



# Havering

L O N D O N   B O R O U G H

## REGULATORY SERVICES COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 5 April 2018</b>	<b>Council Chamber - Town Hall</b>
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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)**

Alex Donald (Vice-Chair)  
Linda Hawthorn

**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 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 16)**

### **5 P1599.17 - 2ND & 3RD FLOOR EQUITABLE HOUSE, 88/100 SOUTH STREET ROMFORD (Pages 17 - 26)**

- 6     P2048.17 - HORNBURCH SPORTS CENTRE, HARROW LODGE PARK,  
HORNBURCH ROAD (Pages 27 - 68)**
- 7     P1422.17 - 77/79 CROSS ROAD (REAR OF) MAWNEYS (Pages 69 - 88)**
- 8     P1242.17 - BEAM PARK, FORMER FORD ASSEMBLY PLANT SITE, NEW ROAD,  
SOUTH HORNBURCH (Pages 89 - 182)**

**Andrew Beesley  
Head of Democratic Services**

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## **Regulatory Services Committee**

**5 April 2018**

Application No.	Ward	Address
P1414.17	Havering Park	Bassi Grange, Clockhouse Lane, Romford
P1995.17	Hacton	3 Suttons Lane, Hornchurch

## OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE -

APPLICATION NO.	P1414.17	
WARD:	Havering Park	Date Received: 30th August 2017 Expiry Date: 25th October 2017
ADDRESS:	Bassi Grange Clockhouse Lane Romford	
PROPOSAL:	Proposed retention of structures and hard standing	
DRAWING NO(S):	Drawing 01 Rev B Drawing 03 Drawing 02 Rev B	
RECOMMENDATION	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report	

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### CALL-IN

This application is reported to Committee at the request of Councillor John Crowder, should officers be minded to refuse the submission. This is on the grounds that it has been claimed that the property has been in its current state for more than 10 years and is considered by Councillor Crowder to be a vast improvement to the area.

### SITE DESCRIPTION

In terms of its local context, the application site falls within the district boundary of Romford and within the ward of Havering Park, as depicted on the Local Plan Policies Map. Clockhouse Lane is situated west of Havering Road and the B175 carriageway. The site and its surroundings fall under Havering Ridge Area of Special Character, with site constraints being potentially contaminated land.

The site and its surroundings fall on the cusp of an urban area, which to a degree is characterised as semi-rural in setting. The site lies within the Metropolitan Greenbelt. The site is bound by residential properties to its north (Hillsdene) and west (Brookside). The sites curtilage is bound by 2m high walls to its north, east and western boundaries with wooden fence panelling to its southern side.

The application site falls on the eastern side of Clockhouse Lane, vehicular access to and from the site lay from this elevation which conceals the site and its structures from the public domain. The site is rectangular in shape and of relatively flat topography, a site area amounting to approximately 5327m<sup>2</sup> with a built footprint of approximately 523m<sup>2</sup>.

The site comprises a bungalow (hipped-roof design) with two outbuildings (flat roof design) at its sides. The existing bungalow retains a built footprint amounting to approximately 300m<sup>2</sup> together with two conservatories adjoining either side. The existing bungalow and its outbuildings are constructed of red-brick and white rendering, clay roof tiles and brown UPVC window/door frames and double glazed windows with the exception of the conservatory which is all UPVC and polycarbonate roofing.



## **DESCRIPTION OF PROPOSAL**

The applicant seeks retrospective planning permission for two conservatories, a covered way to the north elevation of the main property, a swimming pool and an outbuilding (pump room) with extended areas of hardstanding and vehicular parking and a retaining wall. The proposals, by virtue of their location and use are subject to the change of use of land to residential curtilage.

The outbuilding (pump room) sited to the east of the site, is distanced away from the main dwelling by approximately 28m. The outbuilding is of flat roof design, and comprises a built footprint of 32m<sup>2</sup> with an eaves/ridge height of 2.5m which includes a parapet corner protruding out 200mm. The swimming pool is set on a raised platform, to include a plinth wall surrounding it.

The first conservatory is linked to the main dwelling, sited to its side (east) and comprises a built footprint of 23m<sup>2</sup>, an eaves/ridge height of 2.4m, a UPVC framed structure and polycarbonate roofing.

The second conservatory is linked to the main dwelling, sited to its side (west) and comprises a built footprint of 23m<sup>2</sup>, an eaves/ridge height of 4.1m, again a UPVC framed structure and polycarbonate roofing.

The covered way is linked to the main dwelling and sited against its northern elevation, the addition spans the entire depth of the property which adjoins the party boundary. The addition is constructed of red brick, displaying an eaves/ridge similar to that of its parent building.

The additional areas of hardstanding are situated to the front of the property, adjacent the southern elevation, an oval shaped area of hardstanding constructed of concrete paving slabs. The north, east and western boundaries of the site has been bound by a 2m high wall constructed of red-brick.

## **RELEVANT HISTORY**

A planning history search exercise reveals an extensive planning background, applications which hold material relevance to the current application. The relevant planning history is as follows:

P1545.06: Full planning submission for the 'conversion of existing stable & tack buildings into new dwelling house' under planning reference: approved with conditions on 03.10.2006.

P1166.07: Full planning submission to 'erect a replacement building in lieu of approval P1545.06 to convert existing stables and tack building into a dwelling' under planning reference: approved with conditions on 16.08.2007.

Both of the above consents were subject to a number of planning conditions, including conditions that required the removal of some existing structures from the site; the removal of permitted development rights and limitations on the extent of the residential curtilage associated with the approved dwelling.

P1140.12: Full planning submission to 'erect two conservatories (to east and west elevations) covered way to north elevation, construct swimming pool and pump room with hardstanding and

retaining wall and change of use of land to residential curtilage (retrospective)' under planning reference: refused on 14.03.14 on the basis of being harmful development in the greenbelt contrary to Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document.

There have been three Breach of Condition notices served on this property in July 2017. These Notices relate to the breach of planning conditions forming part of planning permission reference P1166.07 issued on 16.08.2007 (conditions 2, 4, 5, 7,8).

The applicant has stated that all the structures subject of this permission have been constructed for a period exceeding ten years, thereby inferring that they are now lawful. However, no application for a Certificate of Lawfulness has been made. Furthermore, it should be noted that a certificate of lawfulness cannot be issued for development which is in breach of any enforcement or breach of condition notice in force at that time. As the date on which the LPA issued the Breach of Condition notices fell less than ten calendar years from the date of the breach, no immunity from those Breach of Condition Notices exist under Section 171B(3) of the 1990 Act.

## **CONSULTATIONS / REPRESENTATIONS**

Public consultation was carried out by way of site notices and a press notice as well as notification to 27.No. nearby properties. In total 3.No. letters of support had been received, comments from a material planning perspective implied that no issues with noise or disturbance and that development is out of sight.

The following statutory consultee responses have been received:

Highways Authority: No objection.

## **RELEVANT POLICIES**

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).

The London Plan 2016;

The relevant policies from the 'London Plan' include: Policy 6.13 (Parking), Policy 7.1 (Design), Policy 7.4 (Local character), Policy 7.6 (Architecture), Policy 7.16 (Green Belt).

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"),

The relevant policies from Havering's "DPD" include; Policies CP17 (Design), DC33 (Car Parking), Policy DC45 (Green Belt), DC61 (Urban Design), DC69 (Other Areas of Special Townscape or Landscape Character).

## **MAYORAL CIL IMPLICATIONS**

The Mayoral CIL came into force in 2012 and as such the development is not considered to be CIL liable.

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## **STAFF COMMENTS**

Officers consider that the determining issues with regards to the proposal are as follows:

- a) Principle of Development;
- b) Green Belt Implications;
- c) Scale/Design;
- d) Resident/Occupant Amenity;
- e) Other Material Considerations;

Principle of Development:

In terms of national planning policy, Section 9 from the "NPPF" 2012 sets out the Government's fundamental aim on Green Belt policy, primarily to prevent urban sprawl by keeping land permanently open, signifying that the essential characteristics of Green Belts are their openness, and their permanence. In particular, paragraph 89 from the document expresses that:

"A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- 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;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In terms of local plan policies, Policy DC45 on 'Green Belt' from the LBH's 'Development Plan Document' 2008 expresses that planning permission for development in the Green Belt will only be granted if it is for either agriculture and forestry purposes, outdoor recreation, nature conservation, cemeteries, mineral extraction and/or Park and Ride facilities. The policy further expresses that extensions, alterations and replacement of existing dwellings will be allowed provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling.

Officers note that there have been no material changes made under this submission by comparison to that of an earlier refused submission (planning reference: P1140.12). The earlier submission was refused on grounds of harmful development in the Green Belt, which fell contrary to Policy DC45 of LBH's 'Development Plan Document' 2008. The applicant has since restated their case under the very same set of for special circumstances as cited previously. These very special circumstances were not considered to be sufficient grounds to approve the previous application. Since that time Staff are not aware of any material change in site circumstances or in terms of planning policy, both the LDF and the NPPF being the adopted policies both then and now.

In particular, Policy DC45 of LBH's 'Development Plan Document' 2008 states that planning permission for new buildings will only be granted for essential uses, these include agriculture and forestry, outdoor recreation, nature conservation, cemeteries, mineral extraction, park and ride facilities or they involve limited infilling or redevelopment on a site designated. The proposals do not constitute any of the above; therefore the proposal falls contrary to Policy DC45 of LBH's 'Development Plan Document' 2008.

Notwithstanding the above, the dwellinghouse was initially granted permission by way of conversion of outbuildings, reasoned justification lay in the premise that the loss of other outbuildings from the application site would increase the openness of the site and make the scheme acceptable. There were a number of restrictions including a clearly defined residential curtilage, the removal of some existing structures and the removal of permitted development rights. The works currently proposed for retention are an addition to this and in breach of conditions 4, 5, 8 and 9 of the original permission (P1545.06).

The aforementioned policy expresses that extensions, alterations and replacement of existing dwellings will be allowed provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling. The original dwelling converted in 2006 amounted to 149m<sup>2</sup>, subsequently demolished and rebuilt with the addition of two wings and a limited depth (0.65m) front extension which increased the building by 48m<sup>2</sup> in floor area. The overall additional volume created under that submission was 180m<sup>3</sup> (representing a 36% increase in volume) which involved the demolition of building 5, part of building 2 and two existing outbuildings, which should have reduced the existing buildings by a further 369m<sup>3</sup>. Both the 2006 and 2007 approvals also restricted the residential curtilage to an area directly in front (south) of the

building with a maximum depth of 6m. A car port was to be formed from the remaining part of Building 2 (to the west of the approved dwelling).

The proposal increases the built volume by both not removing the part of the outbuilding (building 2) which was to be part demolished to provide a small car port, and also by adding two conservatories (one of which effectively attaches to the car port building), a covered way and a pump room. The new conservatories and covered way add some 92.5m<sup>2</sup>, and the retained buildings, now attached, add a further approximately 150m<sup>2</sup>, totalling approximately 243m<sup>2</sup>. Given that the approved dwelling was already 48m<sup>2</sup>, larger in floor area, these additional elements are well in excess of 50% of the approved volume, which itself was 36% bigger than the original building. The overall increase in volume (comparing the original buildings with that now on site) is circa 163%.

It is therefore considered that the proposal would result in disproportionate additions to the building, contrary to both Policy DC45 and the NPPF, such that there would be in principle harm from the proposed development as a result of inappropriateness.

### **GREEN BELT IMPLICATIONS**

The proposal would increase the length of the building. While the conservatories are largely glass and the covered way is located behind the building against the shared boundary wall, the overall impact is that the current building extends more than 45m along the northern edge of the application site. The wall erected along both the northern and eastern boundary lies above 2m in height and will be exposed on the greenbelt, this aspect is considered to be harmful to the open character of the Green Belt.

The original residential curtilage (permitted by the 2006/7 schemes) included an area approximately 35.3m wide by a maximum of 6m deep immediately to the south of the building. This area was in addition to the driveway. As part of this application, there would be an extension of the residential curtilage to include the swimming pool and its surrounding hardstanding area which, excluding the 30m<sup>2</sup> pump room, covers an area of over 310m<sup>2</sup>. This is in addition to the provision of a hardstanding patio area of approximately 185m<sup>2</sup> to the front and east of the added conservatory. This alone totals nearly 500m<sup>2</sup> of additional hardstanding area. Two smaller areas of hardstanding have also been added to the paddock area, one adjacent to the eastern patio area and another to the front of the dwellinghouse.

An area beyond the previously defined residential curtilage and new areas of hard-surfacing to be retained has also been laid to lawn. This lawn is circa 2640m<sup>2</sup> in area. The applicant has advised that this land is leased to them on a 99 year basis.

Taking into account the limited extent of the original curtilage, it is considered that the now proposed residential curtilage would result in an unacceptable urbanisation of the application site, well beyond that originally envisaged, to the detriment of the open character of the Green Belt.

### **DESIGN / IMPACT ON STREET / GARDEN SCENE**

The extensions are visible from the Country Park, in particular from views along an informal footpath directly to the south and from the woods to the east of the application site, although views into the site have been partly obscured by the applicant building a wall just inside the boundary

which is higher than the retained boundary fence. It is not however considered that there would be any adverse impact on visual amenity in the streetscene, bar that arising to green belt character.

## **IMPACT ON AMENITY**

The nearest residential properties front onto the same access road to the west of the application site. Due to the distance and intervening buildings, it is not considered that the works undertaken would have any impact on residential amenity.

## **OTHER ISSUES**

Since harm has been identified through inappropriateness and visual impact, the proposal should not be approved unless very special circumstances are demonstrated to exist which, in line with the "NPPF", outweigh the harm identified. The special circumstances offered by the applicants are as follows:

"the extensions are not disproportionate if the new dwellinghouse is taken as the "original dwellinghouse", as per the reasoned justification to the LDF Policy DC45 as it would be less than 50% larger."

Staff Comment: According to the LDF the original dwellinghouse is "as built" on 1st July 1948. In this case, the dwelling on site is a replacement of a previous building. Together with the elements now proposed to be retained, total volume would be circa 163% greater than the volume of the original building, which Staff consider is disproportionate. In addition, the proposal involves development in the green belt beyond the approved residential curtilage.

"the rear covered way and western conservatory are sandwiched between existing buildings and structures and so would not materially affect the openness of the green belt"

Staff comment: See comment above in respect of the residential curtilage; development beyond the approved curtilage is a change of use of the land to residential which is in principle, harmful to the green belt and the reasons for including the land within it; in respect of extending the buildings and joining them together, this clearly has an impact on openness, in particular as works to remove/demolish part of a building on site, which formed part of the original approval, have yet to be undertaken and are now proposed to be retained.

"the swimming pool is mainly underground with only 0.35m projecting above the surface of the patio and therefore does not diminish the openness of the green belt."

Staff comment: The swimming pool is not within the approved residential curtilage and represents a change of use to residential as well as being a physical development in itself; that the pool does not project significantly above ground does not of itself mean that it has no impact on the open character of the green belt as it is accompanied by extensive hardstanding and a single-storey pump room/changing facility.

"the hardstanding areas do not have any material affect on the openness of the green belt since they simply reconcile a sloping area on the site."

Staff comment: Hardstanding is development and in this case is not within the approved residential

curtilage; the extensive hardstanding undertaken at the site together with stepped accesses is not characteristic of undeveloped land in the green belt and it represents an urbanisation of the site.

"the originally approved residential curtilage of 6m depth and 35.5m wide was unreasonably small for this dwelling and that now proposed is not disproportionate and, of itself would not have any impact on the openness of the green belt"

Staff comment: The applicant was free to appeal against the condition on the approval which restricted the residential curtilage, but did not do so. The current proposal involves the change of use of the whole former stables site to a residential curtilage. The site area is 0.46 hectares which would result in an unreasonably large area of land in residential use.

"any structures etc. to be erected within the proposed residential curtilage would not be visible outside the site due to the screen walling now erected and would therefore not have any impact on the open character of the green belt"

Staff comment: The wall around the site has been raised above 2m following Police advice; it is currently unauthorised, nonetheless just because any buildings may not be visible from certain public vantage points is not a very special circumstance to allow ancillary residential development over the whole of the former stables site of which the majority was open pasture.

Staff do not consider that the circumstances submitted, neither singly, or collectively, represent the very special circumstances needed to outweigh the in principle and other harm identified, in particular to the open character and appearance of this part of the Metropolitan Green Belt.

## KEY ISSUES / CONCLUSIONS

Having regard to the individual circumstances of this proposal, 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 to retain various residential development outside the approved residential curtilage for this property in the green belt is inconsistent with the provisions of the development plan and with national policy in the NPPF. Staff do not consider that sufficient very special circumstances have been submitted which would outweigh the harm identified. As such the application is recommended for refusal.

## RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the following reason(s):

### 1. Refusal non standard

The site is within the area identified in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as Metropolitan Green Belt. LDF Policy and Government Guidance as set out in the National Planning Policy Framework state that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No very special circumstances to warrant a departure from this policy have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document, as well as the provisions of the National Planning Policy Framework..

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## INFORMATIVES

### 1. Non Standard Informative 1

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015. London Borough of Havering Planning Authority have acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to meet with the Applicant to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development. However, having regard to the fact that this is a retrospective application the opportunities for negotiating an acceptably revised scheme are limited.



## OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 5th April 2018

APPLICATION NO.	P1995.17	
WARD:	Hacton	Date Received: 15th January 2018 Expiry Date: 12th March 2018
ADDRESS:	3 Suttons Lane Hornchurch	
PROPOSAL:	Changing the use of the existing Drum shop (A1 Retail) into a Nail bar (Sui Generis)	
DRAWING NO(S):	EXISTING BLOCK PLAN-3762 L01 EXISTING FLOOR PLAN-3762 L01 LOCATION PLAN-3762 L01	
RECOMMENDATION	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report	

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### SITE DESCRIPTION

The application site comprises of No.3 Suttons Lane, currently a vacant A1 retail unit (Drum Store).

The site is situated within the Station Lane Major Local Centre (which includes nos. 1-25 Suttons Lane) and as such the surrounding area is characterised by predominantly commercial uses and with some residential accommodation above. The adjoining units comprise of No.1a 'Pink Pointers Dance Wear', independent retail unit, and No.5 is occupied by 'Engraving services store, Trophyland', both A1 retail units.

### DESCRIPTION OF PROPOSAL

The proposal seeks consent for a change of use of the existing Drum shop (A1 Retail) into a Nail bar (Sui Generis).

There would be four full time members of staff. The proposed opening hours are between 9am to 6:30pm Monday to Friday, 9am to 5pm on Saturdays, the Nail Bar will not operate on Sundays, Bank and Public Holidays.

The proposal does not involve any external changes to the building.

A Design and Access Statement was submitted with the application, advising that the applicant has worked within the area of Hornchurch for 16 years and has an established clientele/business within the area, and looking to relocate for a better, larger premises, which will also create 2 new job opportunities.

### RELEVANT HISTORY

None

## **CONSULTATIONS / REPRESENTATIONS**

A total of 44 consultation letters were sent out as part of the planning application process. The application has been advertised in a local newspaper and by way of a site notice, as the application does not accord with the provisions of the development plan. One letter of representation was received requesting that trading hours stay as they are currently.

Highways - No objection are raised

Environmental Health - No objections

## **RELEVANT POLICIES**

### LDF

- DC16 - Core and Fringe Frontages in District and Local Centres
- DC33 - Car Parking
- DC36 - Servicing
- DC61 - Urban Design

### OTHER

- LONDON PLAN - 4.8 - Supporting a successful and diverse retail sector
- LONDON PLAN - 6.13 Parking
- 
- NPPF - National Planning Policy Framework

## **MAYORAL CIL IMPLICATIONS**

The proposal does not include enlargement of the gross internal space, as such the proposal is not CIL liable.

## **STAFF COMMENTS**

The main issues in this case are the principle of development, the impact on the streetscene, neighbouring amenity and any parking and highway issues.

## **PRINCIPLE OF DEVELOPMENT**

No3 Suttons falls within a major local centre area. Within such centres Policy DC16 seeks to control new uses at ground floor level so that they are appropriate to a shopping area and sets a number of criteria to be met..

This policy is intended to maintain the viability and vitality of the major local centre, protecting the predominantly retail use so that the range and choice of goods sold are maintained.

The proposal does not accord with the policy in that the proposed use is a 'sui generis' use and does not fall into one of the A1-A5 use classes. Notwithstanding this it is considered that it would be reasonable to assess the retail implications of the development against the provisions of Policy DC16 as the impact of the proposed use would be broadly similar.

The proposal would create two further job opportunities for the area, this forms a part of the Core

## Strategy's Vision.

In determining the relevant frontage for the purposes of assessing the proposal, it is considered that the frontage begins at 'Pink Pointes dance wear at 'No.'s 1a-1b Suttons Lane- and ends at 'Post Office' No.'s 11a Suttons Lane. This frontage has a total length of approximately 40 metres.

There are 6 units within this parade, the majority of which are all in retail use. The only two non-retail use comprises of No.7 Suttons Lane- 'Danieli Coffee' and the application site. No.7 & No.3 would have a approximately 11m frontage. Based on the above assessment and given the nature of the proposal and the other existing uses within the parade less than 33% of the frontage would be occupied by uses regarded as 'non-retail'. This would be compliant with Policy DC16.

The proposal is considered to also meet the other criteria of Policy DC16 in that the proposed use is considered appropriate to a shopping area and would not give rise to a grouping of three or more adjoining non-retail uses, furthermore the proposal would positively contribute to the range of services available within the Suttons Lane and would not materially harm its retail viability or attractiveness to shoppers.

It is judged that the proposal would maintain an active shop front and contribute to pedestrian flows. The premises would be open six days a week during normal shopping hours. A condition would be applied to ensure that an active shopfront is maintained.

## **DESIGN / IMPACT ON STREET / GARDEN SCENE**

The proposal does not involve any external changes to the building. This application is however concerned solely with the change of use.

## **IMPACT ON AMENITY**

The proposed opening hours for the Nail bar are 9am to 6:30pm Monday to Friday and 9am to 5pm on Saturdays. The Nail bar would not operate on Sundays, Public and Bank holidays. It is considered that the use proposed would not result in any additional harm to the amenities of the neighbouring occupiers as the applicant is proposing reasonable opening hours. The proposed use would be relatively low key and would not involve operations that would produce an excessively high volume of customers or practices that would result in an undue increase in noise levels.

It is unlikely for any significant noise and disturbance to arise from the proposed use. Therefore, it is considered that the proposed change of use would not result in a significant loss of amenity to neighbouring properties and is compliant with Policy DC61.

## **HIGHWAY / PARKING**

The proposal would not affect the parking provisions on site, in addition the Highways have raised no objections.

## **KEY ISSUES / CONCLUSIONS**

The proposed change of use would provide a use which is compatible with the Hornchurch Major District Centre and would not harm the form and character of the surrounding area, the residential amenity of the occupants of neighbouring properties or result in any parking or highway safety issues.

The proposal is therefore considered to be acceptable..

## **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. Non Standard Condition 31**

The use hereby approved shall not be open to members of the public outside the hours of 09:00 to 18:30 hours on Monday to Friday, 09:00 to 17:00 on Saturday, the unit will not operate on Sundays and Bank Holidays unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason:-

In the interests of amenity and to accord with Policy DC61 of the LDF Development Control Policies Development Plan Document.

**4. Non Standard Condition 32**

The development shall be carried out in accordance with the approved ventilation and extraction equipment details, which shall be retained and maintained permanently thereafter.

Reason:-

To ensure the provision of adequate ventilation and extraction equipment is maintained in the interests of amenity and to accord with Policy DC61 of the LDF Development Control Policies Development Plan Document.

**5. SC35 (Window Display) ENTER DETAILS**

A window display shall be provided at all times in the window(s) fronting Suttons Lane.

Reason:-

In the interests of visual amenity and to minimise the impact on the wider Major District Centre, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

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## 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.

### 2. **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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

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# REGULATORY SERVICES COMMITTEE

5 April 2018

## REPORT

**Subject Heading:**

**P1599.17**

2<sup>nd</sup> & 3<sup>rd</sup> Floor, Equitable House,  
88-100 South Street, Romford

Sub-division of existing flats to form 7no  
additional units  
(Application received 26-09-2017)

**SLT Lead:**

Steve Moore - Director of Neighbourhoods

**Report Author and contact details:**

Adèle Hughes  
Senior Planner  
adele.hughes@haverling.gov.uk  
01708 432727

**Ward:**

Romford Town

**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

This proposal seeks consent for the sub-division of the existing flats to form 7no additional units. In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. A Section 106 Legal Agreement is required to restrict future occupiers from obtaining parking permits. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

## 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), to secure the following obligations:

- To restrict future occupiers from obtaining parking permits.

That, if by 5<sup>th</sup> August 2018 the legal agreement has not been completed, the Assistant Director of Development has delegated authority to refuse planning permission.

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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. 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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Refuse/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.

4. Cycle storage - Prior to the first occupation of the dwellings hereby permitted, the proposed cycle storage shown on drawing No.'s 102 Proposed Second Floor Rev: A and 102 Proposed Third Floor Rev: A shall be provided to the satisfaction of the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

**Reason:** To ensure that cycle storage is made permanently available and in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

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. 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.

7. Control of noise - Before the development hereby permitted commences, details of a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise affecting the site from nearby and/or adjacent commercial premises, specific consideration should be afforded to noise arising from venues associated with the late night economy. Such scheme as may be approved shall be implemented prior to first occupation and thereafter retained in accordance with such details.

**Reason:** Insufficient information has been supplied with the application to judge the provisions to be made for the control of noise affecting the site from nearby and/or adjacent commercial premises. Submission of this detail prior to commencement of the development 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.

## **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 Mr Springthorpe via email on 1st December 2017. The revisions involved the provision of internal cycle storage. The amendments were subsequently submitted on 14th December 2017.
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. 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>

<b>REPORT DETAIL</b>
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1. **Site Description**

- 1.1 The application site comprises of the second and third floors of a four storey building known as Equitable House, with commercial units at ground floor and residential accommodation above.

2. **Description of Proposal**

- 2.1 The proposal involves the sub-division of 9 no. existing flats to form 7 no. additional units. There would be a total of 10, one bedroom units and 6 studio units. The proposal includes the provision of cycle storage.

3. **Relevant History**

J0009.17 - Change of use from office to residential for 18 self-contained units (PRIOR APPROVAL) - Prior approval given.

P2001.08 - Conversion of second and third floor offices into residential accommodation comprising five flats on the second floor and four flats on the third floor replacement windows and alterations to external elevations - Approved with conditions.

#### **4. Consultation/Representations**

4.1 Consultation letters were sent to the occupiers of 51 neighbouring properties. Three letters of objection were received with detailed comments that have been summarised as follows:

- Queried if the existing residents will be rehoused.
- Noise.
- Pollution from extractor units from nearby restaurants.
- Vermin.
- Refuse.

4.2 In response to the above, comments regarding rehousing of the existing residents and pollution from nearby extractor units are not material planning considerations. Details of refuse storage can be secured by condition if minded to grant planning permission.

4.3 Highway Authority - No objection subject to a legal agreement preventing future occupiers from obtaining car parking permits. Satisfied with the internal cycle storage provision.

4.4 Environmental Health - No objection in relation to land contamination and air quality matters. Recommends a condition regarding details of a scheme which specifies the provisions to be made for the control of noise affecting the site from nearby and/or adjacent commercial premises and specific consideration should be afforded to noise arising from venues associated with the late night economy if minded to grant planning permission.

4.5 Fire Brigade - No additional new hydrants are required. The Brigade will be satisfied with the proposals subject to a dry rising fire main being provided if one does not already exist. The inlet to the main should be sited on the face of the building so that it is visible from the kerb in South Street. The main should be designed, installed and maintained in accordance with BS 9990-2015.

4.6 Essex & Suffolk Water - No objection.

#### **5. Relevant Policy**

- 5.1 Policies CP1 (Housing supply), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions to Residential and Subdivisions of Residential Uses), DC29 (Educational premises), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC55 (Noise), DC61 (Urban Design) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are also considered to be relevant together with the Design for Living Supplementary Planning Document.
- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.4 (local character), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) of the London Plan are relevant and the Housing SPG. The DCLG Technical Housing Standards document is relevant.
- 5.3 Policies 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.
6. **Mayoral CIL implications**
- 6.1 The proposal involves the sub-division of 9 no. existing flats to form 7 no. additional units and therefore, is not liable for Mayoral CIL.
7. **Staff Comments**
- 7.1 The report covers the principle of the development, the impact of the development in the street scene, impact on the amenities of neighbouring properties, highway and parking issues and legal agreements.
8. **Principle of Development**
- 8.1 The principle of residential development is considered acceptable in land-use terms and the provision of additional housing is consistent with NPPF as the application site is within an established urban area.
- 8.2 The proposal involves the sub-division of 9 no. existing flats to form 7 no. additional units. Given the existing residential use of the site, the proposal is therefore acceptable in principle and in accordance with Policy CP1.
9. **Design/Impact on Street/Garden Scene**
- 9.1 The proposal does not involve any external changes to the building.
10. **Impact on Amenity**
- 10.1 It is considered that the sub-division of 9 no. existing flats to form 7 no. additional units would not result in a significant loss of amenity to

neighbouring properties, as it consists of changes to the internal layout of the second and third floors of the building.

- 10.2 The proposed flats meet all of the criteria of the Technical Housing Standard and Policy 3.5 of the London Plan. It is considered that the internal layout, aspect and outlook of the proposed flats are acceptable. Whilst the proposals include 6 no. studios, a form of accommodation specifically excluded by Policy DC4, the size and layout within the units is such that a self-contained bedroom could be created through the erection of partitions. On this basis, it would be difficult to justify an objection grounded in the principle of having studio units, particularly as they meet all of the criteria within the Technical Housing Standard and Policy 3.5 of the London Plan.
- 10.3 The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses. The SPD does not prescribe fixed standards for amenity space provision but focuses on the quality and usability of amenity space within a development.
- 10.4 The proposed flats do not have any amenity space provision. However, when reviewing the merits of this application, consideration was given to the fact that the existing flats above this parade of commercial units do not have any amenity space provision, which is not unusual given the constraints and location of the site. Therefore, Staff consider that there are insufficient grounds to refuse planning permission based upon the lack of amenity space provision for the flats.
- 10.5 Subject to a condition regarding a scheme to control noise affecting the site from nearby adjacent commercial premises, it is considered that the proposed development would provide an adequate level of amenity for future occupiers.

## **11. Highway/Parking**

- 11.1 The site has a PTAL rating of 6b. In respect of car parking, the London Plan states that all developments in areas of good public transport accessibility should aim for significantly less than one space per unit. Given the high PTAL rating, proximity to Romford train station and the town centre location, no car parking provision is deemed to be acceptable in this instance. The Highway Authority has no objection to the proposal subject to a legal agreement to restrict future occupiers from obtaining parking permits. The plans have been amended to include the provision of Sheffield steel secure vertical cycle racks in an internal storage room on each floor and this will be secured by condition if minded to grant planning permission. Details of

refuse provision will be secured by condition if minded to grant planning permission.

## 12. **Section 106**

- 12.1 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.
- 12.2 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.
- 12.3 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.
- 12.4 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.
- 12.5 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.
- 12.6 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.

- 12.9 Notwithstanding this approach, there have been several recent appeal decisions whereby Inspectors have not supported the Council's request for a contribution towards education for one bedroom self-contained units. Given that the proposed flats are either studio (one bedroom, 1 person) or one bedroom, 2 person units, Staff consider that there is insufficient justification to request a contribution towards education in this instance.

### 13. **Conclusion**

- 13.1 Having regard to all relevant factors and material planning considerations, Staff are of the view that this proposal would be acceptable. Staff consider that the proposal would integrate satisfactorily with the streetscene and would not be unduly harmful to residential amenity. 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 legal agreement to restrict future occupiers from obtaining parking permits.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None

### **Legal implications and risks:**

No legal implications arise as a result of the proposal.

### **Human Resources implications and risks:**

None

### **Equalities implications and risks:**

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

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# REGULATORY SERVICES COMMITTEE

5 April 2018

## REPORT

**Subject Heading:**

P2048.17

Hornchurch Sports Centre Harrow Lodge  
Park, Hornchurch Road, RM11 1JU;

Erection of a new Leisure Centre with  
access, landscaping and ancillary work  
together with the demolition of existing  
Hornchurch Sports Centre and  
construction of new permanent and  
overspill car parks. Construction of  
temporary car park for 36 month period;

(Application received 18.12.2017);

**SLT Lead:**

Steve Moore - Director of Neighbourhoods;

**Report Author and contact details:**

Justin Booij;  
Principal Planner;  
Justin.Booij@havering.gov.uk  
01708 4323404

**Ward:**

Hylands

**Policy context:**

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 report concerns a planning application for full planning permission for the Erection of a new Leisure Centre with access, landscaping and ancillary work together with the demolition of existing Hornchurch Sports Centre and construction of new permanent and overspill car parks. Construction of temporary car park for 36 month period.

Staff consider that the proposal would accord with the community facilities, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to referral to the Mayor of London and subject to conditions and a section 106 planning obligation.

This application is submitted by Council, the planning merits of the application are considered separately to the Council's interests as applicant.

## **RECOMMENDATIONS**

That the proposal is unacceptable as it stands but would be acceptable subject to applicant, by 4 October 2018, entering into a Section 106 Planning Obligation to secure the following:

- 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 Planning Obligation to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Planning Obligation 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.
- Development Phasing.
- Provision of alternative venues for existing users of the site (if not resolved).
- Travel Plan.

- A financial contribution of £12,000 to be used for road infrastructure improvements.
- A financial contribution of £15,000 to be used for local cycling improvements study and works.

In the event that the Planning Obligation is not completed by 4 October 2018 the application shall be refused.

That the Assistant Director of Development be authorised to secure a Planning Obligation for the above and upon completion of that obligation, grant planning permission subject to the conditions set out below.

That planning permission be granted subject to the conditions set out below, on the understanding that the conditions may be updated as appropriate, in case the requirements are discharged satisfactorily before a decision is formally issued.

That planning permission be granted subject to referral to the Mayor of London.

### **1. Time limit for commencement:**

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. 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 above ground works to the following parts of the development hereby approved shall take place until details and samples of all materials to be used in the external construction, as well as a maintenance regime for the timber external surfaces as relevant to the discrete parts, are submitted to and approved in writing by the Local Planning Authority: the building and associated landscaped areas; the temporary

car park, and; the permanent car parking area and associated landscaped areas. Thereafter, the development shall be constructed and maintained with the approved materials and maintenance regime.

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 of the relevant part of the approved development 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. Surfacing Materials:**

Before any above ground development is commenced on the approved access road and parking areas, details of 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 and parking areas 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 the Development Control Policies Development Plan Document Policy DC61.

#### **5. Landscaping Scheme Details:**

No above ground works to the following parts of the development hereby approved shall take place until a fully detailed scheme of hard and soft landscaping, as relevant to the discrete parts, are submitted to and approved in writing by the Local Planning Authority: the building and associated landscaped areas; the temporary car park, and; the permanent car parking areas and associated landscaped areas. The scheme 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, and street furniture, access control fixtures and lighting. Thereafter, the development shall be constructed and maintained with the approved materials and maintenance regime. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the relevant part 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.

## **6. 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.

## **7. Noise:**

Before any works commence on the approved leisure centre building, 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 levels  $L_{Aeq}$  (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed  $L_{A90}$  -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining/adjacent properties, in accordance with London Plan Policy 7.15 and Policy DC55 of the Development Plan Document.

## **8. 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.

## **9. Construction Method:**

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.

#### **10. 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 the details hereby approved.

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

#### **11. Cycle Storage:**

Prior to the occupation of the development hereby permitted, cycle storage for a minimum of 68 bicycles, of a type and in a location previously submitted to and approved in writing by the Local Planning Authority shall be provided and 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. Car Parking:**

- 1) Before the removal of any existing car parking spaces within the application site and before the operation of the new leisure centre hereby approved commences, the approved temporary car park shall be laid out and surfaced to the satisfaction of the Local Planning Authority and provide 97.No. spaces.
- 2) Before any of the existing car parking spaces and the approved temporary car park are removed, the permanent areas set aside for car parking spaces shall be laid out and surfaced to the satisfaction of the Local Planning Authority and provide 300.No. spaces (240 No. spaces in the main car park, and 60 No. spaces in the overflow car park), those areas shall be retained permanently thereafter for the accommodation of vehicles associated with the site.

Reason: To ensure that adequate car parking facilities will be 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 DC32.

## **13. Car parking continued:**

The temporary car park shall revert to landscaped parkland in accordance with the approved landscaping strategy, once the permanent car park and overspill car park have been constructed. The reinstatement works shall be completed at the earliest opportunity, and no later than 36 months after the commencement of the approved development.

Reason: To ensure that the character of the surrounding area is safeguarded, to comply with Policy DC61 of the Development Control Policies Development Plan Document.

## **14. Electric Vehicle Charging Points:**

Electric charging points shall be installed in 20% of the allocated parking spaces at the approved development. 10 electronic vehicle charging points shall be installed before the permanent car parks become operational, and the further quantum shall be installed in accordance with phasing to be agreed as part of the Travel Plan. 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: To ensure that developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles, in accordance with Paragraph 35 of the National Planning Policy Framework, and to ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles, in accordance with London Plan Policy 6.13 (Parking).

## **15. Construction Logistics Plan:**

No works shall take place in relation to any of the development hereby approved until a Construction Logistics Plan has been submitted to and agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how construction traffic would navigate the application site and its surrounding area to safeguard the area's amenity and highways safety. Submission of details prior to commencement will ensure that the measures to be employed will be in accordance with the Development Control Policies Development Plan Document Policies DC32 and DC61.

## **16. 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.



## **17. Delivery and Servicing Plan:**

Before the new leisure centre building(s) hereby permitted is first occupied, a properly hardened area shall be provided within the curtilage of the site for the loading, unloading and turning of vehicle, in accordance with the relevant details hereby approved. Thereafter such provision shall be made permanently available for use to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. No loading or unloading of goods from vehicles arriving at or departing from the premises shall be carried out otherwise than within such area. There shall be no storage of goods or other obstructions within the approved area without prior consent in writing of the Local Planning Authority.

Reason: To avoid obstruction of the surrounding streets and to safeguard the amenities of occupiers of neighbouring property, and in order that the development accords with Development Control Policies Development Plan Document Policy DC33.

## **18. Car Park Management Plan:**

Before the new permanent car parks hereby permitted are first in use, a Car Park Management Plan shall first be submitted to and approved in writing by the Local Planning Authority and the permanent car parks shall be implemented accordingly, unless prior consent is obtained in writing from the Local Planning Authority. The Car Park Management Plan shall include (but not necessarily exclusively): a management regime concerning access to, and the use and monitoring of the car park, and maintenance.

Reason: To ensure that adequate car parking facilities will be permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and sustainable travel, and that the development accords with the Development Control Policies Development Plan Document Policy DC32.

## **19. Archaeology:**

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 site 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.

Written schemes 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.

Reason: To ensure that the development hereby approved would adhere to safeguarding guidance under London Plan Policy 7.8 (Heritage and Assets and Archaeology); and DPD Policy CP18 (Heritage) and DPD Policy DC70 (Archaeology and Ancient Monuments); and Para 128 of the NPPF.

## **20. Ecology/Biodiversity:**

No development shall take place until a scheme for the ecological enhancement within the development have been submitted to and approved by the Local Planning Authority. The ecological enhancement scheme so approved shall be completed and available for use before the approved new leisure centre building is occupied.

Reason: To ensure that any protected species remain safeguarded.

## **21. Tree Protection during Construction:**

No works shall take place in relation to any of the development hereby approved until a scheme for the protection of retained trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

## **22. Land Contamination:**

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 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.

- 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.

### **23. Land Contamination continued:**

- 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, in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

## **24. Drainage:**

- a) The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted Flood Risk Assessment and Drainage Strategy, and its associated plans, drawings, particulars and specifications (as set out on page one of this decision notice) and any other related plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority.
- b) No development shall take place until micro drainage calculations have been submitted to and approved by the Local Planning Authority. The ecological enhancement scheme so approved shall be completed and available for use before the approved new leisure centre building is occupied.

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 London Plan Policies 5.12 and 5.13 and Policies CP15, DC48 and DC51 of the Development Control Policies Development Plan.

## **25. Construction Waste Management Plan:**

No works shall take place in relation to any of the development hereby approved until a Construction Waste Management Plan has been submitted to and agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how construction waste would be processed as part of the approved development, to safeguard the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

## **26. Water Efficiency:**

The development hereby approved shall be constructed to comply with AECB water standards.

Reason: In order to comply with best practice standards for water appliances and plumbing, in accordance with Policy 5.15 of the London Plan and the Sustainable Design and Construction SPG.

## **27. Access:**

The development hereby approved shall be constructed to comply with Part M Vol.2 (Buildings Other Than Dwellings) of the Building Regulations.

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

## **28. Community Safety:**

Prior to carrying out above grade works of the main parts of the development hereby approved (these being the new building and associated landscaping works, the temporary car park, and the permanent car park), 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 Policy DC63 and London Borough of Havering's Supplementary Planning Documents on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

## **29. Community Safety continued:**

Prior to the first occupation of the main parts of the development hereby approved (these being the new building and associated landscaping works, the temporary car park, and the permanent car park), a 'Secured by Design' accreditation shall be obtained for the relevant part of the development.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policy DC63 and London Borough of Havering's Supplementary Planning Documents on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

## **INFORMATIVES**

### **1. Approval (no revisions required)**

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, which came into force from 22.11.2012, a fee of £97 per request or £28 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 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. 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](mailto:docomailbox.ne@met.police.uk) or 02082173813.

### **8. Street name/numbering:**

Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property officially Street Named and Numbered by the Council's Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that the Council has a 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>

## **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. Protected species continued:**

Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use or being built is guilty of an offence under the Wildlife and Countryside Act 1981 and prior to commencing work you should ensure that no nesting birds will be affected.

## **12. Crime and disorder:**

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 accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, staff considers that the proposal will not undermine crime prevention or the promotion of community safety.

## REPORT DETAIL

### 1. Site Description:

- 1.1 The 3.19 Ha irregular shaped application site lies at the north of Harrow Lodge Park and is generally bound to the north by Hornchurch Road and a Council Depot, to the east by the River Ravensbourne and the west by low rise residential dwellings. The site generally slopes down with plateau stages from west to east towards the Ravensbourne River. Harrow Lodge Park extends south of the application site and connects with Chase Nature Reserve at its very south. The area of the application site comprises of the access road from Hornchurch Road that leads to the existing Hornchurch Leisure Centre, the car park and part of the open area to the west of the access road, the Hornchurch Leisure Centre itself, and its immediate curtilage, which provides parking and vehicular circulation, and; an area of landscaped parkland to the east of the Leisure Centre. The open area west of the car park is a flat green open space, which is in part time use as training grounds for the Abbey Bowmen and Tigers Football Club, however, the area does not qualify as formal playing fields or pitches, under Sports England definitions.
- 1.2 Within the park, a mix of land uses surround the application site: the Havering Indoor Bowls Club lies to the south west; the charity Mind occupies a building immediately to the west; there is an existing play area to the south and a Cricket Club to the north. All of these uses are accessed from Hornchurch Road, via an internal road and via a network of footpaths, within the park.
- 1.3 The site is designated on Havering's Local Development Framework Proposals Map as 'parks, open space, playfields and allotments'; the site is not within the Green Belt or Metropolitan Open Land. Harrow Lodge Park as an entirety has the same designation. The park connects to land designated as Metropolitan Open Land in its very south, forming part of a green link that runs through the borough. The application site itself has no other local planning policy designations. The St Leonards Conservation Area covers some of the residential dwellings further to the west of the site, up until the west side of Wallis Close.
- 1.4 The closest part of the Strategic Road Network (SRN) is Rush Green Road, 1.5 kilometres west of the site, and the closest part of the Transport for London Road Network (TLRN) is the A12, approximately 4 kilometres north of the site. Elm Park and Hornchurch Underground stations are both approximately 2 kilometres to the south and the closest National Rail station is Emerson Park, 1.3 kilometres north east of the site. The nearest bus stops are on Hornchurch Road, within 400 metres of the site, and are served by three bus services. The site records a public transport accessibility level (PTAL) of 2 on a scale of 1-6, where 6 is the highest.
- 1.5 The existing leisure centre provides 6,500 sqm GIA. It was constructed in 1956 and was extended to include a sports hall in 1987. It has now reached the end of its usable life; the facilities are outdated and do not fully meet the current local demand for indoor sports facilities: they are also either costly to repair or no longer serviceable. The facilities at the existing leisure centre comprise:



- 30 x 12 metre swimming pool,
- with diving boards at 1 metre, 3 metres and 5 metres
- metres and 5 metres
- 11 x 6 metre learning pool
- 200 x spectator seats for main pool
- 8 x sports courts
- 2 squash courts
- 100-unit gymnasium
- 1 x fitness studio for classes
- Dry and wet changing

1.6 The existing car parking is located to the north west of the existing leisure centre and around the immediate curtilage of the leisure centre, and parking space is provided for 202 cars, including 5 disabled spaces.

1.7 Site constraints that are of material relevance with the works proposed include: potentially contaminated land, public open space, non-designated site of Nature Conservation, Air Quality Management Area, Flood Zone 1 and Archaeological Priority Area.

## **2. Description of Proposal:**

2.1 The application is for full planning permission, for the replacement of the existing Hornchurch Leisure Centre within the north part of Harrow Lodge Park. The full description is as follows.

*“Erection of a new Leisure Centre with access, landscaping and ancillary work together with the demolition of existing Hornchurch Sports Centre and construction of new permanent and overspill car parks. Construction of temporary car park for 36 month period.”*

2.2 It is proposed to construct a new leisure centre in the western part of the application site, with the existing leisure centre remaining operational until the proposed centre opens. Once the new centre opens, the existing building will be levelled and a permanent and an overspill car park will be constructed on its footprint (240 and 60 car parking spaces respectively). During the construction period, an additional temporary car park for 97 No. vehicles is proposed to the east of the existing leisure centre.

2.3 The proposed new building would be two double storeys in height, with varying roof heights that are dictated by the facilities’ required internal height requirements. The new building would have an L-shaped footprint that continues to the south of existing development along the access road’s western side. The new building would be erected from brick, curtain walling, supplemented by timber vertical rainscreen cladding with timber fins, and polycarbonate translucent cladding. Doors and window materials would be PPC aluminium / steel and PPC aluminium and glass doors with curtain walls. The building would be covered by felt roofing with ballast over the plant area, and an area of PV panels.

2.4 The building's main orientation would be towards the east, where the proposed new building would have its main entrance clustered around a landscaped front court, flanked by active frontage from the main lobby, a café and a crèche. The front court would lead off from the existing access road and surrounding paths in the park, and the proposed main car parking areas. 7 No. disabled car parking spaces would be provided along the front elevation facing the access road, to be within close proximity of the leisure centre entrance.

2.5 The facilities at the 6,150 sqm GIA leisure centre comprise:

- 25 x 17 metre swimming pool, with
- diving boards at 1 metre, 3 metres and 5 metres
- 20 x 10 metre learning pool
- 250 x spectator seats for main pool
- 60 x spectator seats in tiers for diving boards
- 4 x sports courts
- 150-unit gymnasium
- 3 x fitness studios for classes
- Crèche
- Café
- Dry and wet changing

2.6 The proposal also includes 240.No. standard vehicular parking spaces for Leisure Centre staff, patrons and visitors to the park. This is supplemented by an overspill park to the east of the application site, for a further 60.No. standard vehicular parking spaces, which are only to be used during times of peak demand. The main car park would be hard surfaced with soft landscaping treatment, while the overspill car park would have reinforced grass surfacing. A 32 capacity cycle storage area is to be provided at the front entrance area and the existing shelter for 10 bicycles southwest of the Cricket Pitch is to be retained.

2.7 A complementary Landscaping Strategy has been submitted, which would increase pedestrian connectivity at the site of the leisure centre and visual permeability where the existing leisure centre creates a severance effect.

The application is accompanied by a suite of supporting documents comprising the following:

- Location Plan, Detailed Plans
- CIL forms
- Planning Statement
- Design and Access Statement
- Acoustic Strategy
- Historic Desk Based Assessment
- Ecology Report
- Arboricultural Report
- Flood Risk Assessment (FRA)
- Drainage Statement
- Ground Investigation Report

- Transport Assessment
- Draft Travel Plan
- Energy Statement

### **3. Planning History:**

- 3.1 A planning search revealed no recent history of planning cases in respect of the application site.

### **4. Consultations/Representations:**

- 4.1 The application was advertised by way of site and press notices as well as notification to 84 properties nearby. 18 letters of representation have been received, including one letter from Cllr Ganty, and two letters each from three addresses. The matters of concern raised in objections can be summarised as follows.

- Impact on residential amenity:
  - Noise and Air Pollution (visitors, plant, traffic)
  - Daylight/Sunlight and Light Spillage (from construction floodlights, car headlights, and the building in operation)
  - Visual impact
  - Privacy
  - During Construction and Operation
- Traffic:
  - Traffic Flows
  - Road Safety (in particular the access road during the construction phase)
  - Car parking stress
  - During Construction and Operation
- Loss of open space
- Negative impact on the local area's character
- No need for a new leisure centre (either the current leisure centre is adequate, or there are many other sports facilities that serve the area)
- Don't agree with the site that was selected
- Don't agree with the facilities within the proposed leisure centre building
- Concern about the continuity for the clubs and social groups that use the site
- Concerns about anti-social behaviour and crime, particularly at the area west of the application site
- Increase in flood risk
- Public consultation was insufficient
- The local news information has reported that work on the new leisure centre will commence later on this year, while the planning application has not yet been decided.

- 4.2 Comment on representations: The issues raised by objections where they relate to planning considerations have been assessed within the relevant sections of the

Staff comments in this report. Objections which relate to non-planning matters are not covered further. Those which are not explicitly or implicitly covered are addressed below.

4.3 Any community consultation before the submission of a planning application is the responsibility of the applicant. The Planning Department has fulfilled its duty for Statutory Consultation by appropriately publishing/advertising the application, and including consultation responses to be included in the considerations for the planning decision, as required by the Town and Country Planning (Development Management Procedure) (England) Order 2015. Any reports from third parties informing that the live planning application scheme is to be constructed at any particular time would not prejudice a planning decision by the Local Planning Authority.

4.4 The following consultee responses have been received.

4.5 Transport for London: No objection in principle

- Condition to require temporary car park to revert back to open space post construction (condition 13)
- Further information required to justify the proposed level of car parking, which could potentially attract new trips.
- Reinforced grass of the overflow car park is supported.
- Recommend monitoring of car parking as part of the Travel Plan, which is to be secured via section 106 (see Heads of Terms in par. 10.66 of this report).
- Cycle parking provision to be secured by condition (condition 11).
- Construction Logistics Plan and Delivery and Servicing Plan to be secured by condition (conditions 15 and 17).
- Support the principle of the submitted Travel Plan.

4.6 Thames Water: No response received.

4.7 Greater London Authority: The GLA raised a number of questions for clarification, mainly regarding the principle of the development, design and visual impact, and Energy efficiency. These were recently responded to by the applicant and GLA is considering a revised response. Please note that the application would be referable to the Mayor of London, in case Havering Regulatory Services Committee resolves to grant planning permission.

4.8 Essex and Suffolk Water: No objection.

4.9 Metropolitan Police: No objection subject to Secured by Design principles being applied.

- 4.10 London Fire Brigade: No objection.
- 4.11 Sport England: Sport England have submitted a “Holding objection” due a lack of justification for the loss of formal playing pitches on open space. However, Staff have requested an updated response to confirm retraction of the holding objection, because the open space concerned does not constitute a formal playing pitch. Sport England requested further information, which was provided.
- 4.12 Historic England: No objection, subject to condition (see condition 19)
- 4.13 Havering Council Street Management Waste and Recycling: No objection.
- 4.14 Havering Council Highways Authority: No objection subject to conditions and planning obligations in relation to road improvements, and creating improvements to cycling access. (conditions 11, 12, 15, 16, 17 and 18, and see Heads of Terms in par. 10.66 of this report)
- 4.15 Havering Council Environment Protection: No objection in relation to land contamination, air quality matters or noise pollution subject to the imposition of conditions (conditions 7, 8, 9, 22 and 23).
- 4.16 Havering Council Lead Local Flood Authority: No objection.
- 4.17 Havering Council Emergency Plans Officer: No objection.
- 4.18 Havering Council Council Parks: No response received.
- 4.19 Havering Council Highway Tree Team: No response received.
- 4.20 Havering Council Road Safety: No response received.
- 4.21 Havering Council Adults and Health: No response received.
- 4.22 Havering Council Economic Development: No response received.
- 4.23 Havering Council Energy Strategy Projects: No response received.

## **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).

The relevant paragraphs from the NPPF include paras '7-10, 11-17, 23, 34, 35-37, 38-39, 56-58, 60-61, 63-66, 69, 70, 73-74, 93, 96-104, 109, 111, 113-114, 118-125, 128-141, 186-187, 196-198, 203-206.

## 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 3.1 (Ensuring Life Chances for All), Policy 3.2 Improving Health and addressing Health Inequalities, Policy 3.9 (Mixed and Balanced Communities), Policy 3.16 (Protection and Enhancement of Social Infrastructure), Policy 3.19 (Sports Facilities), Policy 4.6 (Support for and Enhancement of Arts, Culture, Sport and Entertainment), Policy 4.7 (Retail and Town Centre Development), Policy 4.8 (Supporting a Successful and Diverse Retail Sector and Related Facilities and Services), Policy 4.12 (Improving Opportunities for All), Policy 5.1 (Climate change mitigation), Policy 5.2 (Minimising carbon dioxide emissions), Policy 5.3 (Sustainable design and construction), 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 6.7 (Better Streets and Surface Transport), Policy 6.9 (Cycling), Policy 6.10 (Walking), Policy 6.11 (Smoothing Traffic Flow and Tackling Congestion), Policy 6.12 (Road Network Capacity), 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 7.8 (Heritage Assets and Archaeology), Policy 7.14 (Improving air quality), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 7.18 (Protecting Open Space and Addressing Deficiency), Policy 7.19 (Biodiversity and access to nature), Policy 7.21 (Trees and Woodlands), Policy 8.2 (Planning obligations), Policy 8.3 (Community Infrastructure Levy).

- Sustainable Design and Construction SPG (2014)
- Accessible London: Achieving an Inclusive Environment SPG (2014)
- Social Infrastructure SPG (2015)

## 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 'Designing Safer Places' (2010), 'Landscaping' (2011), 'Planning Obligations' (2013), 'Sustainable Design Construction' (2009), 'Protection of Trees' (2009).

The relevant policies from Havering's "DPD" include; CP7 (Recreation and Leisure), CP8 (Community Facilities), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage), DC18 (Protection of Public Open Space, Recreation, Sports and Leisure Facilities), DC20 (Access to Recreation and Leisure including Open Space), DC26 (Location of Community Facilities), DC27 (Provision of Community Facilities), DC33 (Car Parking), DC34 (Walking), 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), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC60 (Trees and Woodlands), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), DC67 (Buildings of Heritage Interest), DC68 (Conservation Areas), DC70 (Archaeology and Ancient Monuments), DC72 (Planning Obligations).

#### **Material considerations:**

- London Borough of Havering Local Plan (Regulation 19 Draft)
- Havering's Green Spaces, Sport and Recreation Study (2005)
- Havering Parks and Open Spaces Strategy (2013 – 2015)

#### **6. Mayoral CIL implications:**

- 6.1 It is noted that the development proposed is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3, because there is no net increase in internal floor space.

#### **7. Principle of Development:**

- 7.1 The application site is currently in use partially as a D2 Community Use (Leisure Centre) with curtilage car parking and access infrastructure, and partially as parkland open space.

- 7.2 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"*

- 7.3 Additionally, other materially relevant policies appear from the 'London Plan' 2016 which include: Policy 1.1 on 'Delivering the Strategic Vision and Objectives for London' and Policy 3.16 (Protection and Enhancement of Social Infrastructure), Policy 3.19 (Sports Facilities), Policy 4.6 (Support for and Enhancement of Arts,

Culture, Sport and Entertainment), Policy 7.18 (Protecting Open Space and Addressing Deficiency), all fall integral to the decision making in this case.

7.4 In particular, NPPF par. 74. States that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

7.5 London Plan Policy 3.16 will seek additional and enhanced social infrastructure to meet growing population, and London Plan Policy 3.19 supports proposals, which increase or enhance sports and recreation facilities, encouraging multi-use public facilities where possible. These policies seek to resist the net loss of any leisure floorspace. Core Strategy Policy DC18 also seeks to resist the net loss of any leisure floorspace, but also that of open space. London Plan Policy 7.18 seeks to protect open space unless equivalent or better open spaces are created within the local area and, more specifically, London Plan Policy 3.19 states that, where sports facilities are proposed on existing open space, careful consideration of the impact on the green space and the borough's need for facilities is required. The main principle of replacing community facilities such as leisure centres in order that their continued offer is safeguarded and the ability to adapt to the changing needs of the population that it serves are in accordance with London Plan Policy 3.16 and Core Strategy Policy DC18.

7.6 The proposed development would create a building that provides a smaller overall internal floor area, however, the applicant has provided justification for the relative reduction. It has been explained that this is due to the inefficient internal layout of the current building and a change in the demand for sports facilities, compared to when the existing centre was created, which was informed by survey research by the site operator, which in turn directly informed the design brief for the proposed development. It should also be noted that the applicant has explained that the ageing condition of the existing building means that it would be technically and financially unviable to retain it beyond the short term. The potential eventual complete loss of the leisure centre would be the worst case scenario in relation to the strategic planning policies of the Development Plan. Thus, Staff consider that it can be accepted that the change in provision as a result from the proposed development would not lead to a loss of a significant local community facility or any important part of it, which places the proposed development in accordance with NPPF par. 74 and Policies 3.19 and DC18.

7.7 Apart from retention of the leisure centre use, the proposed leisure centre would partly be built on existing open space. In terms of its formal designation status, the existence of marked out grassed space for archery training purposes, and the fact that the previous use as sports pitches / playing fields ended over five years ago, mean that the open space part of application site would not meet the criteria for formal playing pitches which enjoy special protected status from Sport England.



To explain, the field is marked out for archery, which is not on the list of qualifying sports, and the football use is informal use for training on a field not marked up for this purpose. However, the impact on this valuable land as a publicly accessible and frequently used community resource requires further consideration, not least in terms of the conditions of NPPF par. 74.

- 7.8 Firstly, as the proposed leisure centre's location is not on the same footprint of the existing building, it needs to be considered whether the proposed location is suitable. The applicant has submitted the site selection considerations, which conclude that there are no other viable sites outside Harrow Lodge Park to provide a large scale leisure development within the local catchment area, on account of site size requirements and Council ownership or potential private purchase. Two location options within the current application site have also been considered by the applicant, comparing the option of the replacement of the existing centre at the approximately same location, which would result in a temporary discontinuation of the local sports centre, against the option of the current proposed location that would ensure continuous availability.
- 7.9 The level of protection for the open space part of the application site is not applicable in all circumstances, and in respect of the current proposals it is observed that both the existing and the proposed uses for the current open space part of the application site are afforded the same protection by Policy DC18, and the policy also clarifies that they can be interchangeable uses if certain conditions are met. According to Policy DC18, the proposed change from open space to a leisure centre would be acceptable if the open space is or has become surplus to requirements due to the existence of other facilities. The current use accommodates two community sports groups and it is understood that alternative spaces are in the process of being secured for them. If required, the provision of alternative spaces can be secured via condition of planning obligation and the applicant has confirmed that this is in line with their intentions in any case and so they are not against such a restriction / obligation.
- 7.10 Although the proposed loss of open space is in favour of a leisure use, the application scheme will be assessed as to an otherwise required improvement to the quality of open space in the vicinity. However, as this matter does not relate to the principle of the development, it will therefore be considered as part of the assessment of the proposed development's design and visual impact (at par. 8).
- 7.11 Staff acknowledge that the principle of the proposed development was initially assessed by consultees including the GLA and Sport England as if the open space area enjoyed greater protection by being Metropolitan Open Land and/or formal Playing Pitches. Although Staff have established that these designations do not apply in this case, the applicant has provided further justification over and above that required under the circumstances, to address the need for justification as if the greater protection was relevant. This has comprised the proposed location as the outcome of a robust appraisal of alternative development sites, and an assessment on openness.
- 7.12 The application scheme has been screened for potential impact on Built Heritage, in light of the statutory duty to preserve conservation areas in Planning (Listed Building and Conservation Areas) Act 1990 s77, but due to the intervening

distance and development with the St Leonards Conservation Area and its Listed Buildings, there is not considered to be any likelihood that the setting of the Heritage Assets would be affected to any significant extent.

- 7.13 Staff, in view of the above raise no in principle objection to a replacement leisure development coming forward on this site, in accordance with Policies 1.1, 3.16, 3.19, 4.6 and 7.18 of the London Plan 2016 and Paragraphs 70 and 74 from the NPPF, which seek to protect and/or enhance leisure facilities and open space.

## **8. Design and Landscape Design / Visual Impact / Impact on Local Character:**

The NPPF provides that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (par 56), and that it aims for high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (par 57). Good design is also central to all objectives of the London Plan. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. The design policies within chapter 7 and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, views and public realm. Policy 7.4 also requires that new development has regard to its context and makes a positive contribution to local character. LBH DPD Policy CP17 (Design) places great importance to the character of the local area, inclusive access and safety and security. DC61 (Urban Design) provides further guidance regarding the maintenance and enhancement of the character and appearance of the local area.

- 8.1 The application would involve the demolition of the current leisure centre, which is a large structure that sits as a visually dominant element at an elevated location from the banks of the River Ravensbourne and within the central part of the park, where it can be seen in long views from Hornchurch Road and Abbs Cross Lane, as well as from within the park. The replacement leisure centre would be constructed to the west of the existing leisure centre, where it would occupy a less prominent location that is more towards and part of an already developed area within the park's peripheral area, leaving the site of the existing leisure centre to be used as a more low profile car park with enhanced pedestrian connections and landscaped edge conditions. This would result in a development that is less visible from long views by virtue of sitting at the peripheral part of the park, creating greater openness from longer and fuller views as a result from the more continuous and consistent verdant landscaping treatment, as well as increased unobstructed access across the park. The new leisure centre would however also impact on medium proximity views from within the remaining part of the existing green open space and from Wallis Close across the rear gardens and communal landscaped parking areas on its eastern side, as well as from the rears of private houses along Torrance Close, which overlook the green space.
- 8.2 Long views from public realm would receive the greatest benefit: a moderate positive impact, while the medium distance views from the north and west of the site, which comprise indirect views from public realm or medium distance views from private properties, would result in minor negative visual impact. However, this negative impact may become negligible from execution in high quality materials

and from effective landscaping, and therefore, Staff recommend related conditions (conditions 3 and 5).

8.3 The current leisure centre's design is a continuous regular shaped structure with large scale elevations of red brick with green corrugated cladding and bright red doors and with flat roofs, and a central, taller part in rusty red with a curved roof. The building can be approached from all sides although there is a single entrance for patrons and staff at the north eastern side, while the other sides present blank frontages or utilitarian servicing functions. The current leisure centre's architecture was common for its time, and can be described as purposeful and utilitarian, but also as monolithic as well as mostly unsympathetic to its local setting and not particularly inviting to its users.

8.4 The location is immediately adjacent to a Council vehicle depot, and it sits at a minimal buffer distance of 40m from the nearest residential developments at Bridgefield Close / Torrance Close and Wallis Close.

8.5 Compared to the building's existing exposed location with Harrow Lodge Park, the proposed location for the new building is relatively integrated with the surrounding built up area because it sits adjacent to it as an infill development. The proposed leisure centre building's design and appearance draw from a concept that responds to its setting, including:

- Park setting: natural materials
- Masonry: as current leisure centre and surrounding local residential development
- Seasonal Variation: choice of colours
- Transparency and Privacy: to see activity in the building as well as privacy needs results in a variety of transparent, translucent and opaque materials

8.6 The resulting palette of materials includes predominant timber cladding with vertically mounted timber fins. Around this sits either masonry, which will tonally match the timber curtain walling. The public facing east elevations have feature elements clad in translucent cladding. These elements can be lit to provide glowing elements to enhance the centre's visibility. The proposed new building would be large scale, but apart from capitalising on its more integrated position within the park, and contextual design references, the design is also mindful of the human user experience in terms of the clearly defined entrance that forms the central focal point for visitors approaching the building and its central plaza area in front of the entrance. The entrance plaza features a double height glazed wall to the café and fitness suite providing an active frontage to the public space. Horizontal fin brise soleil provides solar shading to these spaces to reduce overheating. In terms of the building's massing, its façade has been stepped down towards residential properties to reduce the height of the building and massing of these parts of the building. Height is maintained where it is needed such as over the diving area and to the sports hall. This allows for the otherwise large scale

elevations and perceived bulk to be broken up, reducing the perceived scale of the building, as well as giving reference to the activities within the building.

- 8.7 The application submission includes a Landscaping Strategy that details areas of hard and soft landscaping and the main associated elements. The landscaping treatment of the proposed development ensures that mature trees around the centre of the application site (i.e. in between the old and the new leisure centres) are retained, and are supplemented by new trees. New trees are proposed to frame and supplement the entrance plaza and main car park, and to act as screening around the permanent main and overflow car parks, as well as around the eastern part of the new leisure centre. In relation to compensating for the loss of open space, it is considered that the expectation that the park's public realm areas would be improved is fulfilled by the high quality landscaping strategy. Particularly, the grasscrete surface of the overflow car park would contribute significantly, as the grasscrete area would be 3,498sqm and the open space loss would be 4,921sqm. In order that the open space is safeguarded, a condition (condition 13) is recommended to ensure that the temporary car park would be reinstated to parkland at the end of the proposed 36 months.
- 8.8 The building design and public realm proposals have also been assessed by the Metropolitan Police, who have confirmed that the proposed development is capable of meeting Secure by Design standards.
- 8.9 The new building would be created to modern standards including compliance with Building Regulations Part M, which relates to disabled access. This would be an important improvement in terms of equality of access.
- 8.10 Considering the above, Staff are of the opinion that, subject to recommended conditions, the proposed development will provide a high quality of design. In particular the proposed building would enhance the local character, would improve the quality of the park including visual and pedestrian connectivity and public realm safety, and equality of access. This conclusion places the proposed development in accordance with NPPF pars 56-58, 60-61, 63-66, London Plan Policies 7.1 and 7.4, and DPD Policies CP17 and DC61.

## **9. Impact on Residential Amenity:**

- 9.1 Staff have assessed the proposed development's potential effect on the amenity of occupiers of nearby dwellings, in terms of privacy, outlook and overbearance. Apart from the matter of outlook, which is considered as part of the visual impact in the previous section of this report, Staff consider that there is no cause to assess the effect on privacy and the overbearing effects from the proposed development, due to the existing garden screening in situ and the intervening distances (minimum distance of 39m from the proposed leisure centre building to the nearest dwellings, which are along Wallis Close).
- 9.2 In terms of national planning policy, paragraph 109 from the NPPF 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.

- 9.3 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.
- 9.4 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 of new development should avoid a noise sensitive use being exposed to excessive noise.
- 9.5 The applicant has submitted a Noise Impact Assessment whereby baseline noise surveys had been undertaken at measurement locations at the nearest residential properties, with noise modelling being prepared. The report had taken into consideration road traffic noise levels but not noise from proposed fixed plant noise sources, as details for such plant are not yet available at this stage. The noise assessment concluded that mitigation measures in the form of an appropriate building envelope need to be incorporated into the scheme in order to protect nearby residents' amenity from the proposed development.
- 9.6 The Council's Environmental Protection Officer has reviewed the submitted Noise Impact Assessment and raised no objection subject to the imposition of condition 7 covering details of the plant or machinery. It is also recommended that a restrictive condition for construction hours should be imposed (condition 8), as well as a condition related to the construction method (condition 9). With this respect, the proposal subject to adhering with the recommended conditions imposed will fall compliant with Para's 109 and 123 from the 'NPPF'; and Policy 7.15 from the 'London Plan' 2016; and Policies DC55 and CP15 of the LBH's 'Development Plan Document' 2008.
- 9.7 Officers have reviewed the proposed waste strategy for the proposed development, the collection of bins and storage facilities which are to be provided in stores and located to the north of the site, designed based on a weekly commercial collection.
- 9.8 The Council's Street Management and Waste and Recycling team has 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 London Plan Policy 3.2 (Improving Health and Addressing Health Inequalities); and DPD Policy DC40 (Waste Recycling).

## **10. Highways/Parking:**

- 10.1 In terms of national planning policies, guidance under NPPF paragraph 36 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.
- 10.2 The integration between transport and development is discussed under London Plan Policies 6.1 (Strategic Approach) and 6.3 (Assessing Effects of Development on Transport). 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 DPD Policy CP9 on 'Reducing the Need to Travel' and Policy CP10 on Sustainable Transport' and Policy DC32 on 'The road network'.
- 10.3 The applicant has submitted a Transport Assessment and a Travel Plan as part of this application, which predicts that the traffic generated from the proposed residential development would have a negligible increase over existing and projected traffic conditions.
- 10.4 The Council's Highways Engineer as well as the Transport for London Engineer have reviewed the aforementioned documents and consider that subject to a number of planning conditions 15 and 17 (covering Construction Logistics and Site Servicing Arrangements), and planning obligations (a road improvement contribution), the proposed development would be acceptable from a highway perspective and unlikely to give rise to undue highway safety or efficiency implications which may fall contrary to Policy DC32 on 'The Road Network' of LBH's *'Development Plan Document'* 2008.
- 10.5 The Council's Highways Engineer and TfL Engineer have further reviewed all other highways related matters such as access and parking and raises no objections subject to the imposition of conditions 11, 16 and 18 (covering the Provision of Bicycle Parking, Vehicle Cleansing during Construction and Car Parking Management arrangements), and planning obligations (Travel Plan, Local Cycle Improvements, Phasing of the proposed development). The TfL Engineer has requested further information regarding the expected users of the car park in order to justify the proposed quantum of car parking. This was partially satisfied by a response from the applicant, but the TfL Engineer confirmed that the relative shortcoming could be mitigated by securing an ongoing monitoring regime for the use of the car park, and measures within the Travel Plan.

10.6 Therefore, in this respect, the proposal is considered to be compliant with London Plan Policies 6.1, 6.3 and 6.13, and DPD Policies CP9, CP10, DC32 and DC33.

10.7 The London Fire Brigade has raised no objection in principle. In respect of emergency access, the proposal is compliant with DPD Policy DC36 (Servicing).

### **Archaeology:**

10.8 In terms of national planning policy, paragraph 128 from the 'NPPF' 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.

10.9 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.

10.10 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.

10.11 The western part of the application site lies in an Archaeological Priority Zone and the application therefore included an Archaeological Report. Associated with its status, the area is deemed to have potential for prehistoric deposits, and the report that the archaeological potential in terms of the prehistoric period is considered to be moderate, while the potential for the Roman and Saxon period is considered to be low-moderate and low respectively. The archaeological potential for the medieval period, specifically agricultural activity, is considered to be moderate. In terms of the archaeological potential for the post-medieval era is considered to be moderate- high, due to the proximity to the 18th C Harrow Lodge and its precursor. This would justify further archaeological work. The Historic England Archaeology Advisor has confirmed there is no objection, subject to a condition, and an associated condition for archaeological field evaluation and then any appropriate mitigation works is therefore recommended (condition 19).

10.12 The development proposal, subject to satisfying mitigation requirements imposed under condition 19 would be considered to adhere to safeguarding guidance under London Plan Policy 7.8 (Heritage and Assets and Archaeology);

and DPD Policy CP18 (Heritage) and DPD Policy DC70 (Archaeology and Ancient Monuments); and Para 128 of the NPPF.

### **Ecology and Arboriculture:**

- 10.13 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.
- 10.14 The application submission includes an Extended Phase 1 Habitat Assessment, and Bat Scoping Survey and Great Crested Newt Survey.
- 10.15 The application site itself is not subject to, nor located adjacent to, any area identified by a statutory nature conservation designation, but Harrow Lodge Park is designated as a Non-Statutory Site of Importance for Nature Conservation, which includes the River Ravensbourne, which could potentially be an important wildlife corridor. The application site is located at sufficient distance so as not to have any negative effect on this biodiversity resource.
- 10.16 According to the submission, the application site and its context contain a variety of habitats, of which broadleaved woodland (within the application site), and a pond (located outside the application site), which are both listed as Priority Habitats on both the UK and Havering Biodiversity Action Plan (BHAP). The report recommends their retention or enhancement.
- 10.17 Notable species that should be accommodated according to the report, include reptiles, and it is recommended that semi-improved grassland and tall ruderal vegetation habitats towards the edges of the existing sports centre should be retained or enhanced.
- 10.18 The report also recommends that a variety of nesting birds should be protected by ensuring that vegetation clearance occurs outside the nesting season.
- 10.19 Suitable bat roosting habitat is provided within some of the trees within the site and mitigation measures have been provided, including a further inspection survey.
- 10.20 The report finally recommends opportunities for biodiversity enhancement, including bug, bat and bird boxes, inclusion of another pond and enhancement of the current pond, construction of log piles and hibernacula for reptiles and amphibians, and the expansion and enhancement of the area of semi-improved grassland into a wildflower meadow.



- 10.21 Staff recommend conditions to cover the above mentioned mitigation and the submission of a Biodiversity Enhancement scheme.
- 10.22 The development proposal, subject to condition 20 and informatives 9, 10 and 11 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.
- 10.23 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.
- 10.24 The applicant has submitted a Tree Survey Report, Tree Survey Plan, Tree Constraints Plan and an Arboricultural Impact Assessment. The application site comprises areas of grassed open space, buildings and roads/parking areas, surrounded by trees which include oak and weeping willow. The majority of the trees surveyed were assessed as being of low or poor quality, and some were assessed as being of moderate quality. Officers can confirm that none of the trees from within the site are protected by any Tree Preservation Orders.
- 10.25 Officers consider that, apart from some exceptions, 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 is, subject to recommended conditions 5 and 21, unlikely to have any adverse impact upon the character and amenities of the local area, and the removal of the trees in accordance with guidance from within 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 and 'Landscaping' 2011.

### **Geology, Hydrology and Flood Risk**

- 10.26 Planning Policy seeks to prevent danger to human users of the site and surrounding areas that could result from land contamination. NPPF paragraph 109 advises that The planning system should contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Policy 5.21 (Contaminated Land) of the London Plan requires that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination. Policy DC53 of the DPD states that: Planning permission for development will only be granted where both of the following criteria are met:
- where the development is on or near a site where contamination is known, or expected to exist, a full technical assessment of the site's physical stability, contamination and/or production of landfill gas must be undertaken. Where the

assessment identifies an unacceptable risk to human health, flora or fauna or the water environment, the applicant will be required to agree acceptable long term remediation measures before any planning permission is granted to ensure there is no future harm with regard to the future use of the site. Where feasible, on-site remediation, especially bio-remediation, is encouraged

- the development does not lead to future contamination of the land in and around the site.

10.27 An assessment of ground conditions has been submitted with the planning application. This considers the potential impact from contamination both for workers during construction and on future users of the development, from the site's current condition, as established through a desk based assessment and supplementary intrusive investigation. The submitted report explains that as part of the development it is proposed that a hotspot of hydrocarbon contamination will be removed and the potential from asbestos, would reduce the potential effect on human health from contamination to a point where it is of no residual concern.

10.28 The Council's Environmental Health and Protection Team has raised no objection, subject to conditions, which have been recommended as conditions 22 and 23.

10.29 Staff are satisfied that all potential risks from contamination, ground gas and the creation of pathways for the downward migration of contamination as a result of piling, can be adequately safeguarded by appropriate conditions, as recommended by the Council's Environmental Health and Protection Team. The proposals are therefore considered to comply with Policy DC53 of the LDF and Policy 5.21 of the London Plan.

10.30 In terms of national planning policies, guidance under paragraph 103 from the NPPF seeks to safely manage residual risk including by emergency planning and give priority to the use of sustainable drainage systems.

10.31 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.

10.32 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.

10.33 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.

10.34 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.

10.35 It has been reported in the planning submission that the local geology comprises a nominal to moderate thickness of made ground with Head Deposits underneath, which are underlain by London Clay. Groundwater is present in the Head Deposits. Elevated levels of total petroleum hydrocarbons have been found in two samples of made ground. One of these instances is not thought to be in a soluble state and does not, therefore, pose a risk to adjacent sites, groundwater or buried services.

10.36 The remaining hydrocarbon contamination location may pose a risk and it is recommended that made ground is removed and replaced in this location, in order to protect end users. It is recommended that this matter should be covered by planning conditions (see conditions 22 and 23).

10.37 The Council's Environmental Health and Protection Team has raised no objection in principle to the development coming forward, and has agreed that conditions should be imposed requiring the above mentioned mitigation, and a further condition to keep land contamination under review during construction (see condition 23).

10.38 Turning to flood risk and drainage, the application is accompanied by a Flood Risk Assessment (FRA). This identifies that the site is located within Flood Zone 1 at less than low probability to flooding from rivers (and sea) and the FRA concludes that the site is at low risk from flooding from all sources.

10.39 A Drainage Statement also accompanies the planning application, which provides details of the proposed strategy for the surface water management and

foul water drainage for the site. It is proposed that surface water will be collected in the proposed drainage system, including in the bio-retention system located in front of the proposed new leisure centre building. In terms of discharge, it is proposed to use the two existing outfalls to the Ravensbourne watercourse. Attenuation will be provided by below ground cellular storage, with no flooding for events up to the 1 in 30 year storm. Lesser flooding events will be managed on site. The proposed main car park is designed for flooding to a maximum depth of 200mm in the 1 to 100 year event plus 40% for climate change. The foul water drainage strategy is to discharge to the Thames Water sewer via gravity and the existing sewer connection. The FRA assesses the post-development flood risk as low across all five relevant categories.

10.40 Both the Lead Local Flood Authority and the Council's Emergency Plans Officer have confirmed that they have no objection to the proposed development as detailed in the application submission.

10.41 It is considered that the proposed development's measures to manage flood risk would be sufficient as it has been demonstrated that suitable mitigation measures could be implemented and accordingly it is considered that the development complies with London Plan Policies 5.12 and 5.13 and Policies CP15, DC48 and DC51 of the DPD.

#### **Infrastructure and Utilities:**

10.42 London Plan Policy 5.18 on 'Construction, excavation and demolition Waste' requires developers to produce site waste management plans (SWMPs) to arrange for the efficient handling of construction, excavation and demolition waste and materials. DPD Policy CP11 (Sustainable Waste Management) outlines the council's commitment to minimising the production of waste, increasing recycling and composting and achieving substantial reductions in the use of landfill.

10.43 In this respect, proposed waste management facilities have been noted on the submitted drawings. However, the development's approach to applying the waste hierarchy regarding both construction/demolition phases as well as the operational phases of the proposal has not been fully detailed. However, it is understood that a principal contractor will be appointed and shall be responsible for preparing and implementing a Site Waste Management Plan in line with the Joint Waste Development Plan for the East London Waste Authority Boroughs 2012. The Council's Waste Management team have confirmed they have no objection and that the proposed development will require a suitable waste contract to meet the relevant requirements for waste management.

10.44 Staff consider that, subject to satisfying conditions 10 and 25, the proposed development would be in accordance with Policy 5.18 of the London Plan and Policy CP11 of the DPD.

10.45 No comments have been received by UKPN and Thames Water, but comments received by Essex & Suffolk Water raise no objections to the proposal and there is no suggestion to highlight that the existing surrounds are insufficiently 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; and London Plan Policies 4.11, 5.4, and 5.17; and DPD Policy DC51.

### **Sustainability:**

- 10.46 In terms of national planning policy, paragraph 94 from the NPPF 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.
- 10.47 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, London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) 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.
- 10.48 The Mayor of London's Sustainable Design and Construction SPG 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.
- 10.49 In terms of local plan policy, DPD Policy DC50 (Renewable Energy) 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.
- 10.50 The applicant has submitted an Energy Statement, which includes an Energy Strategy, the Energy Assessment outlines that the combination of Energy Efficiency measures and the use of a Combined Heat and Power Plant (CHP) and rooftop Solar Photovoltaic will result in a 35% reduction over the Part L (2013) baseline, not achieving the target 26% of regulated carbon dioxide reduction over the Part L 2013 baseline under the GLA methodology. Reasons provided by the Applicant relate to the hot water demand, which accounts for over 85% of overall demand, which would limit the additional benefit of other building features.
- 10.51 The GLA's consultation response has highlighted that, although this does not comply with London Plan Policy 5.9 and that therefore further information is required, including information to ensure that renewables have been maximised. At the time of writing this report, the applicant had just provided further information but there was not sufficient time for consultees to update their responses.

Therefore, Members will receive a further update on this matter before or at the Committee meeting on 5 April 2018.

- 10.52 The development proposal, subject to the further information referred to above, would present a scheme that adheres with London Plan Policy 5.2E and DPD Policy DC50 and Policy DC72.
- 10.53 London Plan Policy 5.3 (Sustainable Design and Construction) 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 DPD Policy DC49 (Sustainable Design and Construction) which requires for all major new development to a high standard of sustainable construction.
- 10.54 Guidance of how to meet the requirements as presented from the above policy is further discussed within Havering Council's Sustainable Design Construction SPD, which encourages developers to consider measures beyond the policy minimum and centred around development ratings, material choice, energy and water consumption.
- 10.55 Officers have reviewed the design measures aimed at maximising the energy efficiency incorporated to the proposed development through enhanced insulation in the building envelope (glazing in particular). The scheme is to incorporate Gas fired CHP, refrigerant air source heat pump systems, improved system efficiency and lighting efficacy, and solar photovoltaics. 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 of 25% better than those required by Part L (2013), in addition to brise soleil shading and thus is considered to be in accordance with Policy 5.3 from London Plan Policy 5.3 and the Mayor of London's Sustainable Design and Construction SPG, and DPD Policy DC49 and the Sustainable Design and Construction SPD.
- 10.56 London Plan Policy 5.9 (Overheating and Cooling) emphasises that major development proposals should reduce potential overheating and reliance on air conditioning systems. The applicant has submitted an Overheating Analysis as part of the overheating mitigation strategy, undertaking a series of dynamic thermal modelling studies. It has been stated that provision for active cooling within the development will be required in addition to a passive cooling strategy to mitigate the risk which falls in keeping with the above policy.
- 10.57 In recognising the need to protect and conserve water supplies and resources a series of measure and guidance has been provided under London Plan Policy 5.15 (Water Use and Supplies) and within the Sustainable Design and Construction SPG, 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.
- 10.58 DPD Policy DC51 (Water Supply, Drainage and Quality) 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.

- 10.59 The applicant has not submitted details of sustainable design and construction measures aimed at reducing the site's water consumption. However, the internal water consumption can be controlled by a recommended condition (26). These aspects from the development adhere with guidance from London Plan Policy 5.15 (Water Use and Supplies); and DPD Policy DC51 and the Sustainable Design Construction SPD.

### **Crime and Disorder:**

- 10.60 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 development to adopt crime prevention measures, although non-prescriptive. .

- 10.61 In terms of national planning policy, paragraphs 58 from the NPPF 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.

- 10.62 The above strategic approach is further supplemented under London Plan Policy 7.3 (Designing out Crime) 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, DPD Policy CP17 (Design) and DPD Policy DC63 (Delivering Safer Places) 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 Havering Council's Designing Safer Places SPD. 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.

- 10.63 The submitted Design and Access Statement provides a Safer Places Statement, which includes descriptions of design features and a management and security strategy for the site in the existing situation and in the proposed situation. The benefits of the approach of the proposed development provide a sense of security to its residents and the local community and discourage antisocial behaviour. The statement does not confirm whether the design has been

developed with SBD principles in mind. However, the Council consulted the Metropolitan Police Designing Out Crime Officer ("DOCO"). 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 provided comments in relation to detailed design considerations, and recommended that there should be no reason why the proposed development would not be capable of being accredited by a Secured by Design (SBD) commercial award. The DOCO advised an Informative (informative 7). Staff recommend that a specific condition be attached to the grant of any planning approval requiring the developer to achieve a SBD accreditation (conditions 28 and 29).

10.64 Staff 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, Staff consider that the development proposal subject to satisfying SBD requirements imposed under the recommended conditions would not undermine crime prevention or the promotion of community safety in accordance with guidance from NPPF Para's 58 and 69; and London Plan Policy 7.3; and Policies CP17 and DPD Policy DC63; and with the Designing Safer Places SPD.

#### **Planning Obligations/Financial contributions:**

10.65 DPD Policy DC72 (Planning Obligations), 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. London Plan Policy 8.2 states that development proposals should address strategic as well as local priorities in planning obligations.

10.66 As outlined earlier in this report, the section 106 Planning Obligation would also need to include the following provisions:

- Development Phasing
- Provision of alternative venues for existing users of the site (if not resolved)
- Travel Plan
- A financial contribution of £12,000 to be used for road infrastructure improvements
- A financial contribution of £15,000 to be used for local cycling improvements study and works

#### **11. Other Material Planning Considerations:**

11.1 No other material planning consideration would be required to be assessed.

#### **12. Conclusion:**



12.1 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 ensure the continued provision and modern update of a much needed community leisure facility, and would result in overall improved views and connectivity throughout the park, while safeguarding the amenity of the local area and its residents, ensuring the safe and efficient operation of the local highway network, safeguarding any significant existing archaeological, ecological and arboricultural resource, mitigating any perils associated with land contamination or flood risk, sustaining the operation of local infrastructure and utilities, delivering sustainable development, and contributing positively to community safety.

This application is referable to the Mayor under Category 3F of the Mayor's Order 2008, as the proposed development is for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.

12.2 It is therefore recommended that planning permission be granted subject to conditions and planning obligations, and subject to referral to the Mayor of London.

## IMPLICATIONS AND RISKS

**Financial implications and risks:** None.

**Legal implications and risks:** This application is made by Council, the planning merits of the application are considered separately to the Council's interests as applicants.

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.

**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 comprises the replacement of a publicly accessible leisure centre, which is provided by the Council (or its chosen agent). In particular, the proposed development has been reviewed and found to be compliant in light of: London Plan Policy 7.2, which requires that all new development is accessible and inclusive paragraph 3.114 of the London Plan, which accompanies Policy 3.19, which states that sports facilities should be designed to be fully inclusive to maximise disabled peoples access to sports facilities and their participation in sports. Therefore, the proposed

development would comply with all the Council's PSED obligations, thus contributing to the provision of mixed and balanced communities.

# REGULATORY SERVICES COMMITTEE

5 April 2018

## REPORT

**Subject Heading:**

**P1422.17**

**77-79 Cross Road (rear of),  
Mawneys**

**Proposed development to land at rear  
of 77-79 Cross Road, to create 3 x 2  
bedroom houses with parking, amenity  
and access road. Amending garden  
layouts to existing dwellings ;**

**(Application received 29 August 2017);**

**SLT Lead:**

Steve Moore - Director of  
Neighbourhoods;

**Report Author and contact details:**

Justin Booij;  
Principal Planner;  
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01708 4323404

**Policy context:**

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 [X]

Places making Havering [X]

Opportunities making Havering [X]

Connections making Havering [X]

## SUMMARY

This application proposes: the construction of 3 x 2 bedroom houses with parking, amenity and access road, and; amending garden layouts to existing dwellings.

The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking, environmental issues, safer communities, waste management, and education. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to a section 106 legal agreement and conditions.

## 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 254m<sup>2</sup> and therefore be liable for Mayoral CIL rate of £20 per square metre as net additional floorspace which amounts to £20 X 254m<sup>2</sup> which equates to £5,080 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 4 August 2018, entering into a Section 106 Legal Agreement to secure the following:

- A contribution of £18,000 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.
- 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 4 August 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: 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) 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.

3) Minor Space Standards: All 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 DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

4) Materials: No works above ground 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.

5) Landscaping: No works above ground shall take place in relation to any of the development hereby approved 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.

6) 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.

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no window or other opening (other than those shown on the submitted 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.

8) Obscure glazing and fixed shut: The flank wall windows on 1st floor level towards both the southern elevation and the northern elevation, facing No. 75 Cross Road and 8 Kings Oak shall be permanently fixed shut and obscure glazed.

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.

9) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place unless 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 the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61

10) Visibility Splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, 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.

11) Parking standards and access road: Before the building(s) hereby permitted is first occupied, provision shall be made for: 8 x No. off-street car parking spaces for use by occupants of the three houses hereby approved, as well as; the approved access road. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking provision is made off street in the interests of highway safety.

#### 12) Cycle Storage

Prior to the completion of the development hereby permitted, cycle storage for three bicycles of a type and in a location previously submitted to and approved in writing by the Local Planning Authority shall be provided and 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.

#### 13) 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.

14) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 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 construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

15) Construction Methodology Statement: 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: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

16) 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 LDF Development Control Policies Development Plan Document Policy DC61

17) 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.

18) Lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be 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: In the interest of residential amenity.

## 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 Michael Breden, via email on 06/02/2018 and on 09/02/2018. The revisions involved: the removal of habitable space in the roof; the reduction of the ridge height and massing to match that of the neighbouring King's Oak development more closely, and; the addition of tree screening as part of the parking area. The amendments were subsequently submitted on 12/02/2018 and 26/02/2018.

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 £5,080 (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. 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.
4. 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>
5. The applicant is advised that 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. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
2. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under 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) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

3. The applicant 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.
4. 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. Please note that unauthorised use of the highway for construction works is an offence.
5. 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.
6. Flood Resilience/resistance Measures: For any development where a flood risk is identified, including flood zone 1/ uFMfSW where a flood risk assessment is not required, the Council as a Lead Local Flood Authority want to see developers consider and implement flood resilience/resistance measures into the buildings themselves. This is not to stop development but to ensure the protection for future residents is maintained and enhanced. The following measures are strongly recommended, although this list is not exhaustive :-
  - Flood risk assessment highlighting especially the surface water risk
  - 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 for each individual property
  - Air brick covers
  - Movable flood barriers for entrances

<b>REPORT DETAIL</b>
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**1. Site Description**

- 1.1 The application site comprises two adjoining houses at No 77 and No 79 Cross Road, with individual accesses leading to deep rear gardens, situated on the western side of Cross Road, Romford. Directly west of the application site is Metropolitan Green Belt. The site's garden space is currently landscaped and bound by close boarded wooden fencing. The garden of No 79 contains two outbuildings; a garage that sits up against the boundary with No 81, and a group of adjacent sheds that are located along the western boundary.
- 1.2 Vehicular access onto the site is to be provided via a new junction at the existing access onto 77 Cross Road. The junction does not form part of the application scheme, although a condition is recommended, to ensure that vehicle access is operational before the dwellings are occupied. The application site is approximately 0.15 Ha in size. Ground levels are generally level.
- 1.3 The character of the surrounding area is mainly suburban residential with a mixture of 2-storey dwellings and bungalows, which include detached, semi-detached, and terrace properties. The street profile allows for front gardens, some of which are used to park cars, and footpaths with green verges alongside the carriageway. The original pattern of development along the western side of the section of Cross Road that the application site forms part of, appears to comprise of residential houses fronting the street, with deep gardens behind. Immediately north of the application site (at Kings Oak) and also slightly further along (at Harrison Close), there are examples of newly created small scale cul-de-sac developments at the back of the original rear gardens, which are accessed by long and narrow roads off Cross Road, that run parallel to retained rear gardens.

## **2. Description of Proposal**

- 2.1 The application seeks permission to demolish the existing outbuildings on the site and erect a terrace of three 3-bedroom houses with rear gardens that face the adjacent Metropolitan Green Belt. The flank dwellings would benefit from side access to the rear gardens from the front, via a wooden gate. To the front of the terrace, an 8-space car park and turning head with bin storage are provided to terminate the deep access road along the side of 77 Cross Road. The rear gardens to Nos. 77 and 79 would be shortened and the garden of No. 77 would be expanded into that of No. 79, by means of a re-positioned boundary fence.
- 2.2 The proposed dwellings would be situated approximately 28m west of the nearest rear walls of Nos. 77 and 79 Cross Road and 2.2m from No. 8 Kings Oak. The dwellings would have a north-south orientation with windows and doors towards the front and rear (east and west). The hipped roof would accommodate habitable lofts that have access to light from velux style windows.
- 2.3 The width of the dwellings would be 5.4m and the proposed terrace would therefore have an overall width of 16.2m. The dwellings would have a depth

of 8.7m. The development would be 2-storeys in height measuring 8.2m to the ridge of the hipped roof. The depth of the rear gardens would be 9.2m and the width of the gardens would be 6.4m for the flank dwellings, and 5.4m for the middle dwelling. The garden spaces measure 61 sqm for the flank dwellings (excluding the side access) and 50 sqm for the middle dwelling.

- 2.4 On ground floor level, each dwelling would have a kitchen / dining room, a WC and a living room. On first floor level there would be two double bedrooms, a study, and a bathroom, while the second floor level would accommodate a double bedroom.
- 2.6 The gardens would be screened by means of a fence and a condition would be required to secure the approval of further details.
- 2.7 The plans indicate a communal bin store and refuse collection point approximately 19m from the furthest dwelling (the northernmost unit) and 29m at its furthest point from the edge of the highway.

### **3. Relevant History**

3.1 77 Cross Road

None relevant

3.2 79 Cross Road

None relevant

### **4. Consultations/Representations**

- 4.1 Notification letters were sent to 18 neighbouring properties. 11 responses were received raising objections, which can be summarised as raising the following concerns:

- Insufficient size of the site to accommodate the proposed development;
- Increase in local traffic;
- Additional pressure on parking in Cross Road;
- Compromised Highway Safety;
- Insufficient access;
- Impact on outlook;
- Impact on residential amenity (privacy/overlooking);
- Increase in disturbance and noise (construction and occupation);
- Flood Risk (fluvial and surface water);
- Air Pollution;
- Impact on local social infrastructure;
- Proposed entry road via a private lane;
- Possible breach of lease against further building;
- Impact on Character and Appearance of the immediate area;

- Fire Risk from 3.1m wide access road, compared to 3.7m minimum width requirement of the London Fire Brigade;
  - Inadequate waste and recycling provision;
  - Headlights shining into adjacent houses, and;
  - Effect on property prices.
- 4.2 The following consultees were also notified, and the following responses were received.
- Highways: No objection, subject to conditions and informatives.
  - Environmental Health (noise): No objection.
  - London Fire Brigade: No objection.
  - Lead Local Flood Authority: No objection. Recommend flood resilience design measures.
- 4.2 Staff comment: The above consultation responses and representations that relate to planning have been assessed in the Staff Comments at Section 6. The issues that do not relate to planning in this instance, are:
- Possible breach of lease against further building (this is a matter of civil law)
  - Effect on property prices

## **5. Relevant Policies**

### **5.1 The National Planning Policy Framework (2012)**

Paragraphs 58, 60, 61, 64 and 72.

DCLG National described space standards (2015)

London Plan (2016)

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), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations).

(London) Housing SPG (2016)

Local Development Framework Core Strategy and Development Control Policies Development Plan Document (2008)

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises, DC32 (The Road Network) DC33 (Car

Parking), DC34 (Walking), DC35 (Cycling), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations)

Residential Design SPD (2010)

Planning Obligations SPD (2013), with Technical Appendices

## **6. Staff Comments**

6.1 This proposal is put before the Committee owing to the quantum of development exceeding two residential units. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, and parking and highways issues.

### **6.2 Principle of Development**

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land-use terms and the provision of additional housing is consistent with the NPPF as the application site is within an established urban area.

6.2.2 Policy 3.8 of the London Plan states that DPD policies should ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1.

### **6.3 Site Layout / Amenity Space**

6.3.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

6.3.2 Amenity space to all dwellings would be provided mainly towards the rear. The amenity area would be screened by means of a fence, avoiding any potential to overlook the amenity areas from a public point of view. The gardens measure 61 sqm for the flank dwellings (excluding the side access) and 50 sqm for the middle dwelling.

- 6.3.3 Amenity space in the local area is mainly similar in terms of their location to the rear of dwellings and size, in particular in relation to the gardens provided at Kings Oak and at Harrison Close. Staff are of the opinion that the garden areas would be large enough to be practical for day to day use and with the provision of fencing, would be screened from general public views and access, providing private and usable garden areas. As a result, it is considered that the proposed amenity areas of the new dwellings would comply with the requirements of the Residential Design SPD and are acceptable in this instance.
- 6.3.4 The residential density policy guideline range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 33 units per hectare. This density would be within the recommended density range for this area and is therefore considered acceptable.
- 6.3.5 In terms of the general site layout, the proposed 3 terraced dwellings would form part of the existing street scene at the rear of Cross Road, in conjunction with the adjacent Kings Oak development. The proposal would be set back from its site boundaries by a sufficient distance and would further be far enough away from neighbouring dwellings to prevent the proposal from appearing cramped or visually intrusive. Staff are therefore of the opinion that the proposal has an acceptable layout on the plot without appearing visually intrusive or dominant within this location. The spacing between buildings is considered appropriate and overall, Staff are of the opinion that the layout relates acceptably to the size of the application site without appearing as a cramped or overdeveloped site.
- 6.4 Impact on Local Character and Street Scene
- 6.4.1 Policy DC61 of the Core Strategy DPD seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The surrounding area has no characteristic built style and dwellings in the vicinity differ in design, height, size and layout. The majority of dwellings are however 2-storey terrace or semi-detached dwellings with some single storey bungalows along Cross Road. The proposal would introduce a 2-storey building incorporating 3 x terrace dwellings of a pitched roof design.
- 6.4.3 The proposal would however not be visually prominent from within the Cross Road street scene as it would be to the rear of surrounding properties and only visible as a long access road with the building in the far background.
- 6.4.4 As viewed from closer distance, such as from Kings Oak cul-de-sac, the proposed development is accordant with the building line and massing of



Kings Oak. In terms of its general design, it is therefore considered that the proposal would not detract from the character of the surrounding area. The flank wall of the proposed terrace would be 27m from the rear wall of dwellings at Nos. 77 and 79 at its closest point, which would be very similar to the relationship of the adjacent Kings Oak development and their relationship with the adjacent houses along Cross Road. The roof of the proposed northern end house would be hipped away from the neighbours towards the east. The buildings would be 2.2m from the flank wall of No. 8 Kings Oak. This neighbour would therefore not face the development as the proposal would be towards its southern side. As a result, Staff are of the opinion that the proposal is acceptable within this location without appearing overbearing or visually intrusive.

- 6.4.5 It is considered that the development of three 2-storey terraced dwellings in this location would have an acceptable impact on the character and appearance of this location. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would have an acceptable design and appearance. The proposed development is therefore considered to be compliant with the aims and objectives of Policy DC61 of the Core Strategy DPD.

## 6.5 Impact on Amenity

- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.5.2 The development would have one flank wall window on 1<sup>st</sup> floor level towards both the southern elevation and the northern elevation, facing No. 75 Cross Road and 8 Kings Oak. These windows are recommended to be conditioned to be fixed shut and obscure glazed as they only serve a landing area.
- 6.5.3 Towards the east of the proposed new dwellings, windows in the rear elevation of Nos. 77 and 79 would face the new terrace. The separation distance to the rear walls at Nos. 77 and 79 is however over 27m. A landscaping strip with tree planting will also be created behind the rear gardens of Nos. 77 and 79. It is not considered that there would be any direct overlooking or invasion of privacy. Generally a window-to-window relationship of 15m is acceptable between habitable room windows of dwellings. No direct overlooking would occur towards any potential habitable windows in the rear elevations of Nos. 77 and 79 Cross Road.
- 6.5.4 In terms of overshadowing, the proposal would be in excess of 27m from any neighbouring dwelling which may be affected by overshadowing. The notional 45 degree line from the neighbour at No. 8 Kings Oak would not be

breached and this neighbour would therefore not be affected by overshadowing.

- 6.5.5 In terms of additional noise and disturbance, it is not considered that the addition of three dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.6 There would be 8 parking spaces adjacent the rear boundaries with the deep rear gardens of Nos. 77 and 79 Cross Road. Staff are of the opinion that the set back from residential dwellings is sufficient and that no noise or light pollution would occur as a result of these 8 car parking spaces on the site. The use of the access road is neither considered to give rise to an unacceptable impact on the residential amenities of existing occupiers.
- 6.5.7 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.8 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

## 6.6 Highways / Parking Issues

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type in Romford. The development would provide a total of 8 x parking spaces, which equates to 2 per additional dwelling (and 2 in lieu of the existing parking space lost for No. 77). In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.
- 6.6.2 The access road would have a shared surface with the pedestrian path. The proposed access road has a minimum width of 3.5m, and it would therefore allow access to Fire Brigade vehicles, including pumping appliances and special appliances.
- 6.6.3 The development has not provided storage for cycle parking spaces. Staff consider that there would be ample opportunity within the site to provide 1 space per dwelling, in order to comply with the Council's standards as set

out in Annex 6. Therefore, subject to related conditions, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

- 6.6.4 The Highways Authority has required further conditions to be imposed, in relation to the pedestrian visibility splay at the junction, and vehicle cleansing during construction, and these conditions form part of the Staff recommendation.

## 6.7 Environmental Issues

- 6.7.1 The Council's Environmental Protection Officer has confirmed that he has no objection on grounds of noise.
- 6.7.2 In order to safeguard the amenity of nearby neighbours during the proposed development's construction, Staff recommend conditions to restrict working hours and the prior submission of a Construction Management Plan.
- 6.7.3 Staff consider that subject to these conditions, the proposed development would accord DPD Policy DC61.

## 6.8 Waste Management

- 6.8.1 The application includes limited details of facilities specific to refuse storage and collection, but Staff consider that subject to a recommended condition to require the submission of further details, the proposed development would be in accordance with Policy 5.18 of the London Plan and Policy CP11 of the DPD.

## 6.9 Education

- 6.9.1 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. 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.
- 6.9.2 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.

- 6.9.3 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 of the LDF and Policy 8.2 of the London Plan.
- 6.9.4 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.
- 6.9.5 In accordance with the SPD, a contribution of £6000 per dwelling is sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6,000 per dwelling 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.
- 6.9.6 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 £6,000 per new dwelling for educational purposes would be appropriate.

## **7. Conclusion**

- 7.1 Overall, Staff are of the opinion that the proposal would be compatible with the surrounding area and neighbouring properties. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from the rear gardens of neighbouring dwellings. It is considered that the proposal would not have any detrimental impact on neighbouring properties to the extent which would justify refusal of this application. There are no highways or parking issues in respect of the application and the provision of amenity space is considered acceptable in this instance. Overall, and subject to conditions and a section 106 legal agreement, Staff consider the development to comply with National Planning Policy and the Development Plan. Approval is recommended accordingly.

## IMPLICATIONS AND RISKS

**Financial implications and risks:** None

**Legal implications and risks:** 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.

**Human Resources implications and risks:** None.

**Equalities implications and risks:** The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

## BACKGROUND PAPERS

Application forms and plans received on 29 August 2017. Additional drawings received 12 and 26 February 2018.

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## REGULATORY SERVICES COMMITTEE

5 April 2018

## REPORT

### Subject Heading:

P1242.17 – Beam Park, Former Ford  
Assembly Plant Site

Cross boundary hybrid planning application for the redevelopment of the site to include up to 2,900 homes (50% affordable); two primary schools and nurseries (Use Class D1); railway station; up to 5,272sqm of supporting uses including retail, healthcare, multi faith worship space, leisure, community uses and management space (Use Classes A1, A2, A3, A4, A5, B1, D1 and D2); energy centres; open space with localised flood lighting; public realm with hard and soft landscaping; childrens play space; flood compensation areas; car and cycle parking; highway works and site preparation/ enabling works (Received 4/08/17, revised plans received on 12/02/18)

### Ward

South Hornchurch

### SLT Lead:

Steve Moore  
Director of Neighbourhoods

### Report Author and contact details:

Martin Knowles  
Planning Team Leader  
[Martin.knowles@havering.gov.uk](mailto:Martin.knowles@havering.gov.uk)  
01708 432802

### Policy context:

Local Development Framework  
The London Plan  
National Planning Policy Framework  
National Planning Practice Guidance

### Financial summary:

Not relevant

## 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

This report considers a cross boundary hybrid application (part outline, part detailed) for a total of 2,900 dwellings within Havering and the London Borough of Barking and Dagenham on a site of total area of 31.54 ha. Within Havering the application proposes the erection of 733 dwellings comprising 137 houses and 596 apartments on land known as Beam Park to the east and west of Marsh Way, south of the A1306. Phase 1 of the development would deliver 536 dwellings, a new local centre based around a new railway station, up to 5,272 sq.m of other support uses including commercial floorspace and a 1,500 sqm health centre and community facilities. Phase 1 would also provide the site for a new 3 f/e primary school with communal sports facilities plus extensive areas of open space and landscaping including a new park either side of the River Beam and a linear parkway along New Road. The development would provide 50% affordable housing.

The site lies within one of the Mayor of London's Housing Zones and is in a designated opportunity area in the London Plan. The site is also identified as suitable for residential development in Havering's Local Development Framework site specific policy SSA11 and in the adopted Rainham and Beam Park Planning Framework. Therefore, the redevelopment of the site for residential purposes is considered acceptable in principle. The main issues for consideration concern scale, design and layout, affordable housing, access, parking and highways, flood risk, ground contamination, sustainability, ecology, air quality, heritage, designing out crime and cycle and pedestrian linkages. An environmental statement has been submitted with the application which addresses these issues and alternative development scenarios.

This is a strategic application and the Mayor of London has been consulted on the proposals. The Mayor broadly supports the principle of the development but has a



number of strategic concerns. Revisions have been made to the application in response which are addressed in this report.

Staff consider that, the proposals are acceptable in all material respects. The grant of planning permission is recommended subject to the prior completion of a S106 planning obligation and planning conditions. A recommendation for approval was agreed by the London Borough of Barking and Dagenham on 19<sup>th</sup> March and should Members agree this recommendation the application would need to be referred to the Mayor for London.

The application was deferred from the 15<sup>th</sup> March meeting for staff to clarify the position in relation to school provision, height, affordable housing, healthcare provision and the level of parking.

## **RECOMMENDATIONS**

1. That the Committee notes that the detailed elements of the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £1,082,660 (subject to indexation) based upon the creation of 54,133sqm of new gross internal floorspace for the detailed element of the application.

2. That the Committee resolve that

Having taken account of the environmental information included in the Environmental Statement and its Addendum and subject to no direction to the contrary from the Mayor for London,;that the Assistant Director of Development be authorised to negotiate and agree a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A phased financial contribution of £1,779,852 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document Technical Appendices.
- Provision for an agreement between the relevant parties to secure land for a new primary school, for the grant of a lease for such for the duration of the construction and the grant of the freehold or long leasehold of the land to the School Provider. The developers to use reasonable endeavours to assist in bringing forward the identified school site for development in a timely manner to co-ordinate with the provision of new housing.

- A phased financial contribution of £2,700,000 to mitigate the impact of the development upon public transport.
- Providing for 50% affordable housing across the development with a 80% intermediate/shared ownership housing and 20% Affordable Rent or London Affordable Rent.
- The provision and management of open space in perpetuity, to be managed by a Community Land Organisation or other organisation approved by LBH;
- A Sport and Recreation financial contribution of £118,444. (£350,000 to LBBD)
- A financial contribution of £500,000 to the Beam Park Community Fund to be used for a range of community purposes including measures to enhance employment and training opportunities.
- The provision and lease of a healthcare facility of not less than 1,500 sqm GIA, on terms to be incorporated and agreed by the CCG;
- The provision and lease of a multi faith place of worship/community facility of a minimum 800 sq.m building up to a maximum of 1200 sq.m within LBBD.
- The provision to shell and core of a new railway station at Beam Park;
- The safeguarding of land required for the provision of vertical access to Marsh Way for 4 years;
- A contribution of £557,163 towards Beam Parkway improvements;
- A contribution of £20,000 towards the installation of an air quality monitoring station on New Road A1306;
- A contribution of £116,896 towards the introduction of new Controlled Parking Zones to the north of the A1306 and within the site and to contribute towards the cost of each annual permit for residents:
- A sum of £12,500 as a pro rata contribution in lieu of 2 parking spaces to be used for car club purposes and to contribute to residents membership of the car club. (£37,500 in LBBD)
- A restriction on the ability of residents to apply for parking permits within any Controlled Parking Zone operated by LBH outside of the site;
- An undertaking to assist with the planning, implementation and cost of the provision of a bus loop, stops and stand, and the provision of a four way traffic light controlled junction on the adjacent site, this element to be time limited:

- The payment of the appropriate carbon offset contribution upon completion of the final dwelling in a Phase 1 or the final dwelling in the part of Phase 2 within Havering. The carbon offset levy has been calculated at £3,300,000 which would be split pro rata, however, this is likely to reduce as the detailed design and construction work is undertaken.
- 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.
- The Developer/Owner to pay a planning obligations monitoring fee of £10,000 to be paid within one month of the implementation of the development.

and that upon completion of that obligation, grant planning permission subject to the conditions summarised below and listed in full in Appendix A to this report with the ability to add new conditions or amend any of those listed delegated to the Assistant Director of Development.

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.

If by 15 September 2018 the legal agreement has not been completed, the Assistant Director of Development is delegated authority to refuse planning permission.

### **Common Conditions**

1. Outline - Reserved matters to be submitted
2. Outline - Time limit for submission of details
3. Outline - Time limit for commencement
4. Accordance with plans
5. Phasing Plan
6. Partial Discharge
7. Approval of Materials

8. Access to Phases
9. Accessibility and Management Plan- Residential
10. Accessibility and Management Plan- Non-Residential
11. Car Park Management
12. Cycle Parking
13. Deliveries Strategy
14. Travel Plan
15. Site Levels
16. Compliance with Design Code
17. Secure by Design
18. Accessibility and Adaptability
19. Provision of Amenity Space
20. Refuse Storage and Segregation for Recycling
21. Carbon Reduction – Residential
22. Carbon Reduction – Non-Residential
23. BREEAM
24. Energy Efficiency
25. Overheating
26. Ecology and Landscape Management Plan
27. Landscape Replacement
28. Living Roofs
29. Nesting Birds and Bat Roosts
30. Protection of Trees
31. Vegetation Clearance
32. Examination of Trees for Bats
33. Air Quality Assessment
34. Boiler and Combined Heat Power
35. Air Quality Emissions
36. Kitchen Ventilation Equipment
37. Noise Assessment
38. Noise from Commercial Units
39. Noise from School
40. Noise from Entertainment
41. Noise and Vibration (A3, A4 and A5 uses)
42. Hours of Operation – Non-Residential
43. Hours of Operation – Outdoor Sports
44. Lighting Strategy – General
45. Lighting Strategy – River Beam Interface
46. Flood Risk
47. River Beam Buffer Zone
48. Sustainable Urban Drainage
49. Drainage Strategy
50. Drainage Maintenance
51. Piling Method Statement
52. Non-Road Mobile Plant and Machinery
53. Oil Interceptors
54. Contamination Remediation
55. Remediation
56. Implementation of Remediation
57. Verification of Remediation Scheme

- 58. Unexpected Contamination
- 59. Borehole Management
- 60. Construction Management Plan
- 61. Demolition Hours
- 62. Piling Vibration
- 63. Archaeology – Written Scheme of Investigation
- 64. Archaeology – Foundation Design
- 65. Permitted Development Restriction
- 66. Satellite Dishes
- 67. Boundary Treatment
- 68. Timing of Station

### **London Borough of Havering Specific Conditions**

- 69. Non-Residential Floor Areas
- 70. Number of Residential Units
- 71. Parking
- 72. Timing of Detailed Works
- 73. Bus Stops
- 74. Fire Hydrants
- 75. Changes of Use
- 76. Landscaping Details for Phase 1
- 77. Accordance with Detailed Plans

Informatives

<b>REPORT DETAIL</b>
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## **1. Background**

- 1.1 The application was deferred at the Committee meeting on 15<sup>th</sup> March 2018 in order for staff to explore some issues and points raised by Members. These are addressed point by point as follows.

## **2. *Education - Whether the level of school provision proposed would be of sufficient size to meet the demands raised by the development and other committed development in the area?***

- The Council's School Organisation Manager supports the application. Based upon the unit size and tenure of the development proposed within Havering and using the accepted methodology of the GLA Population Yield Calculator a demand for 161 no. primary school places will be created by the development. A 3 form of entry school as proposed would deliver 630 places and would therefore have almost 75% spare capacity to provide for the primary education needs other sites and development in the area. A 3 form of entry school is proposed within the LBBDD part of the site which is also predicted to provide a surplus of spaces, albeit to a lesser extent than the one in Havering. The Rainham and Beam Park Planning Framework

(RBPPF) sets out the requirement for a new 2FE primary school or provision of off-site land for new school, so the proposed provision will be exceeding policy.'

- A contribution of £1.8m based upon the cost of meeting the predicted demand for 83 secondary school and +16 spaces would be secured through the S106 legal agreement. This is likely to be focussed upon an expansion of Brittons Academy.
- A school provider has been identified who are approved by the Education and Skills Funding Agency and discussions are currently ongoing about the Heads of Terms for the transfer of the land so that the EFSA can confirm the capital budget for the school build.
- The Council's School Organisation Manager is confident that education requirements arising from the potential and proposed additional housing and population within the Rainham and Beam Park Housing Zone can be met. Rainham Village Primary School is currently being expanded by 1 f/e, the planning application to expand Brady Primary by 1 f/e has recently been approved and there is capacity for Newtons Primary to be expanded by 1 f/e if required.
- Within the school site the level of provision for car parking would be within the gift of the school provider. There are proposed to be 43 visitor car parking spaces within the immediate vicinity of the proposed school.

3. *The height of the proposed development does not accord with the provisions of the Rainham and Beam Park Planning Framework. Can the heights be reduced?*

- The Rainham and Beam Park Planning Framework is intended as a comprehensive and flexible plan for the Rainham and Beam Park Area and is based upon delivering development of quality and coherence. The Framework identifies future areas of differing character establishing a number of design and development principles for each area. As set out in the previous report (para 5.2.6), the Havering part of the proposed development covers the whole of the Park View Living and a significant portion of the Beam Park Centre character areas. It should be noted, however, that that RBPPF is a non-statutory planning policy document with its main purpose of forming part of the evidence base for the forthcoming Local Plan.
- The RBPPF sets a number of criteria as a guide for future development of these areas for which height is one, with the Policy on height expressed at PG17 and further qualified in the sections on each character areas. There are a number of other design and development principles which relate to each character area including density, capacity, frontages, access and parking. In the case of the

Beam Park Centre and Park View Living character areas an illustrative masterplan capacity of 575 and 690 dwellings respectively is identified. The approved scheme for the Somerfield site would, if implemented, deliver 223 units within the Beam Park Centre area which together with this proposed development would take the total to 469 dwellings. The current proposals would deliver 487 dwellings within the Park View Living character area. It can therefore be demonstrated that notwithstanding the heights proposed, the developments will not achieve the capacity that the RBPPF suggests.

- Were the heights to be reduced to comply with the letter of Policy PG17 and the character area guidance this would result in a reduction of approximately 124 in the number of units in Havering. To try and recover this number of units elsewhere on site would necessitate increased provision of apartment blocks with associated reduction in the number of houses to be delivered, which is not considered a desirable approach. It must also be acknowledged that there needs to be a minimum quantum of development to attract new public transport measures and social infrastructure and that any reduction in the number of units proposed would undermine this.
  - Whilst the heights proposed in places exceed those suggested in the RBPPF it is considered that the development exhibits none of the characteristics of overdevelopment. There is good separation between blocks, no unacceptable overlooking, interlooking or privacy concerns, the development complies with all space standards and requirements and there are no daylighting or sunlight issues. The need for additional height around the station and new local centre are acknowledged in the relevant policy documents and the development demonstrates that it can deliver an optimal housing output whilst maintaining the highest standards of design and architectural quality.
  - In a similar vein to density, this demonstrates that height is just one aspect in the consideration of a development. There are many other factors such as context, layout, public realm and residential quality which inform whether a development “works”, whether it creates a sense of place and whether it will deliver an attractive environment where people want to live. The key is to deliver a quality, vibrant and fully functioning community. Staff are satisfied that the development will achieve these ends and the heights of the development are unaltered.
4. *Members requested further clarification of the tenure split of the proposed affordable housing and an understanding of the nomination rights that would be provided to Havering.*
- Havering would have 100% nomination rights to the eligible first lettings of affordable rent units and first preference would be given to those living or working in Havering on any shared ownership for a

period of three months and throughout the marketing period for any London Living Rent units. In addition the private market housing would also only be marketed in Havering for the first period of marketing.

- The level of affordable housing provision within Havering is proposed as follows:

		<b>Overall</b>	<b>Phase1</b>
-Affordable Rent/ London Affordable Rent	-	<b>71</b>	<b>48</b>
-Shared Ownership (intermediate)	-	<b>233</b>	<b>177</b>
-London Living Rent (intermediate)	-	<b>60</b>	<b>60</b>
<b>TOTAL:</b>		<b>364</b>	<b>285 Units</b>

- London Living Rent is a new “Rent to Buy” initiative with an initial 3 year tenancy to facilitate saving for a deposit for either outright or shared home ownership.
  - The delivery of all of the units within Beam Park centre as apartments is fully in accordance with the RBPPF. The delivery of 28% of the units within the Park View Living character area as houses exceeds the proportion of 25% suggested by the RBPPF.
  - It is not currently anticipated that there will be any Private Rented Sector (PRS) provision within Havering, but the S106 will provide appropriate controls prioritising residents who live and or work in the Borough when marketing and identifying suitable tenants together with housing management clauses.
5. *Health facility: Members suggested that the CCG had advised that the proposed 1500sqm health facility would only be available to Havering residents. On that basis the level of provision being made available within LBBD was questioned.*
- The CCG have confirmed that the proposed health centre at Beam Park would have the capacity to cater for a population of up to 21,000 patients, more than 4x the total predicted population of the total development. They have also confirmed that there are no mechanisms for directing patients where to register and that it is not uncommon for patients close to the boundary of a CCG area to register at their nearest practice which comes under a neighbouring CCG as would be the case here.
  - The health facility has always been planned on the understanding that it would serve the whole development and that remains the case. If the facility were just to cater for LBH it would be 13 times larger



than is needed to accommodate demand arising from the development and would not satisfy the S106/ CiL tests

6. *Car Parking: Can any additional car parking be provided?*

- The car parking strategy for the development will ensure that every house and every 3 bedroom apartment has a space either within curtilage or prioritised to it. Car parking in the development has been optimised but without creating swaths of perpendicular car parking which result in an overly car dominated streetscene. The levels of car parking increase westwards reflecting the reduction in PTAL levels westwards from the proposed station. The parking has been designed such that there is a balance between open space, public realm and highway and is supported by the LBH Highways department.
- Measures to reduce reliance on the private car include the presence of a car club, restrictions on the ability of residents to apply for a permit to park in any Controlled Parking Zone outside of the site and plentiful cycle parking. In addition there will be a new rail station and a £2.7m contribution is proposed to improve bus services in the area.
- The car parking levels proposed are all compliant with policy which expresses such standards as maxima. The level of car parking remains unchanged providing a total of 324 parking for 733 units at an overall ratio of 0.44 parking spaces per unit. All on-street residential parking will be private and permit managed and all visitor parking spaces in LBH will be restricted by a CPZ as pay and display.

7. **Conclusion**

- 7.1 The proposed development represents a £1bn investment in the area by the applicants. The development will deliver up to 2,900 homes across 29-hectares (71.7 acres) regenerating the brownfield site of the former Ford manufacturing plant. It will provide 50% affordable housing, equating to 1,452 homes, creating a new mixed community with substantial infrastructure investment. As a whole the development will provide the new Beam Park railway station framed by a high quality public square, a new medical centre, two 3 FE primary schools, retail spaces, gym, nurseries, community facilities, a multi-faith space and 2 energy centres. It also allocates 44% of the entire development site as publicly accessible green space. Staff are satisfied that the proposal offers all the key ingredients required to create an attractive, sustainable new community where people will want to live.
- 7.2 The report set out below and the conditions Appendix are largely the same as that previously presented to Committee on 15<sup>th</sup> March. Any updates or amendments are identified in underlined italics.

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# APPENDIX 1

## SCHEDULE OF PLANNING CONDITIONS

### **COMMON CONDITIONS**

#### **1. Reserved Matters to be Submitted**

Details of the access, appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") for the part of the site not identified on Drawing 448-PT-PP-PL-1006 as forming the detailed component of the application shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: The application is in outline only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

#### **2. Timing of Reserved Matters Submission\_**

The first application for approval of the reserved matters for phase 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission. Application for approval of the last reserved matters must be made to the relevant Local Planning Authority before 31 March 2029.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **3. Timing of Reserved Matters Commencement**

The development hereby permitted pursuant to condition 2 shall commence before the expiration of two years from the date of approval. All other reserved matters approved pursuant to condition 3 shall commence before the expiration of two years from the date of approval of each subsequent approval of reserved matters.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

#### **4. Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise agreed in writing with the local authority:

448-PT-MP-PL-1001 Rev PL1  
448-PT-MP-PL-1002 Rev PL1  
448-PT-MP-PL-1003 Rev PL2  
448-PT-MP-PL-1101 Rev PL2  
448-PT-MP-PL-1103 Rev PL2  
448-PT-MP-PL-1104 Rev PL2  
448-PT-MP-PL-1107 Rev PL2  
448-PT-MP-PL-1108 Rev PL2  
448-PT-MP-PL-1109 Rev PL1  
448-PT-MP-PL-1114 Rev PL2  
448-PT-MP-PL-1116 Rev PL2  
448-PT-MP-PL-1118 Rev PL1  
448-PT-SW-PL-SEC-1001 Rev PL2  
448-PT-SW-PL-SEC-1002 Rev PL1  
448-PT-SW-PL-SEC-1003 Rev PL1  
448-PT-SW-PL-SEC-1004 Rev PL2  
448-PT-SW-PL-SEC-1005 Rev PL1  
448-PT-PP-PL-1001 Rev PL1  
448-PT-PP-PL-1002 Rev PL1  
448-PT-PP-PL-1005 Rev PL1  
448-PT-PP-PL-1006 Rev PL1  
448-PT-PP-PL-1007 Rev PL1  
448-PT-MP-PL-1113 Rev PL1  
448-PT-MP-PL-LP-1003 Rev PL1  
448-PT-MP-PL-LP-1004 Rev PL1  
448-PT-LA-PL-LP-1001 Rev PL2  
448-PT-LA-PL-LP-1002 Rev PL2  
448-PT-LA-PL-LP-1005 Rev PL2  
448-PT-LA-PL-LS-1001 Rev PL2  
448-PT-LA-PL-LS-1003 Rev PL1  
448-PT-LA-PL-LS-1005 Rev PL1  
448-PT-LA-PL-LS-1006 Rev PL1  
448-PT-LA-PL-LS-1007 Rev PL1  
448-PT-LA-PL-LS-1009 Rev PL1  
448-PT-LA-PL-LS-1010 Rev PL1  
448-PT-LA-PL-LS-1018 Rev PL1  
448-PT-LA-PL-LS-1019 Rev PL1  
448-PT-LA-PL-LS-1020 Rev PL1  
448-PT-LA-PL-LS-1027 Rev PL1

No application for approval of reserved matters (or other matters submitted for approval pursuant to the planning conditions), which would entail any material deviation from the parameter plans, shall be made unless it is demonstrated as part of that application, and agreed in writing by the Local Planning Authority, that any such deviation is unlikely to give rise to any environmental effects which would have required different mitigation measures to ameliorate their effects in the context of the EIA in comparison with the

development as approved (and as assessed in the Environmental Impact Assessment and Addendum for the application).

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 or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. **Phasing Plan**

The development shall be carried out in accordance with the phasing plan drawing number 448-PT-PP-PL-1002 or other revised phasing plan that has been submitted to and approved in writing by the Local Planning Authority. No phase of the development shall commence until all relevant pre-commencement conditions are approved in respect of that phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004) and to ensure that full details of the relevant phase of the development are submitted for approval.

6. **Partial Discharge**

Where any application is made to discharge a condition on a partial basis (i.e. in relation to a phase or part of), the submission shall be accompanied by a statement setting out the relationship of such details to previous phases, or part of, the details of which have already been determined, and subsequent phases as appropriate. The statement shall demonstrate compliance and compatibility with the various details, strategies, drawings and other documents approved pursuant to this planning permission. The statement shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant phase or part thereof.

Reason: To ensure that the scheme is implemented on a comprehensive and sustainable basis in accordance with Policy CP2 of the Core Strategy Development Plan Document 2008...

7. **Approval of Materials**

No above ground works shall take place in any phase of the development (as identified in condition 6) until details of all materials to be used in the external construction of the buildings within that phase and for the surface car parking areas and

associated circulation spaces within that phase has been submitted to and approved in writing by the Local Planning Authority. Such details shall include samples, specifications and annotated plans, demonstrating compatibility with the approved drawings and Design Code. 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 details 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.

8. **Access to Phases**

No development shall take place in the relevant phase of the development until detailed drawings showing the following in respect of that phase have been submitted to and approved in writing by the Local Planning Authority:

(a) access through the site during works and upon completion of works in relation to any phasing, including the connections with any completed phases, and connections to the surrounding area and its network of cycle paths and footpaths; and

(b) any temporary works, including any boundary treatment around later phases.

Provisions for pedestrians shall be fully accessible to all including people with disabilities. The development shall only be implemented in line with the approved details and shall be maintained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of details demonstrating how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and ensure that the development complies with the Council's policies and practice for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

9. **Accessibility and Management Plan- Residential**

No residential development shall take place in the relevant phase of development until a detailed accessibility statement and management plan (including a programme for implementation) is submitted outlining those measures proposed to ensure an accessible and inclusive environment, both internally and externally,

including but not limited to, pedestrian routes, lift specifications, accessible toilet provision, access points and crossings along with blue badge spaces. Such a statement is to be approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of details demonstrating how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and ensure that the development complies with the Council's policies and practice for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

#### 10. **Accessibility and Management Plan- Non-Residential**

No non-residential use within a relevant phase shall become operational until a detailed accessibility statement and management plan (including a programme for implementation) is submitted outlining those measures proposed to ensure an accessible and inclusive environment, both internally and externally, including but not limited to, pedestrian routes, lift specifications and accessible toilet provision as appropriate. Such a statement is to be approved in writing by the Local Planning Authority and implemented prior to the use being accessible by the general public.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of details demonstrating how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and ensure that the development complies with the Council's policies and practice for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

#### 11. **Car Park Management**

No development shall take place in the relevant phase of the development until details of a car park management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to judge arrangements for the management of parking. Submission of a scheme prior to occupation will ensure that there is no confusion about the allocation and management of parking

facilities in the interests of highway safety in accordance with. Development Control Policies Development Plan Document Policy DC33.

12. **Cycle Parking**

There shall be no occupation of any unit within a plot until details of cycle parking, including its external appearance, location and the means of secure storage proposed to serve that plot, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and shall be permanently retained thereafter and used for no other purpose.

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 is to encourage the use of cycling as a sustainable mode of transport.

13. **Deliveries Strategy**

Within relevant phases, no non-residential unit shall become operational until a Deliveries and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries and export of materials within the times of peak traffic congestion on the local road network and minimise the impact on the amenity of existing and future adjoining occupiers. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: In order to minimise the impact of the development on the free flow of traffic on the local highway network during peak periods in the interests of highway safety and to protect the amenity of existing and future occupiers in accordance with Development Control Policies Development Plan Document Policy DC61.

14. **Travel Plan**

The development shall be occupied only in accordance with the approved Travel Plan. No phase shall be occupied until full details of how the approved Travel Plan will be funded, implemented, monitored and reviewed has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan is to be reviewed upon completion of each phase

Reason: Insufficient information has been supplied with the application to ensure that Travel Plan measures would be



implemented. The submission of a Travel Plan will help promote sustainable travel patterns, bring about a reduction in private car journeys and help to minimise the potential for increased on street parking in the area.

15. **Site Levels**

Unless details are provided and approved as part of the reserved matters submission(s) no above ground works, with the exception of activities associated with the surcharging of the site, shall take place within any phase until a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Submission of details prior to commencement will ensure that the development accords with Development Control Policies Development Plan Document Policy 81 and with Section 197 of the Town and Country Planning Act 1990.

16. **Compliance with Design Code**

Applications for Reserved Matters (RM) for any proposed building should demonstrate how the proposed building design accords with the principles set out in the approved Beam Park Design Code (Ref: 448-PT-RP-0003-DC-BOOK-PL2).

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document 2008

17. **Secure by Design**

The development hereby permitted shall achieve a minimum silver award of the Secure by Design for Homes and Commercial (2016 Guide) or any equivalent document superseding the 2016 Guide. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided upon completion, confirming that the agreed standards have been met.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. The achievement of a minimum of the silver award is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

18. **Accessibly and Adaptability**

90% of the dwellings shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition) and 10% of the residential units provided shall be capable of easy adaptation to Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

19. **Provision of Amenity Space**

No residential unit within the relevant phase of the development shall be occupied until full details of the private amenity and open spaces, including children's play space, per phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of private amenity space in accordance with Residential Design SPD 2010 and Policy 3.5 of the London Plan

20. **Refuse Storage and Segregation for Recycling**

There shall be no occupation of any unit within a plot until provision is made for the storage of refuse/ recycling awaiting collection to serve that plot according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these details shall include provision for suitable containment and segregation of recyclable waste. The measures shall be fully implemented in accordance with the agreed details for the development or the relevant phases thereof as the case may be.

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.

21. **Carbon Reduction- Residential**

The residential component of the development hereby permitted shall be carbon zero with a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) secured on site. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

22. **Carbon Reduction- Non-Residential**

The non-residential component of the development hereby permitted shall achieve as a minimum a 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013).

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

23. **BREEAM**

The non-residential component of the development hereby permitted shall achieve a minimum BREEAM 'Very Good' rating. Prior to operation of individual units, a certificated Post Construction Review, or other verification process as agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

24. **Energy Efficiency**

A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, to demonstrate that the agreed standards set out in the Energy Strategy (June 2017) have been met for each phase of the development.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

25. **Overheating**

No above ground new development within each phase or plot shall commence until dynamic overheating modelling in accordance with CIBSE Guidance TM52 and TM49 (or any other guidance that replaces this) to identify the risk of overheating has been submitted

to and approved in writing by the Local Planning Authority (in consultation with the Greater London Authority). This should also include mitigation measures for any restrictions proposed, for example, by local air quality issues, ground floor apartments and single aspect units. Once approved, the agreed measures must be implemented prior to occupation of the development in that phase.

Reason: In order to avoid overheating and minimise cooling demand in accordance with Policy 5.9 of the London Plan and Policy CP2 and DC49 of the Core Strategy and Development Control Policies Development Plan Document 2008.

26. **Ecology and Landscape Management Plan**

A Biodiversity and Ecological Strategy and Landscape Management Plan shall be submitted relative to each phase of development, including long term ecological objectives, in accordance with the Water Framework Directive (2000/60/EC) and a long-term management and maintenance plan for the public open space including trees shall be submitted to and approved in writing by the Local Planning Authority before the relevant phase of the development is occupied. The development shall be carried out in accordance with the approved management plan.

Reason: Insufficient information has been supplied with the application to demonstrate how the natural features and character of the area and new landscaping are to be managed and maintained in the long term. Submission of a management plan will ensure that the measures to be employed are robust.

27. **Landscape Replacement**

Any plants, shrubs or trees required as part of the implementation of the landscaping reserved matter for any phase (or approved details for phase 1) of the development (as defined by Condition 6) that die or are removed, damaged or become diseased within a period of FIVE years from the substantial completion of the relevant phase of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent for a variation.

Reason: Insufficient information has been supplied with the application to demonstrate how the new landscaping is to be managed and maintained in the long term. A specified replacement regime will ensure long term provision.

28. **Living Roofs**

First occupation of a unit in the relevant block shall not take place until a detailed scheme for living roofs for that block (including maintenance and management arrangements) has been submitted to and approved in writing by the Local Planning Authority. The roofs shall comprise at least 50% native species, not including Sedum species, seeded with an annual wildflower mix or local seed source and should be designed for biodiversity with a minimum substrate depth of 80mm. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of living roof details. Submission of a scheme for each phase of the development will ensure that opportunities for flora and fauna enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

**29. Nesting Birds and Bat Roosts**

No phase shall be fully occupied until bird nesting and bat roosting boxes have been installed, and/ or bat roosting bricks and/ or bird nesting bricks have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of biodiversity measures. Submission of a scheme for each phase of the development will ensure that opportunities for biodiversity enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

**30. Protection of Trees**

Whilst individual phases are being developed, within the area of land covered by the relevant phase:

- a) all trees shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS:5837;
- b) any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed

access beneath the branch spread or within the exclusion fencing.

Where any hard surfaces or buildings are proposed within the root protection areas a method statement shall be submitted to and improved by the local authority. The submission shall include details demonstrating how the design will ensure the protection of the tree roots and the provision of permeable surfaces. The development shall be carried out in accordance with the approved method statement and details.

Reason: Insufficient information has been supplied with the application to demonstrate how the existing trees on site identified for retention will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

### **31. Vegetation Clearance**

There shall be no vegetation clearance or tree works during the bird breeding season (March to August inclusive). If this is not possible the vegetation should be surveyed immediately prior to removal by a suitably qualified ecologist. If active nests/ nesting birds are present, the relevant works must be delayed until the chicks have left the nest. If nesting birds are found, a strategy to protect them must be approved by the council before the works commence.

A strategy to protect nesting birds 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: To ensure that there is adequate protection and mitigation for protected and other species that are likely to be present on the site. The implementation of the proposed measures is necessary in accordance with the guidance in the NPPF and the Core Strategy and Development Control Policies Development Plan Document Policies CP16, DC57 and DC58.

### **32. Examination of Trees for Bats**

There shall be no tree works within an identified phase during December to March until a physical examination of on-site trees with potential for roosting bats has been undertaken to ensure they are not occupied by roosting bats. If roosting bats are present within that phase, the relevant works must be delayed until a strategy to protect or relocate any roosting bats has been submitted to and approved in writing by the Local Planning Authority. Any such strategy shall detail areas of the site where there are to be no further works until relocation or mitigation has taken place. The

development shall be carried out in accordance with the approved details.

Reason: To ensure that there is adequate protection and mitigation for protected and other species that are likely to be present on the site. The implementation of the proposed measures is necessary in accordance with the guidance in the NPPF and the Core Strategy and Development Control Policies Development Plan Document Policies CP16, DC57 and DC58.

**33. Air Quality Assessment**

No development shall take place in the relevant phase of the development until an air quality assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be sufficient to demonstrate that during the operational phase of the proposed development relevant national and local air quality standards and objectives will be satisfied at existing and future sensitive receptors.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared Air Quality Management Area and so that the development accords with the Development Control Policies Development Plan Document Policies CP15 and DC52 and London Plan Policy 7.14.

**34. Boiler and Combined Heat Power**

Within 6 months of commencing development of an identified phase details of the boilers and combined heat and power plant (CHP) installation will be submitted to and approved in writing by the Local Planning Authority. The details shall be sufficient to demonstrate:

- a. that best practicable means will be employed to both minimise emissions of oxides of Nitrogen (NO<sub>x</sub>) and particulate material < 10 µm in diameter (PM<sub>10</sub>) and particulate material < 2.5 µm in diameter (PM<sub>2.5</sub>);
- b. that the operation of the boilers and CHP installation (including mitigation) will not lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for Nitrogen dioxide, PM<sub>10</sub> or PM<sub>2.5</sub>;
- c. The height of the discharge stack is sufficient to ensure that:
  - (i) relevant national and local air quality standards and objectives will be satisfied at existing and future sensitive receptors;
  - (ii) products of combustion emitted from the plant will not be prejudicial to health or a nuisance.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared Air Quality

Management Area and so that the development accords with the Development Control Policies Development Plan Document Policies CP15 and DC52 and London Plan Policy 7.14.

35. **Air Quality Emissions**

The development hereby permitted shall *seek to achieve* Air Quality Neutral emissions benchmarks as set out in Appendix 5 of Greater London Authority Document "Sustainable Design and Construction - Supplementary Planning Guidance -London Plan 2011-Implementation Framework", April 2014.

Where the development is not air quality neutral, appropriate mitigation should be provided as agreed by the Local Planning Authority.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared Air Quality Management Area and so that the development accords with the Development Control Policies Development Plan Document Policies CP15 and DC52 and London Plan Policy 7.14.

36. **Kitchen Ventilation Equipment**

Any kitchen extract system serving any non-residential uses hereby permitted shall include measures for the removal and treatment of cooking odours. The measures shall have regard to, and be commensurate with, guidance and recommendations in the current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance. The development shall be carried out in accordance with the approved details.

Reason:- Insufficient information has been supplied with the application to judge the technical specifications of the extract ventilation system. Submission of this detail prior to commencement of the use will protect the amenity of occupiers of nearby premises and ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

37. **Noise Assessment**

No development shall take place in the relevant phase of the development until a scheme to demonstrate that the internal noise levels within the residential units of that phase will conform to the



guideline values for indoor ambient noise levels as identified within BS 8233 2014 - Guidance on Sound Insulation and Noise Reduction for Buildings, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

**38. Noise from Commercial Units**

The combined rating level of the noise from any single commercial unit shall not exceed the existing background noise level outside the window to any noise sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: To prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

**39. Noise from School**

The design of the school/s hereby permitted are to be such that:

- 1) As far as practicable noise emissions from school activities do not exceed 55 dB LAeq,16 hour at any existing or proposed dwelling;
- 2) Noise emissions from school activities do not exceed 65 dB LAeq,16 hour at any existing or proposed dwelling;
- 3) Noise from sources external to the school do not exceed 60 dB LAeq,30 minute within formal and informal outdoor teaching areas.

Reason: To prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

**40. Noise from Entertainment**

Noise from entertainment including live and amplified music associated with any non-residential uses hereby permitted shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

the LAeq (EN) shall not exceed LA90 (WEN) and;  
the L10 (EN) shall not exceed L90 (WEN) in any 1/3 octave band between 40Hz and 160Hz.

EN = Entertainment noise level, WEN = Representative background noise level without the entertainment noise, both measured 1m from the façade of the noise-sensitive premise

Reason: To prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

**41. Noise and Vibration (A3, A4 and A5 uses)**

No unit to be used for A3, A4 or A5 Use Class purposes shall be operated until a suitable mechanical ventilation system is installed in accordance with a scheme to control the transmission of noise and vibration which has been previously submitted to and approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated in accordance with the scheme during normal working hours.

Reason: Insufficient information has been supplied with the application to judge the technical specifications of the mechanical ventilation system. 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 protect the amenity of occupiers of nearby premises, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

**42. Hours of Operation- Non-Residential**

The non-residential uses hereby permitted shall only be open to members of the public between the hours of 07:00 to 23:00. Deliveries to and collections from the non-residential uses shall only take place between the hours of 07:00 and 21:00. The handling of bottles and movement of bins and rubbish is not permitted to take place outside the premises between the hours of 23:00 on one day and 07:00 the following day.

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.

**43. Hours of Operation- Outdoor Sports**

Any outdoor sports facilities including, but not limited to, any multiuse games area and school sports pitches shall not be

illuminated or open to the public outside the hours of 07:00 and 22:00 Mondays to 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.

**44. Lighting Strategy- General**

Prior to occupation of any part of an identified phase a lighting strategy is to be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall ensure that any floodlighting of any multi use games area or sports pitches, is to be designed, installed and maintained so as to fully comply with The Institution of Lighting Professionals publication, "Guidance Notes for the Reduction of Obtrusive Light", reference GN01:2011. The design shall satisfy criteria to limit obtrusive light presented in Table 2 of the document, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or suburban locations.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external lighting to be used. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

**45. Lighting Strategy- River Beam Interface**

A separate lighting strategy shall be submitted to and approved by the local authority relative to treatment of the River Beam Corridor (extending to a minimum of 8m from either side of the main River) detailing how light spill into the River Beam watercourse and adjoining trees will be minimised. The scheme shall subsequently be implemented in accordance with the approved details before the River Beam works are completed.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external lighting to be used. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with Development Control Policies Development Plan Document Policy DC56 and DC61.

**46. Flood Risk**

The development hereby permitted shall be constructed in accordance with the approved Beam Park Flood Risk Assessment

Report, produced by Capita V.4 (dated June 2017) and shall ensure that finished floor levels are set above the 2100 breach flood level.

Reason: Drainage works are required on site to prevent the risk of flooding. Adherence to the approved Flood Risk Assessment will ensure that the measures to be employed are technically sound and that the development accords with the Development Control Policies Development Plan Document Policies DC49 and DC61.

**47. River Beam Buffer Zone**

No development of any permanent structure falling within the relevant phase, other than that agreed within the Flood Risk Assessment (Beam Park Flood Risk Assessment Report, produced by Capita V.4 dated June 2017) required for flood management, shall take place until a scheme for the provision and management of an 8 metre wide buffer zone (measured from the centre of the channel) alongside the River Beam has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme. Any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens, roads and paths unless otherwise agreed in writing by the Local Planning Authority.

The schemes shall include:

- Plans showing the extent and layout of the buffer zone;
- Details of any proposed planting scheme (for example, native species);
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term plus production of detailed management plan and;
- Details of any proposed footpaths, fencing, lighting etc.

Reason: Insufficient information has been supplied with the application to demonstrate how the natural features and character of the area and new landscaping are to be managed and maintained in the long term. Submission of a management plan will ensure that the measures to be employed are robust and that the approved Flood Risk Assessment will be fully implemented and the Beam corridor protected so that the development accords with the Development Control Policies Development Plan Document Policies DC49 and DC61.

**48. Sustainable Urban Drainage**

No development shall take place in the relevant phase of the development until a detailed surface water drainage scheme for the site based on Sustainable Urban Drainage Systems (SUDS) and

including a finalised drainage layout plan that details pipe levels, diameters, asset locations and long and cross sections of each SUDS element, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off to greenfield discharge rates along with details of surface water storage on site. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

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 Development Plan Document Policies DC49 and DC61.

**49. Drainage Strategy**

No development shall take place until a drainage strategy detailing any on and/ or off-site drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage will be managed. Submission of a strategy prior to the commencement of each phase will ensure that sewage flooding does not occur and that sufficient capacity is made available to cope with the new development in order to avoid adverse environmental impact upon the community and to ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

**50. Drainage Maintenance**

Prior to first occupation of each relevant phase, a maintenance plan detailing the maintenance regime for each drainage feature and clearly identifying the body responsible for its maintenance shall be submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage will be managed and maintained. Submission of a maintenance plan prior to the occupation of each phase will avoid adverse environmental impact upon the community and to ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

**51. Piling Method Statement**

No piling shall take place in the relevant phase of the development until a piling method statement detailing the depth, type of piling, methodology including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure and the programme for the works, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall be carried out in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to foundations. Submission of details prior to commencement will ensure that the foundations do not impact upon underground services. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC51 and DC61

**52. Non-Road Mobile Plant and Machinery**

The development hereby permitted shall not commence until the developer/ contractor has signed up to the NRRM register. Following sign-up, the following steps shall be undertaken:

- a) The development site must be entered onto the register alongside all the NRMM equipment details.
- b) The register must be kept up-to-date for the duration of the construction of development.
- c) It is to be ensured that all NRMM complies with the requirements of the directive.
- d) An inventory of all NRMM to be kept on-site stating the emission limits for all equipment.

Reason: Inadequate information has been supplied with the application to demonstrate that all NRMM used on the site will as a minimum meet the requirements of Stage IIIA of EU Directive 97/68/EC.

**53. Oil Interceptors**

No development shall take place in the relevant phase of the development until details of petrol and oil interceptors for all car parking, servicing and loading areas have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

**Reason:** Insufficient information has been supplied with the application in relation to drainage. Submission of details prior to commencement will ensure that the facilities provided prevent contaminative materials from the site being washed into the surface water drainage system. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC51 and DC61

**54. Contamination Remediation**

No development shall take place in the relevant phase of the development until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s);
- (iv) this must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

**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.

**55. Remediation**

No development shall take place in the relevant phase of the development until a detailed remediation scheme required to bring the site to a condition suitable for the intended use, by removing

unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. 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.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of a remediation scheme 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.

**56. Implementation of Remediation**

No development shall take place in the relevant phase of the development unless and until the approved remediation scheme in respect of that part has been completed in accordance with its approved terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Implementation of the approved remediation scheme 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.

**57. Verification of Remediation Scheme**

Following completion of the measures identified in the approved remediation scheme (condition 56) relative any plot within a phase, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and approved in writing by the Local Planning Authority relative to that plot.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of a verification report 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



**58. Unexpected Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 57, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 58 which are subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which 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. Dealing appropriately with any unidentified contamination when found 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.

**59. Borehole Management**

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority on a phase by phase basis. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to each phase of development being brought into use.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 109 of the National Planning Policy Framework and Position Statement G1 - Direct Inputs to Groundwater from The Environment Agency's approach to groundwater protection March 2017

Version 1.0

<https://www.gov.uk/government/publications/groundwater-protection-position-statements>

**60. Construction Management Plan**

No development of a phase shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

- a. Construction traffic management and Construction Logistics Plan;
- b. The parking of vehicles of site operatives and visitors;
- c. Loading and unloading of plant and materials;
- d. Storage of plant and materials used in constructing the development;
- e. The erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- f. Wheel washing facilities;
- g. Measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during construction and demolition", Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements.
- h. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- i. The use of efficient construction materials;
- j. Methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, "Code of practice for noise and vibration control on construction and open sites". Parts 1 and 2.

The Construction Environmental Management Plan shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

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.

61. **Demolition Hours**

Demolition and construction work and associated activities are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public holidays. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

Reason: To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

62. **Piling Vibration**

If piling or other ground improvement work is undertaken pursuant to this permission then the 5% level of vibration attributable to these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

Reason: To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

63. **Written Scheme of Investigation**

No demolition or development shall take place in each phase of the development until a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within each 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 each phase which have archaeological

interest, a stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. 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 for each phase until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to these 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 the Development Control Policies Development Plan Document and the NPPF.

64. **Foundation Design**

No development shall take place in each phase of the development until details of the foundation design and construction method to protect archaeological remains have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to the design of the proposed foundations in order to ensure that such assets are adequately preserved or protected during construction. The submission of details prior to commencement is considered necessary to ensure this in accordance with Policy DC70 of the Development Control Policies Development Plan Document and guidance in the NPPF.

65. **Permitted Development**

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension, enlargement or other alterations shall

take place to the consented dwelling house/s without the prior written approval of the Local Planning Authority to whom a planning application must be made. This restriction also extends to the erection of fences, walls or provision of hard surfacing within the front gardens of the dwelling/s, for which a planning application would be required.

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

66. **Satellite Dishes**

No satellite dishes may be installed on the exterior of any of the approved apartment blocks, with the exception of a roof mounted dish providing a communal system available to each resident of the apartment block.

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

67. **Boundary Treatment**

Prior to first occupation of each phase of 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 treatment shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

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

68. **Timing of Station**

Until the new on-site Beam Park Station has been constructed and is available for the use of rail passengers on site residential occupation shall be limited to those units falling within phases, 1, 2 and 3.

Reason: To limit the number of occupied homes prior to the uplift in the level of public transport accessibility resulting from the new station in accordance with Policy CP2 of the Core Strategy Development Plan Document.

## **LONDON BOROUGH OF HAVERING SPECIFIC CONDITIONS**

### **69. Non-Residential Floor Areas**

The total floor space for uses other than those falling within Use Class C3 (Dwelling Houses) shall not exceed 3,183 sq.m (GEA) of which:

- i) 1,108 sq.m (GIA) retail and support use (A1, A2, A3, A4, A5, B1 and D2 to include a foodstore)
- ii) 92 sq.m (GIA) Management suite
- iii) 1,500 sq.m (GIA) D1 medical centre
- iv) 113 sq m GIA pharmacy

None of the commercial floorspace hereby permitted shall be used as betting shops or pay day loan shops.

Reason: To ensure that the scheme implemented is in accordance with the principles established by this permission and that an acceptable mix of uses are provided

### **70. Number of Residential Units**

The number of residential units in the development hereby permitted shall not exceed 2,900 dwellings in total, a maximum of 733 of which shall be within the London Borough of Havering.

Reason: To ensure that the scheme implemented is in accordance with the principles established by this permission.

### **71. Parking**

No development shall take place in the relevant phase of the development until details of the car and motorcycle parking layout, electric vehicle charging points and passive provision for that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that at least 20% of all residential parking spaces are for electric vehicles with an additional 20% passive provision (as defined in the London Plan March 2016) for future use and at least 10% of all commercial parking spaces shall be for electric vehicles with an additional 20% passive provision. The development shall provide up to 213 residential car parking spaces, plus up to 63 visitor spaces including a minimum of 2 car club spaces and 2 spaces for rail station staff in Phase 1 and up to 111 residential car parking spaces and up to 42 visitor spaces in Phase 2. The scheme shall be implemented in accordance with the approved details, prior to the occupation of the

development, and shall be permanently retained thereafter and used for no other purpose.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway and in order to encourage the use of electric cars as a sustainable mode of transport, in accordance with Policies CP2, CP10 and DC33 of the Core Strategy and Development Control Policies Development Plan Document 2009.

**72. Timing of Detailed Works**

The detailed 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).

**73. Bus Stop Design**

Before any of the building(s) hereby permitted are first occupied, a scheme detailing the number, layout and design of bus stops and associated shelters within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to be fully available prior to the occupation of no more than Phases 1 and 2.

Reason: Insufficient information has been supplied with the application to indicate the location and design of bus stops within the development. The provision of such details will ensure that the level of provision, design, location and appearance of bus stops on the site is appropriate and that the development accords with Development Control Policies Development Plan Document Policy DC32

**74. Provision of Fire Hydrants**

Prior to the first occupation of any of the buildings within the relevant phase, such hydrants as required by the LFEPA for that phase of the development shall be provided in accordance with the LFEPA's requirements prior to the occupation of the relevant unit/s and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate the location of fire hydrants. Submission

of a scheme will ensure that adequate provision is made for fire protection on the site.

75. **Changes of Use**

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no change of use from any Class A use to residential use shall take place to the consented commercial uses without the prior written approval of the Local Planning Authority to whom a planning application must be made.

Reason: To enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

76. **Landscaping Details for Phase 1**

Within three month of the commencement of development of Phase 1 a scheme of hard and soft landscaping, which shall include indications of all proposed species and size of trees and shrubs on the site, details of planting medium and site preparation, together with measures for their protection, support and maintenance during early years shall be submitted to and approved by the Local Planning Authority. 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.

77. **Accordance with Detailed Plans**

Phase 1 of the development hereby permitted shall not be carried out otherwise than in complete accordance with the approved detailed 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.

## **PLANNING INFORMATIVES**

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. 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 at a meeting with the Greater London Authority case officer. The revisions involved changes to the perimeter blocks as requested by the GLA. The amendments were subsequently submitted on 21 July 2015.
3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via [DOCOMailbox.NE@met.police.uk](mailto:DOCOMailbox.NE@met.police.uk) or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
4. 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 is 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.

5. 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 1981 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.
6. 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 Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
7. In aiming to satisfy condition 49 Thames Water require that the foul water drainage strategy clearly identifies the current and proposed point(s) of connection into the public sewer system as well as current and proposed peak flow rates.
8. Essex and Suffolk Water require that all new water mains are laid in the highway and that a metered connection is made onto their network for each new dwelling.
9. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs
10. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
11. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
12. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licence required.
13. In aiming to satisfy the requirements of condition 60 in relation to wheel washing facilities the Council expects the following details to be provided:

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, including their 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 washed 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.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

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**REGULATORY  
SERVICES  
COMMITTEE**

15 March 2018

**REPORT**

**Subject Heading:**

P1242.17 – **Beam Park, Former Ford  
Assembly Plant Site**

**Ward:**

Cross boundary hybrid planning application for the redevelopment of the site to include up to 2,900 homes (50% affordable); two primary schools and nurseries (Use Class D1); railway station; up to 5,272sqm of supporting uses including retail, healthcare, multi faith worship space, leisure, community uses and management space (Use Classes A1, A2, A3, A4, A5, B1, D1 and D2); energy centres; open space with localised flood lighting; public realm with hard and soft landscaping; childrens play space; flood compensation areas; car and cycle parking; highway works and site preparation/ enabling works (Received 4/08/17, revised plans received on 12/02/18)

South Hornchurch

**SLT Lead:**

Steve Moore  
Director of Neighbourhoods

**Report Author and contact details:**

Martin Knowles  
Planning Team Leader  
[Martin.knowles@havering.gov.uk](mailto:Martin.knowles@havering.gov.uk)  
01708 432802

**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework  
National Planning Practice Guidance

**Financial summary:**

Not relevant

**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]

<b>SUMMARY</b>
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This report considers a cross boundary hybrid application (part outline, part detailed) for a total of 2,900 dwellings within Havering and the London Borough of Barking and Dagenham on a site of total area of 31.54 ha. Within Havering the application proposes the erection of 733 dwellings comprising 137 houses and 596 apartments on land known as Beam Park to the east and west of Marsh Way, south of the A1306. Phase 1 of the development would deliver 536 dwellings, a new local centre based around a new railway station, up to 5,272 sq.m of other support uses including commercial floorspace and a 1,500 sqm health centre and community facilities. Phase 1 would also provide the site for a new 3 f/e primary school with communal sports facilities plus extensive areas of open space and landscaping including a new park either side of the River Beam and a linear parkway along New Road.

The site lies within one of the Mayor of London's Housing Zones and is in a designated opportunity area in the London Plan. The site is also identified as suitable for residential development in Havering's Local Development Framework site specific policy SSA11 and in the adopted Rainham and Beam Park Planning Framework. Therefore, the redevelopment of the site for residential purposes is considered acceptable in principle. The main issues for consideration concern scale, design and layout, affordable housing, access, parking and highways, flood risk, ground contamination, sustainability, ecology, air quality, heritage, designing out crime and cycle and pedestrian linkages. An environmental statement has been submitted with the application which addresses these issues and alternative development scenarios.

This is a strategic application and the Mayor of London has been consulted on the proposals. The Mayor broadly supports the principle of the development but has a number of strategic concerns. Revisions have been made to the application in response which are addressed in this report.

Staff consider that, the proposals are acceptable in all material respects. The grant of planning permission is recommended subject to the prior completion of a S106 planning obligation and planning conditions. Should members agree the recommendation then subject to the London Borough of Barking and Dagenham agreeing a similar recommendation the application would need to be referred to the Mayor for London.

<b>RECOMMENDATIONS</b>
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1. That the Committee notes that the detailed elements of the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £1,082,660 (subject to indexation) based upon the creation of 54,133sqm of new gross internal floorspace for the detailed element of the application.

2. That the Committee resolve that

Having taken account of the environmental information included in the Environmental Statement and its Addendum, that subject to:

- a) No contrary recommendation from London Borough of Barking and Dagenham;
- b) No direction to the contrary from the Mayor for London;

That the Assistant Director of Development be authorised to negotiate and agree a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A phased financial contribution of £1,779,852 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document Technical Appendices.
- Provision for an agreement between the relevant parties to secure land for a new primary school, for the grant of a lease for such for the duration of the construction and the grant of the freehold or long leasehold of the land to the School Provider. The developers to use reasonable endeavours to assist in bringing forward the identified school site for development in a timely manner to co-ordinate with the provision of new housing.
- A phased financial contribution of £2,700,000 to mitigate the impact of the development upon public transport.

- Providing for 50% affordable housing across the development with a 80% intermediate/shared ownership housing and 19% Affordable Rent or London Affordable Rent.
- The provision and management of open space in perpetuity, to be managed by a Community Land Organisation or other organisation approved by LBH;
- A Sport and Recreation financial contribution of £118,444. (£350,000 to LBBD)#
- A financial contribution of £500,000 to the Beam Park Community Fund to be used for a range of community purposes including measures to enhance employment and training opportunities.
- 
- The provision and lease of a healthcare facility of not less than 1,500 sqm GIA, on terms to be incorporated and agreed by the CCG;
- The provision and lease of a multi faith place of worship/community facility of a minimum 800 sq.m building up to a maximum of 1200 sq.m within LBBD.
- The provision to shell and core of a new railway station at Beam Park;
- The safeguarding of land required for the provision of vertical access to Marsh Way for 4 years;
- A contribution of £557,163 towards Beam Parkway improvements;
- A contribution of £20,000 towards the installation of an air quality monitoring station on New Road A1306;
- A contribution of £116,896 towards the introduction of new Controlled Parking Zones to the north of the A1306 and within the site and to contribute towards the cost of each annual permit for residents:
- A sum of £12,500 as a pro rata contribution in lieu of 2 parking spaces to be used for car club purposes and to contribute to residents membership of the car club. (£37,500 in LBBD)
- A restriction on the ability of residents to apply for parking permits within any Controlled Parking Zone operated by LBH outside of the site;
- An undertaking to assist with the planning, implementation and cost of the provision of a bus loop, stops and stand, and the provision of a four way traffic light controlled junction on the adjacent site, this element to be time limited:



- The payment of the appropriate carbon offset contribution upon completion of the final dwelling in a Phase 1 or the final dwelling in the part of Phase 2 within Havering. The carbon offset levy has been calculated at £3,300,000 which would be split pro rata, however, this is likely to reduce as the detailed design and construction work is undertaken.
- 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.
- The Developer/Owner to pay a planning obligations monitoring fee of £10,000 to be paid within one month of the implementation of the development.

and that upon completion of that obligation, grant planning permission subject to the conditions summarised below and listed in full in Appendix A to this report with the ability to add new conditions or amend any of those listed delegated to the Assistant Director of Development.

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.

If by 15 September 2018 the legal agreement has not been completed, the Assistant Director of Development is delegated authority to refuse planning permission.

### **Common Conditions**

1. Outline - Reserved matters to be submitted
2. Outline - Time limit for submission of details
3. Outline - Time limit for commencement
4. Accordance with plans
5. Phasing Plan
6. Partial Discharge
7. Approval of Materials

8. Access to Phases
9. Accessibility and Management Plan- Residential
10. Accessibility and Management Plan- Non-Residential
11. Car Park Management
12. Cycle Parking
13. Deliveries Strategy
14. Travel Plan
15. Site Levels
16. Compliance with Design Code
17. Secure by Design
18. Accessibility and Adaptability
19. Provision of Amenity Space
20. Refuse Storage and Segregation for Recycling
21. Carbon Reduction – Residential
22. Carbon Reduction – Non-Residential
23. BREEAM
24. Energy Efficiency
25. Overheating
26. Ecology and Landscape Management Plan
27. Landscape Replacement
28. Living Roofs
29. Nesting Birds and Bat Roosts
30. Protection of Trees
31. Vegetation Clearance
32. Examination of Trees for Bats
33. Air Quality Assessment
34. Boiler and Combined Heat Power
35. Air Quality Emissions
36. Kitchen Ventilation Equipment
37. Noise Assessment
38. Noise from Commercial Units
39. Noise from School
40. Noise from Entertainment
41. Noise and Vibration (A3, A4 and A5 uses)
42. Hours of Operation – Non-Residential
43. Hours of Operation – Outdoor Sports
44. Lighting Strategy – General
45. Lighting Strategy – River Beam Interface
46. Flood Risk
47. River Beam Buffer Zone
48. Sustainable Urban Drainage
49. Drainage Strategy
50. Drainage Maintenance
51. Piling Method Statement
52. Non-Road Mobile Plant and Machinery
53. Oil Interceptors
54. Contamination Remediation
55. Remediation
56. Implementation of Remediation

- 57. Verification of Remediation Scheme
- 58. Unexpected Contamination
- 59. Borehole Management
- 60. Construction Management Plan
- 61. Demolition Hours
- 62. Piling Vibration
- 63. Archaeology – Written Scheme of Investigation
- 64. Archaeology – Foundation Design
- 65. Permitted Development Restriction
- 66. Satellite Dishes
- 67. Boundary Treatment
- 68. Timing of Station

**London Borough of Havering Specific Conditions**

- 69. Non-Residential Floor Areas
- 70. Number of Residential Units
- 71. Parking
- 72. Timing of Detailed Works
- 73. Bus Stops
- 74. Fire Hydrants
- 75. Changes of Use
- 76. Landscaping Details for Phase 1
- 77. Accordance with Detailed Plans

Informatives

<b>REPORT DETAIL</b>
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1. **Site Description**

- 1.1 The application site within the London Borough of Havering comprises 10.22 ha of land to the south of the A1306 New Road, either side of Marsh Way to the east of the River Beam and Thames Avenue and west of the former Somerfield Depot site, north of the HS1/C2C railway corridor. The land forms part of the wider Beam Park site which extends further to the west and into Barking and Dagenham giving a total site area of 31.54 ha. The site previously formed part of the Ford Motor Company site used as an assembly plant and for the open storage of cars. The Marsh Way flyover oversails part of the site.
- 1.2 The site is clear of structures but is covered with hardstanding and currently lies vacant. The site sits within flood zone 3. The vegetation on the site comprises predominantly self-set scrub. Access to the site is via Thames Avenue.

- 1.3 The wider surrounding area is urban in nature and is characterised by residential land uses of the north of the A1306 and industrial land uses to the south. The existing residential areas of South Hornchurch and Dagenham to the north of the site are separated by an area of Green Belt comprising the Beam River Corridor, Beam Washlands and Beam Parklands.
- 1.4 The application site does not form part of a conservation area, and is not located within the immediate vicinity of any listed buildings. It is however noted as potentially contaminated land and an area with potential archaeological significance. A high pressure gas pipeline runs through the site together with a Thames Water sewer.
- 1.5 The site is within the Rainham and Beam Park Housing Zone and within the area covered by the adopted Rainham and Beam Park Planning Framework.

**2. Description of Proposal**

- 2.1 The application is a cross boundary hybrid planning application so is also under consideration by the London Borough of Barking and Dagenham wherein a larger area of the site is located and where the larger proportion of the housing would be delivered. As a hybrid application the submission is made partly in outline and partly in detail. The application is accompanied by an Environmental Impact Assessment.
- 2.2 In summary, the proposed overall development comprises the following elements:
- Provision of up to 2,900 new homes, of which 50% shall be designated as affordable (broadly 21% rent and 79% intermediate);
  - Provision a new railway station on the c2c line;
  - Provision of space for 2 No. three-form entry primary schools and nurseries;
  - Up to 5,272 sq.m of other support uses including commercial floorspace, medical centre and community facilities (Use Classes A1, A2, A3, A4, A5, B1, D1 and D2); and
  - Landscaping, open space and play areas.
- 2.3 The development is planned to be delivered over eight phases up to the year 2030. Planning permission is sought here for the detail of Phase 1 which is fully within Havering, whilst the remainder of the scheme (Phases 2-8) is submitted in outline, with part of Phase 2 being the only other phase located within the Borough.
- 2.4 A separate application for enabling “surcharging” works has already been approved by Committee. This pre-consolidation of the soil on site will

facilitate early commencement of Phase 1 (subject to permission being granted) and is acknowledged by the applicant as being carried out “at risk”.

2.5 Phase 1, applied for in detail, relates to the eastern portion of the site on land both east and west of Marsh Way with a combined frontage of approximately 330m to New Road. The proposed development will include the new railway station, new community facilities and commercial areas, including a health centre within a new station square and the site for a new 3 Form of entry Primary School. This phase will also contain 536 of the residential units proposed for the site. More detail is provided at para 2.7.

2.6 Phases 2-8, the later phases of development are being applied for in outline only at this stage. Phase 2 is the only subsequent element of the development which is located partly within Havering and approval is sought for the remainder of the residential accommodation (197 residential units) and facilities, including the Havering section of a proposed park either side of the River Beam. The masterplan suggests one frontage block of 7/5 storeys (45 units), one block of between 4 and 8 storeys height on the southern side of the site (79 units) and two plots 13 and 16 providing housing (50 and 23 dwellings respectively).

2.7 In order to enable later phases of the development to be adjusted to respond to prevailing circumstances and market conditions the outline element of the application does not include the following at this stage, which would need to be the subject of subsequent reserved matters applications:

**Layout** – the way in which the new buildings and streets within the site are provided and their relationship to buildings outside of the application site.

**Scale** – the height, width and length of each building proposed in relation to its surroundings.

**Appearance** – the aspects of the buildings and place which determine their visual impression.

**Access** – access within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes.

**Landscaping** – the treatment of private and public spaces to create, enhance and protect the site’s amenity through hard and soft measures.

2.8 To give more detail of Phase 1, this would comprise;

- Provision of 536 dwellings (472 apartments and 64 houses) across 10 plots at a density of 88 units per hectare;
- 53% affordable housing provision (17% affordable rent and 83% intermediate housing, including shared ownership);
- A new rail station on the c2c line
- Nursey provision of up to 697 sqm;

- Up to 2,485.85 sqm of support uses (A1, A2, A3, A4, A5, B1, D1 and D2). At this time, it is expected that this will be made up of:
  - o 1,107.72 sqm GIA retail including a foodstore
  - o 91.48 sqm GIA management suite
  - o 1,500 sqm GIA medical centre
  - o 113.05 sqm GIA pharmacy
- 276 car parking spaces, which includes 63 for visitors and 2 for station staff;
- Room for 782 cycle parking spaces, 206 visitor cycle spaces and a minimum of 64 house cycle spaces;
- Detailed design of plots/ buildings 14, 17, J, H, K, L, U, V, W, X;
- 54,348 sqm of open space made up of roads, pavements, gardens and amenity space, including a linear park element designed to integrate with the Council's proposals for the re-invention of the A1306;
- Provision of an energy centre.
- An identified 0.8ha site for a new 3 form of entry primary school.
- Two vehicular access points are proposed, one 250m to the west of Marsh Way opposite the junction with Lower Mardyke Avenue, the other 85m to the east of Marsh Way

2.9 Plots within the detailed component of the application comprise:

- Plots 14 and 17 – 64 no 3 and 4 bedroom dwellings located in the central eastern portion of the site and provided in terraces of three storey houses, formed by 8 different house types, the majority with one or two off street parking spaces. The predominant roof type proposed is a rear facing mono-pitch. Block 14, the larger of the two, lies between two converging roads named by the applicants as a South Drive and Park Lane with garden depths varying from 4m to 20.5m.
- Plots U, V and W – 3 no. 5/6 storey residential blocks providing a total of 112 no, Studio, 1 and 2 bedroom apartments. The blocks to be located to the west of Marsh Way and set back from and parallel to the A1306, each with a central access core facing the road. Each flat above ground floor is provided with an inset balcony and each ground floor unit is provided with a patio leading to a personal semi-private garden area;
- Plot J – residential block on the south western side of the site with two elements identified as “Cubic”, a long 4 storey block aligned with South Drive, and “Warehouse” a taller 5/8 storey block at the western end and providing 67 no, 1, 2 and 3 bedroom apartments and duplex units;
- Plot H – 3/6-storey brick built residential block providing 30 no1, 2 and 3 bedroom apartments, located at the acute corner junction of South Drive and Park Lane with the Phase 1 management suite on the ground floor. Angular design is proposed to fit the site and

address the Station Square to the east, with recessed balconies at the ends and projecting balconies to the sides.

- Plot X – Part single, four and six storey brick built residential block with crèche/nursery on the ground floor with a secure open external area. The building would be located at the western end of Park Drive on the acute angled plot formed by the junction of Park Drive with the road serving Plots U, V and W. 16 no. 2 bedroom flats are proposed in the main block and one 3 bedroom duplex unit at the eastern end. Each unit would be provided with its own recessed balcony.
- Plots K and L – are located in the Station Square and Station Way areas situated next to the new railway station to the east of Marsh Way. This area would become the new local centre with a public square outside the station. Station Way would give access from the A1306 to the north and Block K is a large podium block defining the western edge of Station Way, and the northern and western frontages of Station Square. The northern edge of Block K would front onto New Road whilst to the west where it abuts the Marsh Way flyover the block encloses access and service spaces. Around the perimeter of the podium five apartment blocks varying in height from 6 to 9 storeys would be arranged around a podium garden with parking underneath. The ground floor would be occupied by commercial and community spaces plus a two storey 1,500sqm Medical Centre on the northern edge. The upper floors of Block K would provide 201 apartments ranging from studios to 3 bed units. Block L is broadly rectangular, 6 to 9 storeys in height and located to the east of the new station where it would partially enclose the eastern side of the Station Square. The ground floor would be occupied by retail, plant and an energy centre with 45 no, 1, 2 and 3 bed apartments on the upper floors.
- Beam Park Station – The new station will be located to the east of Marsh Way and positioned between the existing Dagenham Dock and Rainham railway stations on the Tilbury Loop Line of the London Tilbury and Southend railway (LT&S). The trapezoidal single storey building has been designed with its principle elevations aligning with the railway and at 90° to the other blocks surrounding the station square thereby enclosing the southern side. Facing the square a steel framed double glazed frontage is proposed with a more significant proportion of brickwork on its southern side framing a large passenger gateway/link through to the platforms. A deeply cantilevered crowned standing seam zinc roof is proposed. The platforms would lie outside of the site and as a result of high pressure gas pipeline and sewer easements.

2.9 The application is accompanied by a suite of supporting documents comprising the following:

- Location Plan, Parameter Plans, Detailed Plans (Phase 1), Supporting / Illustrative Plans

- Planning Statement
- Design and Access Statement and appendices including
  - Statement of Community Involvement
  - Energy Strategy
  - Utilities Report
  - Sustainability Statement
  - Construction Management Plan
  - Daylight/sunlight Assessment
  - Pipeline Risk Assessment
- Design Code
- Environmental Statement Non Technical Summary
- Environmental Statement and appendices including Scoping; proposed development; Construction and Site Waste Management Plan; Socio Economic Assessment; Land Contamination/ Ground Conditions; Flood Risk Assessment; SUDs Strategy and Water Framework Directive; Transport Assessment and Travel Plan; Air Quality Assessment; Noise and Vibration; Cultural Heritage/ Archaeological Assessment; Townscape and Visual Assessment; Biodiversity Survey and Report; Tree Survey/ Arboricultural Impact Assessment; Environmental Wind Assessment
- Draft S106 agreement.

### **3. Relevant History**

- 3.1 Z0011.16 – Environmental Impact Assessment Request for a Scoping Opinion in relation to Beam Park redevelopment – Scoping Opinion issued jointly with LBBD
- 3.2 Z0001.17 – EIA Screening Opinion Request in relation to Phase 1 surcharging – Screening Opinion issued
- 3.3 P1226.17 - Application for enabling works to prepare site for development, including clearing of on-site structures, addressing contamination, importation and positioning of crushed material on site for up to 9 months (preventing future settlement), localised piling and installation of band drainage. – Approved
- 3.4 Z0001.18 - EIA Screening Opinion Request in relation to Phase 2 surcharging – Screening Opinion issued

### **4. Consultations and Representations**

- 4.1 The proposals have been advertised as a major development by the display of site notices and by an advertisement in the local press. A copy of the planning application has also been available in Rainham Library. A total of 909 individual properties were notified directly of the proposals. The application is referable to the Mayor of London as it includes the provision of more than 150 dwellings. Site Notices were posted and a further advert



published when the Addendum to the Environmental Statement was submitted. Properties fronting onto or close to New Road and those who had previously objected were notified of the revisions to the application.

**Representations**

4.2 38 individual objections, one individual support and 52 returned pro-forma support forms from the pre-application exhibition have been received.

Objections can be summarised as follows:

- Too many flats, overdevelopment, already too crowded
- Risk of flooding from high tides on the Thames
- Very high water table in the area
- Inadequate green space
- Additional congestion on local roads
- More affordable housing for Havering residents is needed
- Affordable housing needs to be truly affordable, more housing for rent needed only 140 out of 2,900 proposed;
- Housing will be bought by wealthy people from outside of the Boroughs.
- Not enough parking, More residential parking required, should be more like 3 spaces per dwelling; every family has at least 2 cars, less than 1 space per dwelling (0.44) is ridiculous.
- Occupants will not use public transport, occupants will lose touch with family and friends that cannot use public transport as there are not enough visitor spaces.
- There should be a ban on "Sale for Let"
- Narrowing the A1306 New Road will cause added problems
- Addition of a further station will make already long bus journeys even longer
- Loss of local businesses
- Main aim is to make profits for developers, quality of housing will be poor;
- Inadequate infrastructure, Dr's dentists and schools;
- Wouldn't impose this on Upminster or Hornchurch
- Bus services and train services cannot cope
- Development need to foster integration between the north and south sides of New Road
- Some sections should be allocated as self build.
- Opportunity should be given to smaller developers to acquire smaller plots of several units.
- Should incorporate Homes for Life.
- Housing for the elderly should be incorporated provided by specialist builder or a retirement village
- Should be a focus on quality rather than quantity.
- Should be no more than 4 storeys high, 9/10 storeys is too high; will re-create the problems of high rise in the 60's and anti-social behaviour

- Ratio of flats to houses should be 50:50
- Ground is contaminated
- Do what is right for Havering not what Mayor Khan wants
- Rainham and Beam Park Planning Framework designates park View Living as no more than 4 storey and the Station area as 4 – 6 with possibly one 8. The proposals are well in excess of this. Rainham Station is nothing like this.
- Clarion site is approved at a much lower height
- Garden Suburb should be mainly houses. Scheme only proposes 20% housing.
- Parking at zero around Station is not in accordance with the emerging Local Plan.
- Designed as one community with no respect for boundaries
- Inadequate green space
- Road infrastructure requires improvement
- Will lower the quality of life for everyone.

**4.3 Comment on representations:**

**4.3.1** The issues raised by objections where they relate to planning considerations are covered off within the relevant sections of the report. Objections which relate to non-planning matters or are value laden are not covered. Those which are not explicitly or implicitly covered are addressed below.

- Narrowing of the A1306 – This is not the subject of this planning application.
- Loss of local businesses – The site is currently vacant
- Self build – The Council does not have a policy on self build. The GLA own the site and have agreed terms with the applicant to develop the site.
- Garden Suburbs should be housing – A scheme which was predominantly housing would be neither commercially viable nor would it adequately address housing need or make a realistic contribution to the Borough's housing targets.
- Zero parking around station – No parts of the development are zero parking.

**Consultation Responses**

**4.4 Cadent** – advise of the presence of gas and electricity apparatus in the vicinity of the development including high pressure gas pipelines, low or medium pressure gas pipes; electricity transmission overhead lines; above ground gas sites and equipment; above ground electricity sites and installations.

**4.5 Clinical Commissioning Group (CCG)** - Request that the health care facility (located on the London Borough of Havering side of the development) is increased from 750 sq.m to 1500 sq.m.

**Response**

*The applicant has agreed to increase the size of the health care facility to 1500 sq.m. The provision and details of this will be secured through the Section 106 legal agreement.*

- 4.6 **Clarion Housing** – were consulted as the owners of the site 90 New Road (commonly known as the “Somerfield depot” site). Clarion advised that the bus loop shown on the submitted plans could not be implemented should they choose to implement the extant permission for the redevelopment of their site. The response acknowledged that the comment was being made in order to preserve their position and the ability to implement their scheme. Their wish to work with all parties and achieve a workable solution was emphasised.
- 4.7 **C2C** - C2C support the construction of the new Beam Park railway station.
- 4.8 **Environment Agency** – have no objections to the proposals subject to conditions securing an 8m buffer zone along the River Beam, land contamination (including a verification report, long term monitoring of contamination and previously unidentified contamination), borehole decommissioning, establishing minimum finished floor levels together with compliance with the submitted flood risk assessment.
- 4.9 **Essex and Suffolk Water** - no objections subject to compliance with Company requirements in relation to new connections.
- 4.10 **Greater London Authority (GLA)** - London Plan policies on Opportunity Areas, housing, urban design, inclusive design, flood risk, climate change and transport are relevant to this application. The application is not compliant with the London Plan but could become compliant with the London Plan if the following matters are resolved:

Affordable housing – In accordance with the Mayor’s Affordable Housing and Viability SPG and London Plan Policy 3.12, any proposal on public land under 50% will not qualify for ‘Fast Track’ and will be subject to robust interrogation of viability and a late stage review. Delivery of affordable housing should be maximised on this ex-industrial site in public ownership in accordance with the Mayor’s expectation that land in public ownership will make a significant contribution to the supply of new affordable housing. GLA Officers are working with the applicant to increase the provision of affordable housing to 50%.

Urban design – The master plan layout and massing strategy is strongly supported. The residential quality of Phase 1 is high although the Design Code should be strengthened to ensure the later phases follow suit, in order to comply with London Plan Policy 3.5.

Climate Change – The energy strategy does not fully accord with London Plan Policies 5.2, 5.6, 5.7 and 5.9. Further information regarding energy efficiency, over heating, the site wide network, district heating and renewable energy is required. The final agreed energy strategy should be appropriately secured by the Council along with contributions towards off site mitigation.

Transport – In order to comply with London Plan Policies 6.3, 6.4, 6.7, 6.9, 6.10, 6.12, 6.13 and 6.14, the strategic and local highways modelling and impact on bus services must be fully assessed and appropriate mitigation secured. Further detail is required on the site layout, off site pedestrian and cycle improvements and cycle parking. Electric vehicle charging points, car parking management plan, travel plans, delivery and servicing plan and construction logistics plans should be secured by condition or Section 106 agreement.

**Response**

*Following the Stage 1 report, the applicant has responded as follows:*

*Affordable housing – The applicant has agreed to increase the affordable housing to provide 50% affordable housing together with an increase in the number of affordable family homes. This is discussed in detail further below.*

*Urban design – The applicant has agreed to establish minimum distances between habitable rooms to protect privacy and has agreed minimum floor to ceiling heights. The applicant has also confirmed that a mix of dwelling sizes and family homes will be provided within each phase. Confirmation has also been given that the detailed design work undertaken on the London Borough Havering side will follow through onto the LBBD side.*

*Climate change – Further information has been provided on the energy strategy. This is a high level site wide strategy with the details (demonstrating conformity with the site wide energy strategy) coming forward at reserved matters stage. The carbon offset levy will be secured through the Section 106 legal agreement.*

*Transport – Further information has been provided to TfL together with a financial contribution for public transport improvements. These will be secured through the Section 106 legal agreement.*

**4.11 Health and Safety Executive** – advise that the proposed development lies within the HSE consultation distance for five major accident hazard pipelines but that having considered the proposals using their Land Use Planning Methodology the HSE does not advise, on safety grounds, against the granting of planning permission.

**4.12 High Speed 1** - No objections.

4.13 **Historic England (Archaeology)** - recommend archaeological conditions including provision for conservation in situ, a written scheme of investigation and foundation design.

4.14 **LBH Education** – the proposed development falls in the Rainham and South Hornchurch primary planning area and the South secondary planning area. Due to the sustained and increasing demand for school places, further permanent expansion of existing schools and new school proposals are required. A deficit of school places is currently projected in this location and as such it is imperative that the new school proposed as part of the development is delivered within the first phase of the redevelopment to ensure that the additional school places required are secured at the right time to enable having to fulfil its statutory duty to provide sufficient school places for its population.

On the basis of the updated housing figures the child yield from the development when the GLA Population Yield calculator, which differentiates between unit size and tenure, is applied will generate the following number of pupils in each school phase:

Early Years: 161; Primary: 161, Secondary: 56 and Post-16: 27

4.15 **LBH Environmental Health** – no objections subject to the imposition of conditions related to contaminated land, air quality, noise and vibration

4.16 **LBH Lead Flood Engineer** – No objections

4.17 **LBH Highways (Streetcare)** – No in principle issues in terms of traffic and highway capacity or parking. There are a number of issues associated with the detailed Phase 1 which need to be addressed.

The New Road/Station Way junction should be amended to provide a central refuge to cater for pedestrians crossing and cyclists, including non-standard cycles.

The New Road/Site road opposite Lower Mardyke Avenue has insufficient detail to demonstrate how signals and crossings will be provided.

In Station Way the operation of the indicative bus loop and the route through this for cyclists should be reviewed.

The general road layout is considered to be acceptable although some clarification of one way areas is required. The site has good pedestrian permeability but with scope to provide some improved pedestrian priority.

The provision of east west cycling links through the wider site needs to be considered further.

*Response*

*The request for a pedestrian refuge has been noted but may require some localised widening of Station Way which could impinge upon the scrapyard site. Every effort will be made to accommodate this as part of the S278/38 packages.*

*The comments about the western junction with New Road to improve cycle and pedestrian safety and movement will be incorporated into the S278/38 packages.*

*Any concerns about the operation of the bus loop can be addressed at the time that the land comes forward. As things stand the loop, stops and stands have all been designed in line with TfL's Accessible Bus Stop Design Guidance 2017 and all movements through the Station Square, Station Way and New Road have been tracked.*

*The area of one way operation has been clarified.*

*All streets within the layout are proposed to be traffic calmed streets with cycle and pedestrian priority. It is not possible to run a cycle path along the southern pedestrian route as this runs on top of a floodwater bund and is not wide enough. The opportunity will arise at Phase 2 reserved matters submission to review the form of crossing over the River Beam so that this might better provide for east/west cycle movement.*

- 4.18 **LBH Waste** – advise of the requirements for houses presenting their waste and the need for flats to have sufficient storage area for waste and recycling bins.
- 4.19 **London Fire Brigade** –No objections but point out the Approved Documents that access to dwellings and other buildings will need to comply with. The Fire Hydrant Officer advises that eight new fire hydrants would be required for Phase 1.
- 4.20 **Metropolitan Police Designing Out Crime Officer** – Advise that the project has the potential to achieve a Secured by Design Gold Award and Schools 2014 Award and a Commercial 2015 Award. There are specific concerns in relation to various items, but all can be mitigated through Secure by Design applications and continued dialogue with the relevant Designing Out Crime units and officers.
- 4.21 **Natural England** – considers that the proposed development will not have significant adverse impacts on designated sites including the Ingrebourne Marshes and Inner Thames Marshes Sites of Specific Scientific Interest, and has no objection.

Natural England endorses the recommendations within the Ecology report and the adoption of best practice construction techniques in order to, as far

as is possible, mitigate the construction related impacts of the development. Mitigation measures including the replacement of lost habitat along the river Beam, the provision of brown roofs and that any final lighting regime should be sensitive to commuting routes and foraging areas for bats are supported. It is advised that mitigation should be put in place to ensure that the development does not result in any net increase in air pollution within its vicinity.

- 4.22 **Sport England** – Object to the application on the basis that the impact upon playing pitches and other sports provision has not been adequately addressed and that the development would therefore place an increased strain on existing facilities. It was suggested that the applicant should set out the proposed playing pitch and built sport facility provision (on and/or off site) that would clearly meet the demands that would be created by the proposed development and potentially address wider deficiencies.

*Response*

*The applicant has provided further detail in the form of a Sports Strategy on the type of sports pitches and courts to be provided on the development. These essentially are the playing facilities of the two proposed primary schools. These facilities would be required to be dual use so that the community could access them outside of school hours. Emphasis is also given to the potential for informal sporting and recreational use of the proposed areas of park and grassland and the potential to integrate informal exercise and sports facilities as part of subsequent reserved matters applications.*

Further response from Sport England suggested that a full size 3G pitch on one of the school sites might better provide for identified need. As an alternative suggested that off-site contributions could be directed to sites that need improvement. The efficacy of small scale provision is questioned as larger facilities are more sustainable and beneficial to community sport.

*Response*

*The applicant has offered to make a financial contribution toward off site sports provision on a pro rata basis to the level of contribution being made for the improvement of off-site facilities in LBBD. This will be discussed in later sections of the report, however, in combination, the offer is considered to satisfy the objection from Sport England and assist with the provision of off-site facilities which would help cater for the future needs of the development and the wider recreational needs of the area.*

- 4.23 **Steer Davies Gleave (Beam Parkway Design Team)** - Comment upon the need to align the designs and character areas with the proposals for Beam Parkway and for the development to engage with the communities to the north of the A1306. Comments are offered in relation to the proposed bus loop and the lack of a two way route through the site for buses. Detailed

comments are offered on the proposed junctions with New Road and the need to incorporate appropriate crossing facilities for New Road. The preference for a four way junction to the east of that proposed is advanced.

- 4.24 **Thames Water** - Surface water drainage is the responsibility of the developer. Proper provision should be made and storm flows should be attenuated. Prior approval is required if discharging to a public sewer. Public sewers cross the site. TW have identified that the existing waste water infrastructure is unable to accommodate the needs of the application. A Grampian style condition requiring a drainage strategy is required. A piling method statement condition also required.
- 4.25 Transport For London – TfL’s initial comments have been incorporated in the GLA’s stage 1 response.. There has been ongoing dialogue with TfL with both the applicant and LBH staff relating to the options for buses servicing the site.

5. **Relevant Policies**

- 5.1 Core Strategy and Development Control Policies Development Plan Document (DPD) 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); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC6 (affordable housing); DC20 (Access to Recreation and Leisure including Open Space); DC21 (Major developments and open space, recreation and leisure facilities); DC29 (Education Premises); DC32 (The road network); DC33 (Car Parking); DC34 (Walking); 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); (DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC70 (Archaeology and ancient monuments) and DC72 (Planning obligations).

- Evidence base to the Planning Obligations SPD,
- Residential Design SPD,
- Designing Safer Places SPD,
- Sustainable Design and Construction SPD.
- Site Specific allocations DPD - Policy SSA 11;

- 5.2 **Rainham and Beam Park Planning Framework 2016**



- 5.2.1 The Council's adopted planning framework for the area sets a basis for the redevelopment of the site which is based upon the opportunity area designation of the London Plan and the Mayor's own planning framework for the London Riverside Area. The details in the Rainham and Beam Park Planning Framework (RBPPF) are particularly relevant as they reflect the Council's proposals for the delivery of the Housing Zone, declared in June 2015, in accordance with the Opportunity Area Planning Framework.
- 5.2.2 The RBPPF was adopted by the Council as the Planning Framework for the Housing Zone in January 2016. The purpose of the RBPPF was to provide a comprehensive and flexible plan for the Rainham and Beam Park area. It is a strategic document that aims to assist the Council in directing investment, as well as helping to guide and shape the quality of development coming forward. The RBPPF sets out design principles for new development and seeks to ensure that appropriate infrastructure is put in place. It establishes a strong vision based on five core aims. These are to create: a sustainable neighbourhood; a great place to live; a place with a strong identity; an accessible place; and a place with quality open spaces.
- 5.2.4 The RBPPF includes an illustrative masterplan, prepared to show how the area could develop over the next 15 to 20 years. The illustrative masterplan in this regard suggests potentially:
- 3,250 new homes, of which 1,000 would be houses;
  - 3,500-4,000m<sup>2</sup> new town centre uses in Beam Park including 2,000m<sup>2</sup> retail floorspace and a new railway station;
  - A new 2-form entry Primary School;
  - Health and community facilities at Beam Park Centre; and
  - An expansion of Havering College.
- 5.2.5 It is suggested that proposed new development should be predominately residential with a mix of town house and apartments with a variety of typologies, unit sizes and tenures important to achieve a mixed and balanced community. In respect of New Road, the Planning Framework suggests that this will be transformed from a traffic dominated hostile corridor into a tree-lined and friendly boulevard, making use of surplus road space. It is proposed to remodel junctions and to reduce the carriageway space to the optimal dimensions to accommodate anticipated future traffic levels.
- 5.2.6 Within the RBPPF, the site of this application covers both the Park View Living and most of the Beam Park Centre Character Areas to the west and east of Marsh Way respectively. Within the former a mixture of apartments and townhouses is suggested with townhouses comprising 20-25% of the total. A residential density of 100-120 units per hectare is suggested with building heights of two to five storeys. Maximum car parking standards of 0.5 space per 1 bedroom or studio unit; 1 space per 2 bedroom unit; 1.5 spaces per 3 bedroom unit; and 2 spaces per 4+ bedroom unit are recommended. Within Beam Park Centre a mixed use development is

promoted with a local centre next to a new railway station with active uses at ground floor and apartments on upper floors, a residential density of 180 – 200 units per hectare and building heights of 4-6 storeys, but with scope for additional height in landmark and waymarking locations.

**5.3 London Plan:-**

Policies: 2.13 (Opportunity and Intensification Areas); 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.6 (Children and young people's play and informal recreation); 3.7 (Large residential developments); 3.8 (Housing Choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes); 3.13 (Affordable housing thresholds); 3.17 (Health and social care facilities); 3.18 (Education facilities); 5.1 (Climate change mitigation); 5.2 (Minimising Carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.9 (Overheating and cooling); 5.12 (Flood risk management); 5.13 (Sustainable drainage); 5.21 (Contaminated land); 6.3 (Assessing effects of development on transport capacity); 6.9 (Cycling); 6.10 (Walking); 6.12 (Road network capacity); 6.13 (Parking); 7.1 (Lifetime neighbourhoods); 7.2 (An inclusive environment); 7.3 (Designing out crime); 7.4 (Local character); 7.5 (Public realm); 7.8 (Heritage Assets and archaeology); 7.14 (Improving air quality); 7.19 (Biodiversity and access to nature); 8.2 (planning obligations); 8.3 (Community infrastructure levy).

- London Riverside Opportunity Area Planning Framework (OAPF)
- Housing SPG
- SPG Homes for Londoners 2017
- Shaping Neighbourhoods: Play and Informal space SPD
- Outer North East London Boroughs Strategic Housing Market Assessment (SHMA) 2016

**5.4 National Policy Documents:-**

- Nationally described space standards;
- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance.

**6. Staff Comments**

**6.1 Strategic cross boundary application**

6.1.1 Planning applications for development of more than 150 new dwellings must be referred to the Mayor of London. Such applications are identified as being of 'potential strategic importance' that could have implications for the delivery of the London Plan. Such applications must be referred to the Mayor in two stages. The first stage is prior to decision and the comments from the Mayor at Stage 1 are set out in the consultation section of this report. This sets out whether he considers that the proposal complies with the London Plan.

6.1.2 Following the resolution of this committee the application is due to be considered by the London Borough of Barking and Dagenham on 19<sup>th</sup> March. If both authorities agree their respective recommendations the decision they intend to take must be referred back to the Mayor with all relevant documentation, including draft conditions and draft S106 Planning Obligation. In the event that either authority resolves to refuse the application, the overall decision would be to refuse and this recommendation must also be referred back to the Mayor. The Mayor can then either allow the Council/s to issue the decisions in accordance with the resolution or where the Councils have resolved to grant he may direct the Council to refuse permission. The Mayor may also direct that he is to be the local planning authority for the application. The Mayor has 14 days to respond following receipt of the necessary documentation.

## 6.2 Principle of the development

6.2.1 Support for the redevelopment of brownfield sites such as that the subject of this application can be traced as a golden thread running from National planning policies as embodied in the NPPF, through the London Plan and Local Planning policy documents and frameworks. As brownfield land, the effective and sustainable re-use of such sites is promoted throughout.

6.2.2 Nationally the 'NPPF' 2012 sets out the overarching roles that the planning system ought to play. One of the key principles is 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. The NPPF also states that housing applications should be considered in the context of the presumption in favour of sustainable development.

6.2.3 The London Plan identifies opportunity areas within London that are in real need of development and sets strategic policy directions. The opportunity areas are generally brownfield land and include the application site. Policy 2.13 of the London Plan sets out the requirements for planning decisions within the opportunity area. Of particular importance are the need to maximise housing output, promoting inclusive access including walking and

cycling and supporting wider regeneration, including improvements to environmental quality.

6.2.4 In terms of local planning policies, Policy CP1 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 733 units would be equivalent to 6.3% of the ten year target and the principle is therefore supported and would make an important contribution to meeting Havering's housing needs.

6.2.5 The site lies within the area covered by LDF site specific policy SSA11 (Rainham West) which seeks to deliver residential led mixed use development identifying the site for residential and ancillary education, community, leisure, recreation and retail uses, as well as a new railway station. The more recent RBPPF aligns with this policy and sets a clear vision for the future of the area. The principle of the redevelopment of the site is therefore supported at all levels.

### 6.3 Density, Scale and Site Layout

6.3.1 London Plan Policy 3.4 requires development to optimise housing output for different locations taking account of local context and character, design principles and public transport capacity. Within the opportunity areas the London Plan emphasises the key role that they are expected to make in meeting London's pressing need for new homes. The Housing SPG reinforces this and advises at para 7.5.8 that "Densities in opportunity areas.....may exceed the relevant density ranges in Table 3.2 of the London Plan, subject to development achieving the highest standards in terms of residential and environmental quality

6.3.2 In respect of the part of the site within Havering the applicant states that the density proposed ranges from 270 units per hectare (u/ha) around the station reducing to 45-48 u/ha to the east of the central Beam river park. Other plots have indicative densities of between 92-188 u/ha depending upon the unit typology.

6.3.3 Whilst the site currently has a low overall PTAL rating indicating poor accessibility which could not support the proposed densities, the provision of the new Beam Park Station as part of the development will increase the PTAL rating close to the station. The delivery of the bus turn around facility, as dealt with later in this report, would further increase PTAL levels around the station area.

6.3.4 In policy terms there are a number of documents which suggest differing levels as to the appropriate density for redevelopment in this area. However, they are all predicated upon an increased PTAL rating as a result

of the delivery of the new station. Policy SSA11 identifies a density range of 30-150 u/ha but suggests that densities above this may be acceptable within 100m of Beam Park Station once operational. The RBPPF indicates that densities of 180-200 u/ha are likely to be acceptable in the Beam Park Centre character area reducing to 100-120 u/ha in the Park View Living character area to the west of Marsh Way. London Plan Policy 3.4 sets out a density matrix at Table 3.2 for new residential development which gives varying densities for sites dependent upon their setting (Suburban, urban and central), the applicable PTAL level and the size of unit proposed. For the Beam Park site with a suburban/urban setting and a potential final PTAL level of 3 this would give a range from 35 to 170 u/ha. The OAPF does not specify a figure but suggests that “Development along New Road, around Beam Park....may be of a higher density flatted typology, with feature buildings introduced on corner sites or centres of activity to add interest, identity and to serve as way-finding features.”

- 6.3.5 Members will be familiar with the proposition that the density of a development is only one factor to be taken into account and that it should not be treated in a mechanistic manner. Other factors such as local context, design, public realm, transport capacity, social infrastructure and open space are all relevant in determining whether a scheme is suitable for a site.
- 6.3.6 Density on a plot by plot basis can also be a misleading guide as it makes no reference to the setting of the building, the quality of the architecture and environment and its amenity spaces. Block K located in Beam Park Centre for example is the largest building in Phase1 delivering 201 apartments. It incorporates five taller elements of up to 9 storeys and has the highest density. However, if the Beam Park Centre area of the development were treated as a whole for density purposes the area would have an overall density of 160 u/ha which is less than the target range identified in the RBPPF.
- 6.3.7 All policy and guidance is geared towards maximising the potential of the Beam Park area to provide a new thriving hub and new housing creating a sustainable mixed community, directing the highest densities to the area around the new station. Staff are satisfied that subject to it being demonstrated that the proposal will deliver the highest standards of residential and environmental quality that the proposed densities can be supported. Furthermore, as a large site with a significant degree of separation from neighbouring residential areas, it is quite acceptable for the development to establish its own character.
- 6.3.8 In terms of height and scale the development, both in detail and in outline, offers a range of heights from 2 to 9 storeys. The range of heights suggested by the RBPPF across both areas is set out at para 5.2.6 and varies from 2 to 6 storeys with scope for additional height up to 8 storeys at Beam Centre in key locations. Whilst the proposed storey heights may not comply with policy guidance, Staff are satisfied that there is a strong case

for acceptance given the particular nature of the site and the proposed development.

- 6.3.9 As will be referenced later in the report, the architectural quality of the buildings in Phase 1 is considered to be of the highest standard such that the new centre around Beam Park Station would be an attractive place to live and journey to and from. Secondly, even after the redevelopment of sites on the northern side of New Road, the separation distance across New Road between building frontages would remain significant; a minimum of over 40m in the vicinity of Plot K and over 60m in the case of Plots T, U, V and W where the presence of high pressure gas pipelines dictates the degree of setback from the highway. In this respect it is generally accepted that in street scene terms, the wider the road, the more readily it can accept, and arguably, needs larger scale, taller buildings in order to create a sense of place. This accords with the long term aspiration as set out in the RBPPF to turn the A1306 into a tree lined boulevard “Beam Parkway”.
- 6.3.10 In line with the strategy of the OAPF the buildings are also intended as waymarking and landmark features to lend identity and character to the new centre. Many of the apartment blocks are also of staggered, stepped height in order to create visual interest and to limit their impact.
- 6.3.11 Where taller buildings are proposed on the southern side of the site, as well as being more distant from the main road, they also provide a visual and noise barrier from the railway, HS1 and in the case of the Beam Park Living area, the Tesco Distribution Centre.
- 6.3.12 In relation to both height and density it is also pertinent to note that the RBPPF identifies Beam Park Centre (including the western end of the Somerfield site) and the Park View Living areas as having a “Illustrative Masterplan Capacity” of 575 and 690 units respectively. The actual number of units proposed within these areas are 246 and 487 respectively. The Somerfield element of Beam Park Centre equates to less than half of that site and the whole site currently has an extant permission for 497 units. Accordingly, it can be demonstrated that the proposed quantum of development is well within the capacities identified in the RBPPF, notwithstanding the density and building heights proposed.
- 6.3.13 Staff therefore conclude that the scale of the development is appropriate to the site and in accordance with the thrust of policy and guidance.
- 6.3.14 The layout of the site within Phase 2 is a reserved matter, but the masterplan approach with parameter plans ensures that there is a degree of certainty over the shape of the latter phases of the development. The masterplan provides for a residential led development with a new commercial hub (retail, food and drink and healthcare space) centred around a new (Beam Park) railway station. The remainder of the site on the LBH side would provide a range of homes together with a primary school.

6.3.15 The scheme is based on a simple grid layout of streets and squares which creates a legible and permeable layout. A hierarchy of streets are proposed which accords with the design principles in the RBPPF, providing a coherent urban structure.

6.3.16 The detailed elements employ a variety of heights to give emphasis to different areas, with taller blocks framing the square in front of the lower station building to aid with waymarking and identity, and taller corner buildings to act as markers and punctuation for views and junctions.

6.3.17 The outline element of Phase 2 includes both apartments and housing, with a layout which includes terraces and mews style environments incorporating shared surfaces on a north south/ east west grid which minimises the number of north facing gardens.

6.3.18 The layout also incorporates substantial areas of open space, both hard and soft, in addition to the Beam Park including wedges of green space, swales, a green link along the southern edge of the site and a substantial landscaped linear swath along the northern edge of the site which would add to and complement the Beam Parkway proposals. Other areas include the station square and a scheme to create a vibrant urban play area underneath the Marsh Way flyover.

6.3.19 Overall staff are satisfied that the layout is well founded and thought through and will provide a distinctive and attractive new housing and commercial area which would accord with the vision of the RBPPF.

#### 6.4 Residential quality and design

6.4.1 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end the policy requires that new residential development conform to minimum internal space standards. Nationally Described Space Standards have also been introduced which prescribe standards for a greater range of unit sizes and it is these that developments now need to meet. These are generally either the same or marginally less than the areas required by the London Plan.

6.4.2 Policy CP17 of the Core Strategy and Policy DC61 of the Development Control Policies DPD, seek to ensure that new development is well designed, functional, durable, flexible and adaptable as well as achieving a high standard of inclusive design and sustainable construction.

6.4.3 In design terms the approach has been to divide the site up into character areas with associated building typologies with the intention of creating a rich and varied urban experience.

6.4.4 Within Phase 1 there are 9 distinct Character Areas from Station Way and Station Square in the east, South Drive and South Gardens along the

southern boundary, Garden Street to the west and the linear park to the north bordering New Road. The Design and Access Statement and plans demonstrate the variety of architecture, materials and reference to traditional constructional techniques. The predominant building material is brick due to its robustness and weathering properties, with eight different colours and textures proposed as well as the use of banding and different colour mortar, pointing and coursing. The use of both recessed and protruding balconies will add further to the distinctive architectural quality proposed.

- 6.4.5 All dwellings within Phase 1 of the development would meet the prescribed standards, including room sizes and ceiling heights. 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. In this respect all houses would benefit from traditional private gardens, with the apartments benefiting from a range of courtyards, terraces or balconies designed to accord with the Mayor of London's SPG on Housing. Ground floor units within blocks have all been designed to have access to their own semi private amenity space and all above ground units on non-podium blocks would have access to private balconies designed to accord with the Mayor of London's SPG on Housing.
- 6.4.6 In terms of sunlight and daylight, an assessment has been undertaken for Phase 1. This demonstrates how the blocks have been designed to create dual aspect accommodation. Pockets of separation between the blocks allow light to penetrate surrounding streets and courtyards are widened to allow good levels of south facing exposure.
- 6.4.7 A Design Code for the site has been established which provides principles for subsequent reserved matters applications, including the schools, and to ensure that each character area deals with parking and services, internal courtyards, active frontages, punctuation and variations and breaking the form to avoid continuous monotonous facades in a consistent manner. Internal design work across a range of these character areas, including phase 2 demonstrates how the scheme can achieve minimum internal floorspace standards, accessible and adaptable units (compliance with Building Regulation requirement M4(2) and M4(3)), minimum floor to ceiling heights, maximum numbers of units per core, avoids single aspect north facing units and maximises dual aspect units as well as maintaining privacy through establishing distances between habitable rooms. It is recommended that compliance with Design Code is secured by condition to ensure these principles follow through into the detailed design stage.
- 6.4.8 Overall, the material submitted with the application demonstrates a strong urban design strategy which utilises a simple and traditional grid based



structure to provide a series of character areas along with a new public square, park and access to the River Beam. The grid based layout enables a series of connections north south and east west and establishes an associated hierarchy to the routes (those for vehicles, cyclists and pedestrians) to provide a very permeable and legible development for future residents.

**6.5 Open space and landscaping**

6.5.1 The open spaces and landscaping of any development are vitally important to providing a well functioning public realm and creating a sense of place and identity. Policies DC21 and DC61 both require the provision of adequate open space in major developments and underline its importance in creating a good urban environment.

6.5.2 Including private and semi-private garden and podium areas the development will deliver 77% open space with the most significant area being “Beam Park”, which at 2.5Ha would fall into the Small Open Space category. Within Phase 1 the landscape strategy consists of a variety of character areas which coincide broadly with the character areas for different building typologies. These incorporate the focal point more formal treatment proposed for Station square, incorporating a sunken garden, the dual use of flood compensation areas, a health trails, areas for formal and informal play and a linear park. All streets are intended to be tree lined with some areas including wider green wedges and other landscape features.

6.5.3 The public space within the development will have numerous overlapping uses and play spaces with a total of 6,937 sqm of play space, comprising a range of Local Areas for Play (LAPs), Local Equipped Areas for Play (LEAPs) and Neighbourhood Equipped Areas for Play (NEAP). Of this figure 2,437 sqm is proposed to be delivered in phase 1. The provision of play space accords with London Plan Policy 3.6 and staff are satisfied that the landscape and play strategy will help ensure the highest quality of development and assist with maintaining the best quality of environment for its prospective occupants.

**6.6 Impact on adjoining sites and residential amenity**

6.6.1 Both visually and physically the site is well separated from the existing residential areas to the north of New Road such that any direct impact in terms of privacy, daylighting and overshadowing would not occur.

6.6.2 The existing site is low lying and views of the site for the north are limited by the generally flat topography of the area which sits lower than the adjacent A1306/New Road. The quality of any existing views that are available might be described as poor, mainly due to the historic industrial nature of the area.

6.6.3 The proposed heights along New Road would vary from two to eight storeys, with the blocks around Station Square forming a cluster of taller

buildings which would have the most significant visual impact on the areas surrounding the site. Overall however, it is considered that the completed development will represent a significant improvement on existing views which are dominated by vacant post industrial land which makes no positive contribution to the area.

## **6.7 Transportation, Parking and Highways**

- 6.7.1 Policy CP9, CP10 and DC32 of the Core Strategy and Development Control Policies DPD requires proposals for new development to assess their impact on the functioning of the road hierarchy. The overriding objective is to encourage sustainable travel and reduce reliance on cars by improving public transport, prioritising the needs of cyclists and pedestrians and managing car parking. A Transport Assessment has been submitted with the planning application as is required for all major planning applications.

### **Highways and Junctions**

- 6.7.2 The potential impact upon the highway network has been extensively modelled using trip generation assessment techniques and data. The modelling methodology has been agreed with TfL and no significant adverse impact upon any highways within LBH is predicted. It has also been designed to enable linkages eastwards to 90 New Road and beyond towards Rainham village.
- 6.7.3 The street design has been undertaken in accordance with Manual for Streets. They have also been designed with good pedestrian provision, minimum carriageway widths whilst adhering to London Cycling Design Guidance. All highways identified for adoption would be subject to S38 Agreement with the specification and works being overseen by the Council's Streetcare Highways team and all junctions with the A1306 would be subject to S278 Agreements and similarly monitored.
- 6.7.4 The junction designs have been subject to design amendments following LBH comments and the arrangements as shown are now of acceptable design. However, the access to Station Way is unlikely to be capable of functioning for all manoeuvres with the A1306 in its current configuration such that right turns out would not be possible.
- 6.7.5 The bus loop indicated on Station Way would require land that is currently used as a scrapyard to the east which the Council are actively attempting to bring into the equation. It would also require land from the site of 90 New Road (the Somerfield site) and pre-application discussions are currently ongoing in relation to a fresh application for that site based upon the inclusion of that land.
- 6.7.6 The Council and TfL's preference in the long term would be for the main access junction to be located to the east of its current proposed position such that a four way traffic light controlled junction with Askwith Road could

be provided. This is a long term aspiration and involves land outside the applicant's control. Nevertheless, agreement to work towards these ends and to contribute towards its construction should the land come forward in a reasonable timeframe is being negotiated as part of the S106.

#### Public Transport

- 6.7.7 A new railway station (Beam Park Station) on the C2C (London Fenchurch Street – Tilbury Southend line) is proposed in Phase 1 of the development. The station building (ticket office, public and staff facilities) will be delivered as part of the proposed development with Network Rail delivering the rail elements such as platforms in parallel. The station is proposed to open in 2020.
- 6.7.8 TfL have advised that their modelling indicates that 6 of the main local bus routes which would serve the new development would be operating over capacity as a result of the increased demand from the proposed development. The bus network will evolve with the road network as each phase is built out, and would be continuously monitored and reviewed by TfL as part of their ongoing bus network planning process.
- 6.7.9 In order to facilitate improvements to bus capacity the S106 legal agreement would provide for a phased sum to be provided to enable the bus services to respond to the growing demand.
- 6.7.10 New developments start to be occupied well before the road infrastructure is complete or finished to a final wearing course. It is not normal for bus services to commence until such time as any road it is due to use has been finished. Accordingly, In the early stages of the development buses would continue to stop on New Road which is still well within easy walking distance of the new station and would be acceptable to TfL. As the scheme progresses and as and when other land become available it would be the aim for the bus loop to be built out which would provide bus stops close to the new station and a bus stand which TfL have identified as needed.

#### Car Parking

- 6.7.11 The application makes provision for 1525 residential car parking spaces across the whole development which equates to an overall car parking ratio of 0.53 spaces per residential unit. Within Havering the overall ratio is lower at 0.44 spaces per unit reflecting the proximity to the new rail station and consequent higher predicted PTAL levels. Within Havering the ratio of parking also varies from east to west, being at its lowest within the Beam Park Centre area of the site where Blocks K and L providing 246 residential units would be provided with 62 private parking spaces, a ratio of 0.25 spaces per unit, whilst the parking ratio within the Havering element of Phase 2 would provide 0.57 spaces per unit. Parking for housing would vary between 1 and 2 spaces per dwelling across Phases 1 and 2 within Havering with an overall provision at 1.12 spaces per unit either as on plot

parking or managed private (residents permit spaces). There would in addition be a further 42 visitor spaces within or adjacent to the housing areas. The Apartment Blocks to the west of Marsh Way within the Beam Park Living area of the site would be provided with predominantly private managed car parking areas with parking ratios overall of 0.33 spaces per dwelling. In addition a further 60 visitor spaces would be available.

6.7.12 In Policy terms these levels of car parking would be compliant with all applicable car parking standards which are universally expressed as maximum standards, but it would be less than the maximum as expressed in the RBPPF, London Plan and LDF. The RBPPF accepts that a lower car parking provision is to be expected within the Beam Park centre itself in order to accommodate the higher densities needed to support the vitality of the centre. Where there is less than one space per unit DC2 requires that restrictions are placed on occupiers of flatted development so that they are ineligible for resident parking permits. This would be reflected in the S106 legal agreement.

6.7.13 The level of visitor parking proposed would exceed the minimum level of 10% expressed by the RBPPF and a total of 109 accessible spaces would be provided within Havering which would exceed the London Plan standard. Active and passive electric vehicle charging points will be provided in accordance with London Plan standards. Conditions can be imposed securing this in the event Members are minded to grant planning permission.

6.7.14 Parking for the schools will be determined when each site comes forward for reserved matters consent, but this will be contained entirely within the allocated area for each school.

6.7.15 To cater for those residents that would need the occasional use of a car it is proposed to provide 10 car club spaces throughout the development with a minimum of 2 spaces in Havering. The developers would be responsible for bringing a Car Club provider on board and the S106 legal agreement would provide funding for residents first year of membership.

6.7.16 In order to ensure the control of car parking on site and within the residential area to the north of the A1306 provision is made within the S106 to secure appropriate funding to fund the introduction of Controlled Parking Zones. This would also provide funding to offset the cost of permits for existing residents. As there is less than one space per unit DC2 requires that restrictions are placed on occupiers of the development so that they are ineligible for resident parking permits. This would apply to the CPZ on the northern side of the A1306 and would be reflected in the S106.

6.7.17 In view of the improved accessibility resulting from the development of the new station and improved bus services, together with the measures described above, staff consider the level of parking provision proposed is acceptable and in accordance with all relevant standards.

Walking and Cycling

6.7.18 The masterplan demonstrates a strong emphasis on sustainable modes of transport. The development seeks to provide high quality pedestrian and cycling infrastructure with a network of routes and a high degree of permeability. The site's highway network will be designed to London Cycling Design Standards and will allow for future connections to both east and west. The Section 106 legal agreement includes a requirement for a site wide 20 mph zone. Green links along the linear park and to the south along the flood embankment would meet the objectives of both the OAPF and RBPPF to improve linkages. This connectivity would help to further encourage a reduction in car usage in accordance with NPPF and development plan policies.

6.8 Housing

6.8.1 Policy DC6 of the LDF and Policies 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals and Policy DC2 has the objective of delivering 50% of new homes across the Borough as affordable which is reiterated in the RBPPF. The Mayor of London Supplementary Planning Guidance "Homes for Londoners" (2017) sets out that where developments propose 35% or more of the development to be affordable at an agreed tenure split, then the viability of the development need not be tested, this is known as the "Fast Track Route". However, where the land is in public ownership the SPG recognises that a greater contribution to affordable housing should be made and proposals should deliver 50% affordable housing in order to qualify for the "Fast Track Route".

6.8.2 As submitted the application proposed 35% affordable housing. However, the Mayor's SPG had been adopted by the time the application was referred to him and as a result the application has been amended in order to achieve the 50% affordable housing requirement as the site is publicly owned.

6.8.3 Across both phases of the Havering part of the development 733 units would be delivered providing a range of accommodation from studio apartments to 4 bedroom houses. The breakdown of unit size, typology and location is shown in the following table (Figures for Phase 2 are indicative)

Phase	Unit Type	Unit size				Location (RBPPF definitions)	
		1 bed	2 bed	3 bed	4 bed	Beam Park Centre	Park View Living
1	Apartment	194	239	39		246	226
	House			34	30		64
2	Apartment	37	76	11			124
	House		8	35	30		73
Total		231	323	119	60		

- 6.8.4 The RBPPF identified that the appropriate housing mix for Beam Park Centre should comprise apartments above commercial uses whilst the Park View Living area should include 25% 3 storey houses. As can be seen from the above table the proposal gives a close match to the suggested mix with the % houses within the Beam Park View area actually exceeding the figure proposed in the RBPPF.
- 6.8.5 The affordable housing component would comprise 285 apartments in Phase 1 (101 no. 1 bed, 161 no. 2 bed and 23 no. 3 bed) and in Phase 2 it is currently indicated as 79 apartments and 16 houses (9 no. 1 bed, 59 no. 2 bed and 11 no. 3 bed apartments plus 12 no. 3 bed and 4 no. 4 bed houses).
- 6.8.6 The tenure split of the affordable housing is proposed as 81% intermediate housing and 19% affordable rent. The precise mix of the intermediate housing is not yet fully established as there would be a degree of flexibility on the part of the Affordable Housing provider. However, it would include a high percentage of shared ownership together with elements of London Living Rent (a new type of rent to buy product for middle income earners).
- 6.8.7 Policy 3.8 of the London Plan identifies potential for the Private Rented Sector (PRS) to help deliver new residential development as part of town centre intensification initiatives in areas benefiting from good transport connectivity. For Members information, the term PRS is a sector of residential development built exclusively for private rental purposes (as opposed to the more traditional build for sale) and is generally financed by large institutions (such as pension funds seeking long term investments) who typically hold and manage the development for periods of between 15-20 years. Following this, the development may then be sold on the open market. Typically, the PRS market targets economically active young professionals.
- 6.8.8 The proposed development may include some PRS units although it is not definite. The introduction of PRS units (along with other types of tenures such as shared ownership, intermediate rent and starter homes) would however be consistent with the Council's strategic objective to provide a

greater mix and balance of housing products. Therefore the Section 106 legal agreement will include clauses to ensure that the provider of any PRS units commit to prioritising residents who live and or work in the Borough when marketing and identifying suitable tenants together with housing management clauses.

- 6.8.9 Whilst the proposed mix may not be entirely in line with the immediate wider housing needs of Havering, which would favour a higher proportion of rented units, Staff are satisfied that the quantum and variety of tenure of the proposal is appropriate for this location, in accordance with policy and that it will ensure the delivery of a properly mixed and balanced community.

## 6.9 Education

- 6.9.1 In accordance with para 72 of the NPPF, great weight should be attached to the need to create, expand or alter schools in order to ensure that sufficient choice of school places is available to meet the needs of existing and new development. London Plan Policy 3.18 and LDF Policy DC28 also support proposals to enhance the provision of educational facilities.

- 6.9.2 In terms of education provision, the overall application makes provision for 2 three form primary school sites (including nursery provision), one in each borough. Within Havering provision is made for a 0.8 ha site for a new three form entry primary school within Phase 1 to the west of Marsh Way and a children's nursery. The nursery would be provided on the ground floor of Block X whilst the applicants intention would be for the school site to be serviced up to its boundary with the site being provided at no cost.

- 6.9.3 All Local Authorities 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. In this instance Havering would work with an identified School provider to bring the school forward using funds secured by the provider from the Education and Skills Funding Agency. Negotiations on this front are already well advanced and the terms of the transfer would be agreed through the S106 legal agreement and is likely to be the freehold interest of the site to the Council. The school would be promoted through a reserved matters planning application. The S106 legal agreement will include the requirement that the sports facilities which includes sports pitches and a MUGA, are made available to the community outside school hours.

- 6.9.4 The provision of Secondary and 16+ Education places would be secured by a financial contribution based upon the predicted child yield arising from the development multiplied by the cost of the provision per place. This is calculated at £1,779,852.

## 6.10 Healthcare

6.10.1 The application is accompanied with a Health Statement which identifies the number of health care facilities and GP's within the locality. The Environmental Statement submitted with the application estimates that the proposed development could generate in the region of 4318 additional residents overall. Accordingly, the application makes provision for a 1500 sq.m healthcare facility to be located over two floors of the New Road frontage element of Block K within Beam Park Centre.

6.10.2 The floorspace of the healthcare facility was increased from 750sqm in response to feedback from the local Clinical Commissioning Group (CCG). The facility will enable the CCG to co-locate a range of health and social care services within one building to tackle the multiple needs of households in a joined-up way. The facility will comprise multi-disciplinary teams that will collaborate closely with the voluntary and community sector and others to help deliver early intervention and preventative support. The CCG have confirmed the size of the facility is now acceptable and have entered into agreement with the applicant to run health care services from the new facility. Matters regarding the length of the lease, fit out details and service charges will be secured through the Section 106 legal agreement.

6.11 Community facilities

6.11.1 In terms of community facilities, the application includes a multi faith place of worship/community hall on the LBBD side. Following discussions with LBBD, the applicant has increased the size of the building from 600 sq.m to a minimum of 800 sq.m up to a maximum of 1200 sq.m (subject to there being no detailed design constraints).

6.11.2 In Havering it is indicated that the ground floor of Blocks K or L forming the commercial hub could provide a 260sqm community facility subject to demand and uptake, matters which would be dealt with on a commercial basis.

6.12 Recreation and Sport

6.12.1 In terms of access to formal sports facilities, aside from a private gym incorporating a two lane swimming pool on the LBBD side, the proposed development relies heavily on the dual use of the playing/sports facilities associated with the two primary schools which will be made available to the community outside of school hours. Given the lack of other more readily available formal sports facilities on site, this is likely to give rise to extra pressure on existing Council formal sports facilities within the borough.

6.12.2 Whilst the dual use of facilities is encouraged by Policy DC20 the Council's Health and Wellbeing Manager has identified that a financial contribution towards the provision of a full sized 3G pitch within easy travelling distance from the site would be the top priority for Section 106 funding. Members



may be aware that Cabinet approved a Playing Pitch Strategy and Action Plan as part of the proposed Submission Havering Local Plan in July 2017.

- 6.12.3 In view of this the applicant has agreed to make a financial contribution towards this preferred provision on a pro rata basis to the level of provision agreed towards facilities in LBBD. In combination with the dual use of the primary school sports facilities on site, the financial contribution will mitigate the impact of the development on existing sports facilities, address the requirements of the Playing Pitch Strategy and is considered to satisfy the concerns raised by Sport England.

6.13 Sustainability, energy efficiency and climate change mitigation

- 6.13.1 London Plan Policies 5.1 (climate change and energy assessments), 5.2 (carbon dioxide emissions savings), 5.3 (sustainable design and construction), 5.5 and 5.6 (decentralised energy), 5.7 (renewable energy) and 5.9 (overheating and cooling) along with Policy CP15 of the Core Strategy and Policies DC49 and DC50 of the Development Control Policies DPD requires all major and strategic developments to meet a high standard of sustainable design and construction. Most recently, Policy 5.2 of the London Plan requires residential buildings to be zero carbon and non-residential buildings to make a 35% saving in carbon dioxide emissions below current (2013) Part L Building Regulations.

- 6.13.2 The application has been accompanied by both an energy strategy and sustainability statement. The energy strategy demonstrates that a 35% reduction in carbon dioxide emissions (below current (2013) Part L Building Regulations) will be met on site through a combination of:

- 1) Passive design measures such as orientation of dwellings for solar gain which will also combat overheating, for example, the balconies on the apartment blocks will provide shading during the summer;
- 2) Energy efficiency measures through enhanced building fabric (such as high performance glazing and insulation, improved U values (to improve air tightness and minimise heat loss) and efficient lights and appliances;
- 3) Supplying energy efficiently through two combined heat and power plants (CHP) to provide hot water and heating throughout the year. Back up gas boilers would be provided to meet peak heating loads and provide backup in the event of CHP downtime or during maintenance. The CHP plants would be housed in two energy centres on site (one in each borough) with all connecting pipework buried below ground and;
- 4) Through the use of Photo Voltaic (PV) panels to generate renewable electricity. The energy strategy estimates that approximately 11,000 sq.m of roof space would be needed to accommodate the amount of

PV panels necessary to achieve the on site 35% in carbon dioxide emissions. An assessment of available roof space indicates there is around 20,000 sq.m of suitable roof space.

6.13.3 The energy strategy concludes that these measures in combination would provide a 35% saving in carbon dioxide emissions on site. The residual 65% (for the residential element to be considered zero carbon) would be achieved via a financial contribution for off-site projects. The energy strategy indicates that the remaining carbon dioxide emissions would be in the order of 2457 tonnes. The Mayor of London has a formula for calculating the financial contribution for the carbon offset levy which is broadly equivalent to £1800 per tonne (multiplied by the remaining carbon dioxide emissions) which would equate to a total contribution of £4,423,000, although this would likely be reduced following further detailed design of the development. This contribution would be split proportionately between both boroughs.

6.13.4 The sustainability statement advises that the key sustainability objectives for the development revolve around promoting sustainable communities, health and wellbeing, energy, water, waste, materials, travel, climate change adaptation and ecology and biodiversity. These objectives will underpin the detailed design, construction and operational stages of the development. In addition, the non-residential component will be designed to achieve a minimum Building Research Establishment Environmental Assessment Method (BREEAM) 'Very Good' rating. The application is accompanied with an indicative pre-assessment which demonstrates that this is achievable.

6.13.5 In light of the above, it is considered that the energy strategy and sustainability statement together with the BREEAM 'Very Good' targets are acceptable and demonstrate that the development is designed to encourage consideration of environmental, social and economic sustainability issues at an early stage in the development process. The development has applied the principles of using less energy and using energy efficiently and therefore accords with London Plan Policies 5.1 (climate change and energy assessments), 5.2 (carbon dioxide emissions savings), 5.3 (sustainable design and construction), 5.5 and 5.6 (decentralised energy), 5.7 (renewable energy) and 5.9 (overheating and cooling), Policy CP15 of the Core Strategy and Policies DC49 and DC50 of the Development Control Policies DPD

#### 6.14 Flood risk and sustainable drainage

6.14.1 The site lies within Flood Zone 3 and is at risk from fluvial flooding from the River Beam and tidal flooding from the River Thames. Flood Zone 3 is the most vulnerable and residential development is only appropriate subject to passing two tests in accordance with the guidance in the NPPF and NPPG known as the sequential and exception tests. The aim of the sequential

test is to steer new residential development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding; the Exception Test can be applied if appropriate.

- 6.14.2 The housing site allocations in the Site Specific allocations DPD adopted in 2008 were made to meet Havering's housing needs at that time and included sites situated within lower flood risk zones. These have already been developed or have planning permission. Therefore, there are no sequentially preferable sites that have been identified as suitable for housing that could accommodate the proposed development that are currently available and that would enable Havering to meet its housing needs. There are additional sites being considered as part of the Havering Local Plan preparation, including those identified with the Rainham and Romford Housing Zones, however, these have yet to go through detailed assessment, including sequential testing.
- 6.14.3 As there are no sequentially preferable sites available, the exception test needs to be applied. For this to be passed;
- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
  - a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 6.14.4 In relation to point one of the Exception Test, the proposed development is located on a brownfield site where all key policies identify as the priority sites for redevelopment in order to achieve a range of economic, social and environmental objectives. In the case of this development it will deliver on the sustainability front by the co-location of much needed housing, education, and recreational areas together with transport improvements necessary to service them.
- 6.14.5 A site specific Flood Risk Assessment was submitted as part of the application in connection with the preparation of the ES. Flood risk is the probability of flooding and the consequences of flooding. Hence "managing flood risk" involves managing either the probability of flooding, or the consequences of flooding, or both.
- 6.14.6 To reduce any impacts from the development and help alleviate any flooding from third parties a drainage strategy is proposed which incorporates multiple storage basins and SuDs techniques. Landscaped

flood management storage basins and swale networks either side of the River Beam have been designed to work as a single flood storage system. The minimum required finished floor levels of the buildings and bund levels have been defined and placed above the maximum flood levels across the site. The swale network is also intended to cope with surface water runoff and has been designed to limiting this to a greenfield rate

6.14.7 Proposed SuDs include green roofs on all flat roofs, permeable pavements and surfaces, swales and a small detention basin. Infiltration, permanent water features and soakaways are not suitable for the site owing to the potential risk from downward migration of contamination.

6.14.8 The Environment Agency have confirmed that subject to the Sequential Test being passed and the Exceptions Tests being satisfied that the FRA satisfactorily demonstrates that the proposed development will remain safe and free from internal flooding up to and beyond fluvial flood event scenario of 1% annual probability, plus allowance for climate change adequate for the Thames catchment basin. It also confirms that the FRA makes an accurate assessment of the tidal flood risk on site. LBH Flood Engineer has also confirmed that he is satisfied that the development is acceptable. ON this basis staff are satisfied that the development would comply with Policy DC48 as well as other relevant policy and guidance on flood risk and sustainable drainage.

6.15 Contamination and ground conditions

6.15.1 An assessment of ground conditions has been submitted with the planning application as part of the Environment Statement. This considers the potential impact from contamination both for workers during construction and on future occupiers of the development.

6.15.2 As part of the development it is proposed that hotspots of contamination will be removed reducing the potential effect on human health from contamination to a point where it is negligible. Staff are satisfied that all potential risks from contamination, ground gas and the creation of pathways for the downward migration of contamination as a result of piling, can be adequately safeguarded by appropriate conditions as recommended by the Council's Environmental Health and Protection Team and the Environment Agency. The proposals are therefore considered to comply with Policy DC53 of the LDF and Policy 5.21 of the London Plan.

6.16 Noise and Vibration

6.16.1 Chapter 11 of the Environmental Statement explains that an environmental sound survey has been undertaken to establish the current sound climate of the application site. This demonstrated that the highest noise levels occur alongside Marsh Way and the railway. The potential change in noise levels arising from the development which would be predominantly road

noise, has also been assessed. The results show that the increase in noise levels is likely to be negligible.

- 6.16.2 Vibration monitoring was also carried out to determine the vibration levels associated with train movements on the railway line to the south of the site. Based upon the measured values and British Standard guidance it is concluded that the vibration levels on site are well below the level at which there is likely to be any adverse impact.
- 6.16.3 During the construction phase there are potential noise impacts on nearby residential receptors. The Construction Environmental Management Plan will help to minimise this impact but cannot eliminate noise generation. The overall impact of noise and vibration during the construction phase is assessed at worst as temporary minor adverse.
- 6.16.4 Staff are satisfied that subject to appropriate conditions to monitor noise and vibration during construction; to ensure that suitable mitigation is employed to ensure that internal noise standards are met; and to set appropriate noise limits for the uses proposed, that the proposal is acceptable in noise and vibration terms and would be in accordance with Policy DC55 of the LDF and other applicable policies and guidance.

6.17 Hazardous Installations

- 6.17.1 There are a number of high pressure gas pipelines running through the site which are identified by the HSE as hazardous installations, these are the Horndon to Barking pipeline which runs to the south of the southern boundary and serves Barking power station. Within the site the Mardyke to Dagenham pipeline also follows the railway corridor to the south of the site, but then turns to run parallel to the River Beam, also feeding a pressure reduction station located to the east of the River Beam. The third pipeline is the Romford to Baker Street Pipeline which runs parallel to the rail line close to the southern boundary to the east of Marsh Way, then turning 90° north to align with the western side of Marsh Way before turning 90° west to follow the southern side of New Road up to the River Beam from where it turns 90° north to flow the same route along the River Beam as the Mardyke to Dagenham pipeline.
- 6.17.2 Other features of note are the gas pressure reducing station mentioned above and a Thames Water main sewer which follows a similar route to the Romford to Baker Street Pipeline.
- 6.17.3 The scheme has been designed to avoid and keep clear of all of these features including the inner and middle protection zones for the pipelines and any easements that apply. All work close to the pipelines and sewer will be required to follow the applicable National Grid/Cadent/Thames Water guidelines for safe working practice and specifications for landscaping, planting and species will be similarly controlled. The gas

pressure reduction station will be located within the Beam Park open space adjacent to the River and would be securely fenced as at present.

- 6.17.4 Neither the HSE of Thames Water raise objections and it is considered that the scheme responds appropriately to the presence of these known hazards.

## **7 Consideration of Environmental Impact Assessment**

- 7.1 The application constitutes Environmental Impact Assessment (EIA) development given the size of the development proposal. The application has therefore been accompanied with an Environmental Statement (ES) which assesses the impact of 1) socio economic (the impact of the construction phase in terms of economic and employment opportunities, housing, education, health, open spaces and community facilities); 2) ground conditions; 3) hydrology and the water environment; 4) transport and access; 5) air quality; 6) noise and vibration; 7) archaeology and cultural heritage; 8) townscape and visual; 9) ecology; 10) impact interactions and 11) operational effects. An update to the Environmental Statement (an ES Addendum) was submitted in November 2017 this essentially was an update to the ES following the results of strategic transport modelling of the wider highway network which had not been completed at the time the application was originally submitted. The ES Addendum considered the impact of the strategic transport modelling on the relevant chapters of the ES, those being transport and access, air quality and noise and vibration.

- 7.2 The purpose of Environmental Impact Assessment (EIA) is to enable a full evaluation of the potential impacts of the proposed development upon the environment, looking at the scale and magnitude of those impacts both during and post construction, how likely they are to occur and how wide an area they could be predicted to affect. Potential mitigation for any such impacts is also assessed. It is a requirement that the decision maker properly considers the range of impacts which might occur and that this is acknowledged in its decision.

- 7.3 Several of the areas covered in the ES have already been dealt with in previous sections of the report where they have been informed by the impacts identified therein. A brief summary of the impacts for those areas which have not been addressed include the following.

### **7.4 *Socio Economic***

- 7.4.1 In terms of employment, there are benefits associated with the construction and operational phase. Once the development is complete, up to 141 net new local jobs are anticipated. The overall impact is assessed as minor beneficial.

7.4.2 In terms of housing, the provision of a proportion of affordable housing will help to reduce the barriers to housing which was identified as a pressure in the local area in terms of need and affordability. A new resident population will contribute to the local economy through their spending along with Council Tax revenues. The overall impact is assessed as major beneficial.

7.4.3 In terms of the impact of the new population of services and facilities, this will increase demand for new school places, GPs, dentists and on current open space provision. However, this is qualified through mitigation measures including the provision of new schools, healthcare facilities and open space. These will be secured through the Section 106 legal agreement. The overall impact ranges from negligible to minor beneficial.

#### **7.5 *Air Quality***

7.5.1 During the construction phase there are potential dust impacts on nearby residential receptors. The CEMP will help to minimise this impact but cannot eliminate dust generation. The overall impact of dust during the construction phase is assessed at worst as temporary minor adverse.

7.5.2 Once the development is complete, air quality levels would remain at acceptable limits although it is noted that both boroughs are within Air Quality Management Areas. The air quality effects of road traffic generated by the proposed development are not considered significant and the overall impact is assessed as neutral.

7.5.3 The ES Addendum on noise and vibration has concluded that the revised highway modelling work has identified that noise levels from updated traffic flows are similar to the predicted change in noise levels presented within the original Environmental Statement. The ES Addendum concludes that the revised highway modelling work would not materially affect noise conditions for dwellings within the proposed development.

#### **7.6 *Archaeology and Cultural Heritage***

7.6.1 The archaeological survey work carried out has contributed to the understanding of the area. The application proposes further archaeological investigation and until this is completed, the overall impacts cannot be summarised fully. However, archaeological information gathered to date would indicate the overall impact to be no more than minor adverse.

#### **7.7 *Ecology***

7.7.1 The site supports low numbers of breeding birds and bat surveys have found that the River Beam is used in reasonable numbers by foraging and commuting bats. Loss of habitat during the construction phase is assessed as having a negligible impact.

- 7.7.2 Once the development is complete, a programme of habitat creation of a larger area and more diverse character would be provided adjacent to the River Beam which is assessed as a permanent minor beneficial impact. Furthermore, the development would provide green and brown roofs, bird and bat boxes together with habitat suitable for bats and bird species such as the Black Redstart. However, the development would result in some degree of habitat severance and light spill. The overall impact is assessed as ranging from minor adverse to minor beneficial.

## **7.8 Conclusions**

- 7.8.1 The Environmental Statement and ES Addendum highlight that temporary adverse impacts may be experienced by existing adjoining occupiers or early stage occupiers associated with the construction phase such as noise, air quality, traffic and visual impacts.
- 7.8.2 Operationally, the delivery of new homes, improvements in local transport infrastructure, increased local spending, new community facilities and improved habitat, landscape and townscape provide beneficial outcomes. The overall impact of the development is assessed as a mixture of temporary and permanent adverse and beneficial outcomes which are detailed more fully in the Environmental Statement and ES Addendum. It is however, the Officer view that there are no permanent significant adverse impacts arising from the proposed development that cannot be minimised through mitigation.

## **8. S106 Contributions**

- 8.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) 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.
- 8.2 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 8.2 of the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 8.3 The proposed development providing for up to 733 units within Havering will have significant implications for local community facilities. A number of elements of such are provided for by the development including the rail station, a site for a primary school and a 1,500 sqm healthcare development. However, the delivery of these and other aspects referred to in previous sections are considered necessary to make the development



acceptable. A Section 106 Legal Agreement to be agreed in conjunction with LBBB will therefore be required which in summary will deliver the following to London Borough of Havering:

- 50% affordable housing;
- The provision and lease of a healthcare facility of not less than 1,500 sqm GIA;
- The provision of a site for a new 3 form of entry Primary School;
- The availability of school playing facilities to the community outside of school hours;
- The provision and management of open space in perpetuity;
- The provision to shell and core of a new railway station at Beam Park;
- Local employment, goods and suppliers clauses;
- Undertakings to assist with the provision of a bus loop;
- The protection of a site for the provision of a vertical connection to Marsh Way;
- Financial contributions towards secondary education, bus capacity improvements, sport and recreation, Beam Parkway, air quality monitoring, controlled parking zones, car club provision, carbon offset and employment.
- A monitoring fee;
- Payment of legal and professional fees incurred in connection with the drafting and sealing of the S106 legal agreement.

**9. Mayor's Community Infrastructure Levy (CIL)**

- 9.1 Mayoral CIL would fall payable for all development within the scheme other than the new schools. The CIL liability for the part of Phase 2 within Havering would be determined at reserved matters stage.
- 9.2 The detailed elements of the proposed development within Phase 1 would give rise to a net increase of 54,133sqm of new gross internal floorspace for CIL purposes. At £20 per square metre the CIL liability would be £1,082,660

**10. Conclusions**

- 10.1 This is a hybrid application (part outline, part detailed) for the erection of 733 dwellings within the Havering part of the site comprising 137 houses and 596 apartments on land known as Beam Park. The development is considered to accord with the principles set out in Policy SSA11 of the Site Specific Allocations DPD, the Rainham and Beam Reach Planning Framework, the Mayor's London Riverside Opportunity Area Planning Framework and the London Plan.
- 10.2 The proposed development would significantly contribute to meeting the borough's housing targets, providing a range of new homes and tenures together with a new 3 form primary school, nursery, commercial space and

a health centre. The development would also provide public transport improvements comprising a new C2C station at Beam Park and enhanced bus services.

- 10.3 Staff consider that the proposal would set a high benchmark in design terms and provide a new local centre and the necessary facilities and open space to give the area an identity and quality which will be attractive to new residents. The scheme offers a high level of sustainability, and addresses all concerns in relation to flooding and contamination and would deliver substantial growth in an area which has long been identified for such purposes.
- 10.4 For the reasons set out above, the application is recommended for approval subject to no contrary resolution by the London Borough of Barking and Dagenham or contrary Direction from the Mayor of London and subject to the applicant entering into a Section 106 legal agreement to secure the above items and subject to the conditions set out in Appendix 1.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

A Section 106 planning obligation is required to make the application acceptable. The obligation will include the payment of the Council's legal expenses involved in drafting the obligation and monitoring fees.

### **Legal implications and risks:**

Legal resources will be required to prepare and complete the S106 planning obligation. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied that the contribution required is compliant with the statutory tests set out in the CIL Regulations relations to planning obligations.

### **Human Resources implications and risks:**

None

### **Equalities implications and risks:**

Policy DC62 of the Development Control Policies DPD and Policy 3.8 of the London Plan requires all new residential development to be easily adaptable for people with, or, who may develop disabilities. These policies have been updated by recent amendments to the Building Regulations Part M, however, the design and access statement submitted with the application captures the principles of

accessible and adaptable homes and confirms that the development would provide a fully inclusive internal and external environment

Whilst staff are satisfied that Phase 1 adequately addresses these matters, given the hybrid nature of the application, if Members are minded to grant planning permission, it is recommended that conditions are imposed requiring the applicant to submit an access strategy detailing what measures will be undertaken to ensure an accessible internal and external environment, together with conditions securing a proportion of wheelchair accessible and easily adaptable homes together details of blue badge parking.

Overall the Council's planning policies are implemented with regard to equality and diversity. *The Council's decision is made with due regard to the impact (positive and negative) of the proposals on members of the community who share a characteristic protected under the Equality Act 2010.*

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