-16 is the same for Secondary). On this basis, it is necessary to continue to require contributions of £1,250,800 for early year pupils, £1,715,480 for primary pupils, and £643,320 for secondary and £278,772 for post-16 pupils, totalling £3,888,372 towards the cost of mitigating the impact of additional dwellings in the Borough for educational purposes, this in accordance with Policy DC29 of LBH's *'Development Plan Document'* 2008.
- 19.6 A financial contribution totalling £854,145 to be used for off-site carbon emissions offset measures in lieu of on-site carbon reduction measures is required in as the submitted Sustainable Design Construction Statement highlights that in order to achieve 'zero carbon' for the residential portion of the scheme, 474.5 tonnes per annum of regulated CO₂, equivalent to 14,235 tonnes over 30 years from the new-build domestic portion should be offset onsite. In calculating the baseline energy demand and carbon dioxide emissions for the site, a financial contribution as carbon emissions offset contribution in lieu of on-site carbon reduction measures has been calculated at £60 per tonne (£854,145) and would be required in accordance with Policies 5.2, 5.3, 5.15, 5.16, 8.2, on from the *'London Plan'* 2016; and Policies CP15, DC49 and DC72 of the LBH's *'Development Plan Document'* 2008; and LBH's SPD on *'Sustainable Design Construction'* 2009.

As outlined earlier in this report, the planning obligation would also need to include the following provisions:

- 11% of units (67.No. units) as Affordable;
- Tenure split 57% affordable rent and 43% intermediate shared ownership, the housing option in terms of affordable rent is the London affordable rent.
- Review mechanisms - final details to be agreed;
- Financial contribution of £3,888,372 towards provision of education costs, comprising:
 - £1,250,800 early years;
 - £1,715,480 primary years;
 - £643,320 secondary years;
 - £278,772 post 16 years;
- Financial contribution of £250,000 towards provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road and ancillary route improvements linked to the above;
- Financial contribution of £100,000 towards provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street and ancillary route improvements linked to the above;
- Financial contribution of £180,000 towards infrastructure required by TfL;
- Provision of cycle/footway along eastern boundary of the site adjoining Rom Valley Way;
- The provision of 2 car club spaces on the site and 3 years free membership for future residents to the Car Club;
- The provision of travel plans covering the residential and commercial elements of the scheme;
- Restrictions on Parking Permits to apply to both residents and commercial operators within the site.
- 21 allocated parking spaces at no charge to be allocated for all 3 and 4 bed affordable units.
- Financial contribution of £854,145 towards carbon offset schemes;
- The Western blocks (242 units) as Build to Rent under a covenant for at least 15 years;
- Provide units that are all self-contained and let separately;
- Operate under unified ownership and management;
- Offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
- Offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;
- Include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
- Be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme;
- Not charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.

- Requirement to obtain a management company to maintain the public realm and landscaped areas;
- Requirement to make the pedestrian route a pedestrian right of way;
- Requirement to assume liability over the pedestrian right of way;
- Novation of architect.

19. Conclusion:

- 19.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposal would provide much needed housing and would improve pedestrian and cycle connections to the town centre.
- 19.2 The proposal, by virtue of its design, layout and highway related matters would not adversely impact the visual quality of the locality or amenities of nearby properties, the proposal is situated within a sustainable transport location and would not be detrimental on grounds of highway safety subject to the monitoring of safeguarding conditions.
- 19.3 It is therefore recommended that planning permission be granted subject to conditions and completion of a S106 agreement.

IMPLICATIONS AND RISKS

Financial implications and risks: None.

Legal implications and risks: None.

Human Resources implications and risks: None.

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including units that provide for wheelchair adaptable housing, and units which are designed to Lifetime Homes standards. The residential development provides affordable housing, thus contributing to the provision of mixed and balanced communities.

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