



REGULATORY SERVICES COMMITTEE

17 November 2016

REPORT

Subject Heading:

P0922.15 - Dovers Corner industrial Estate, including the Rainham Trading Estate, New Road, Rainham

Demolition of existing structures and the phased redevelopment to provide 394 residential dwellings, car parking, bicycle parking, substation, public open space and pedestrian/cycle infrastructure, works and improvements (including de-culverting of Pooles Sewer, relocation of gas main, minor alterations to access from New Road and closure of existing secondary accesses, formation of emergency access onto Lamson Road and other associated works), at Dovers Corner Industrial Park, Rainham Trading Estate and Boomes Industrial Estate, Dovers Corner, New Road, Rainham

Ward: South Hornchurch

Application received: 03-07-2015

Revised Plans Received:
22-07-2016; 29-07-2016 & 28-10-2016

Addendum to Environmental Statement
Received: 04-05-2016

Lead officer

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Policy Context:

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Local Development Framework

Local Development Framework
The London Plan
National Planning Policy Framework
National Planning Policy Practice
Guidance
Rainham and Beam Park Planning
Framework

Financial summary:

None

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

Havering will be clean and its environment will be cared for [x]
People will be safe, in their homes and in the community [x]
Residents will be proud to live in Havering [x]

SUMMARY

This application was deferred at the 6th October 2016 meeting of the committee to give the applicant the opportunity to address the following:

- Clarification of possible health related infrastructure;
- Poor, bulky, cluttered visual impact arising from the extent of unarticulated, uniform approach towards design;
- Highway safety and pedestrian crossing implication related to single point access/egress;
- Insufficient onsite and on road parking provision which would encourage extensive competition between occupiers and visitors for spaces to the detriment of living conditions, amenity and safety. The maximum parking standard would be more suited to the site.

These matters are addressed in an update addendum to this report, which includes the formal recommendation. The proposals have been revised to include additional parking spaces and revisions to the design. The main report considers an application for the erection of 394 dwellings comprising 175 houses and 219 flats on land adjacent to Dovers Corner, Rainham.

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 SSA12 and in the recently 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 flood risk, ground contamination, scale, design and layout, affordable housing and viability, parking and highways, ecology, air quality and odour, 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.

The application 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 the main report. The application must be referred back to the Mayor once the committee has made its draft decision.

Staff consider that the proposals are acceptable in all material respects and that planning permission should be granted subject to no contrary direction from the Mayor of London, the prior completion of a S106 planning obligation and planning conditions.

RECOMMENDATIONS

1. 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 and that the applicable fee would be £388,440 (subject to indexation). This is based on the creation of 31,105 square metres of new gross internal floorspace with an allowance for the existing floorspace in lawful use of 14,183 square metres which is to be demolished. Any affordable housing would be exempt from payment; therefore, the final figure may be reduced.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
 - A financial contribution totalling £1,782,000 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 policy 8.2 of the London Plan.
 - A financial contribution not exceeding £1,500,000 for the improvement of cycle and walking accessibility in accordance with policies DC34, DC35 and DC72 of the LDF Core Strategy and Development Control Policies DPD, Policy SSA12 of the Site Specific Allocations DPD and the Rainham and Beam Park Planning Framework comprising:

- Pedestrian and cycle access across Rainham Creek linking the site with Bridge Road and Rainham village centre (contribution £700,000). Details to include a provision for the developer to provide the crossing in lieu of payment to an agreed specification and agreed timetable (subject to necessary access being granted);
- Pedestrian and cycle access to the west across the Havering New Sewer linking the site with adjoining land to facilitate a link westwards to Beam Gardens and Beam Park station (contribution £300,000) Details to include provision for developer to provide the crossing in lieu of payment to an agreed specification and agreed timetable (subject to necessary access being granted);
- To provide a contribution to improved cycle and pedestrian links along the A1306 corridor to create a linear park including landscaping and asset replacement and access improvements along Rainham Creek (contribution £500,000).
- Providing for affordable units as follows:
 - The GLA has provisionally allocated £4,440,000 of Housing Zone funding to be used on the site to deliver affordable housing. The affordable housing grant is available to be claimed by a Registered Provider to fund the delivery of affordable housing. Based upon a 50:50 split between affordable rent and shared ownership this will deliver 51 affordable units as follows:
 - 10 no. 2B Apartments (Affordable Rent)
 - 13 no. 3B 3ST Houses (Affordable Rent)
 - 3 no. 4B 3ST Houses (Affordable Rent)
 - 5 no. 2B Apartment (Shared Ownership)
 - 16 no. 3B 3ST Houses (Shared Ownership)
 - 4 no. 4B 3ST Houses (Shared Ownership)
 - These units to be marketed to Registered Providers following the grant of planning permission.
 - Affordable housing review mechanism to be applied at agreed stage(s) of the development. 50% of any development surplus to be used to provide affordable housing (to be determined as to whether the clause should include delivery on site and/or by way of a financial contribution).
- Relocation of bus stop on A1306;
- Provision of travel packs to new residents;
- Restrictions of applications for resident parking permits in Rainham area;

- Local recruitment and training strategy;
- A public access agreement for all cycle-pedestrian routes and certain roadways in the event of the routes and roads are not formally adopted;
- Management and maintenance of SuDs, open space and non-adopted roads;
- 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.

Subject to there being no contrary direction from the Mayor of London, that the Assistant Director of Regulatory Services be authorised to enter into a planning obligation to secure the above and upon completion of that obligation, grant planning permission subject to the conditions summarised below and listed in full in Appendix A to this report.

1. Time Limit
2. Accordance with plans
3. Accordance with Environmental Statement and mitigation measures
4. Phasing
5. Condition discharge plan
6. Materials
7. Hard and Soft Landscaping
8. Gas pipeline relocation
9. Gas Pipeline details
10. De-culverting works to Pooles Sewer
11. Car parking
12. Electrical charging points
13. Energy efficiency
14. Air quality
15. Land Contamination (1)
16. Land contamination (2)
17. Land contamination (3)
18. Refuse and recycling
19. Cycle storage
20. External lighting
21. No additional flank windows
22. Removal of permitted development rights
23. Boundary treatment

24. Landscape management plan
25. Non-road mobile plant and machinery
26. Secured by design
27. Hours of construction
28. Vehicle cleansing
29. Construction and demolition environmental management
30. Noise insulation
31. Wheelchair accessibility
32. Details of emergency access
33. Details of cycleway and footpaths
34. Visibility splays
35. Highway agreements
36. Fire hydrants
37. Archaeological investigation
38. Foundation design and method statement
39. Water efficiency
40. Ecological survey prior to de-culverting works
41. Habitat creation
42. Car Parking Management plan
43. Access details

Informatives listed in appendix A

REPORT DETAIL

Update

This application was deferred at the 6th October meeting of the committee to give the applicant the opportunity to address the following:

- Clarification of possible health related infrastructure;
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- Highway safety and pedestrian crossing implication related to single point access/egress;
- Insufficient onsite and on road parking provision which would encourage extensive competition between occupiers and visitors for spaces to the detriment of living conditions, amenity and safety. The maximum parking standard would be more suited to the site.

Consideration of the application had previously been deferred from the 25th August committee to allow clarification of matters relating to affordable housing and to address specific member queries. The previous report also updated members on issues relating to the advice from the Health and Safety Executive on gas pipelines in the vicinity of the site. The report as previously considered

by the committee has been updated to include these matters and reflect the changes to parking spaces set out below.

Health Related Infrastructure

The Rainham and Beam Reach Planning Framework sets out how appropriate infrastructure, including health services would be provided to support the new development within the housing zone. It proposes that new health facilities are provided at Beam Park Centre. The scale of facilities required is not quantified in the Framework and this will be determined through discussions with the NHS and Clinical Commissioning Groups. These discussions have now commenced and will consider the healthcare needs throughout the housing zone. This will establish the demand and appropriate level of provision for the area. A new health centre would be accommodated on the ground floor of a mixed-use building within Beam Park and the provision of a facility will be a developer requirement for this part of the housing zone. The funding will also come from Community Infrastructure Levy (CIL) and planning obligations from other development within the housing zone. The final details of securing funding have yet to be determined and currently all S106 contributions are directed towards providing improved education facilities, including new school places. This is a need that is also identified within the Framework. A contribution of £1,782,000 has been negotiated for new community infrastructure in this case, but solely for education purposes. The development itself is not of a scale that would justify new health facilities on site.

Design

The applicant has considered the matters raised by the committee in relation to design, especially along the central north-south road where members were particularly concerned. The design of the housing within this part of the scheme has been revised to provide more variety with a greater range of building height and less uniform house designs. There would also be greater variety of materials. This provides a much less symmetrical street layout and greater visual interest which would improve the appearance and character of this part of the development. Staff consider that this is a significant improvement which compliments the variety in design which is more evident in other parts of the development.

Access

A review of the access details has been undertaken by the applicant's highway consultant that considers the issue of the single access, in particular capacity and the ability to make right turns. The application proposes a single point of access from New Road and the existing primary site access junction on New Road would be modified to serve the new development and the existing ghost right turn into the site would be retained. The proposed development is expected to only result in a modest net increase in traffic movements compared with the existing situation. The traffic assessment demonstrates that the single point of access would operate well within its capacity. This includes an assessment of waiting times and queuing in respect of right turns out of the site.

The assessment concluded that the development would result in minimal queuing and have negligible impact on the local highway network. There have been no objections from the highway authority (Streetcare) to the access arrangements.

The proposed access arrangements are similar to the arrangement approved for the Weston Homes scheme granted by the Secretary of State in 2011. This scheme was for 729 dwellings and 8,780m² of commercial floorspace. This would have generated significantly more traffic than the current proposal.

During the planning process consideration was given to the possibility of having a second access point to the development from Lamson Road. However, this was discounted mainly for highway reasons given the difference in height between the site and the existing carriageway and the road configuration close to the underpass beneath the two railway lines. There would also have been a need to introduce traffic management measures to prevent vehicles taking a short-cut through the site. As a result this access point would only be for emergency vehicles.

The current access proposals were revised in August to provide a tighter access geometry and a more inset crossing point which improves the position with regard to cyclists and pedestrians. Final approval of the access design would need to be agreed by the highway authority (Streetcare) by way of a condition in light of the emerging works for New Road as set out in the Planning Framework.

Parking

The committee expressed concerns about the level of car parking proposed which it considered should reflect Havering's out London location and should be closer to the maximum level set in the London Plan. There was concern that the lack of sufficient parking could lead to parking being displaced on to local roads where there are already parking pressures.

The situation with regard to the application site is that on-site parking would be managed and enforced through a site management company. Future residents would be informed of the parking provision they would be entitled to use and the on-site parking controls. This would be communicated through purchase or tenancy details. These controls are also intended to control parking by those who don't live on the site. There would be a resident parking scheme with those who do not have in-curtilage parking being required to display a valid permit. There would also be a permit system for visitors. The estate roads and parking area would include signage at the site entrance and at regular intervals within the site.

With regard to site provision, it is relevant to note that for the 2011 appeal decision, for a much larger number of units the Inspector found that parking displacement would be unlikely to occur given the significant distances to nearby residential streets.

The applicant has reassessed the parking provision and has identified where further provision could be made to address the committee's concerns. The Rainham and Beam Park Planning Framework sets the following maximum standards in line with the London Plan:

- 0.5 space per 1-bedroom unit;
- 1 space per 2-bedroom unit;
- 1.5 spaces per 3+ bedroom unit; and
- 2 spaces per 4+ bedroom unit.

It also states that a target of a minimum of 10% visitor spaces should be sought. It is now proposed to increase the number of spaces by 38, including four additional visitor spaces. The other 34 spaces would serve the three-bed homes. The residential mix has been altered to reduce the number of four-bed properties from 25 to 5, thereby increasing the number of three-bed homes by 20. The revised car parking layout would provide 453 spaces, which compares to the maximum London Plan standard of 467 based upon the revised mix. However, this does not include any provision for visitor spaces. The proposal is for 25 visitor spaces and 428 resident spaces. Staff consider that this level of provision would be acceptable when considered against the maximum standards. The parking levels would be 92% of the London Plan maximum.

1. **Site Description**

- 1.1 The application site lies to the south west of the Dovers Corner roundabout on the A1306 (New Road), approximately 250 metres from Rainham village centre. The site, which amounts to 5.85 hectares, lies to the north of the C2C and High Speed 1 railway lines, with Rainham Creek to the east and a drainage ditch, known as Pooles Sewer to the west. The main access is on to New Road, with a secondary access onto Bridge Road. The site is lower than New Road, but generally level with a fall southwards towards the railway lines.
- 1.2 The site is currently occupied by a number of industrial estates which include a range of light industrial and commercial uses comprising B1, B2, B8 and sui generis use classes. The site is characterised by significant areas of hardstanding and a range of one and two storey industrial buildings, most of which are of poor quality. There are also areas of open storage, especially adjacent to the railway line.
- 1.3 The site is located within Flood Zone 3 and has a PTAL of 3. The site has been occupied for commercial and industrial uses for a number of years and as such is potentially contaminated.
- 1.4 To the south of the railway lines is the Rainham sewage works beyond which is the A13 and further industrial areas. To the west of the site is the new Passive Close development and Havering College, where new development is proposed.

1.5 The site lies within one of the 11 new Housing Zones announced by the Mayor of London in March 2016 to create new homes and neighbourhoods. Grant funding is available to boost London's housing supply, stimulate new buildings and deliver new low cost homes.

2. **Description of proposal**

2.1 The development proposed entails the demolition of all existing site buildings and the redevelopment of the site for residential purposes. This would comprise 219 flats and 175 houses giving 394 new units in total. The flats would be located in 10 blocks five each at the northern and southern ends of the site. All but one would be four-storey. A single five storey block would be located close to the Dovers Corner Roundabout adjacent to Bridge Road. The houses would be traditional two and three- storey. A local area of play would be provided in southern part of the site.

2.2 The site would have a single access point for vehicles from New Road which would connect to the main site road. This would run north-south through the site. The line of this road is determined by existing services, including main sewer and gas pipes, which forms the basis for the overall layout. This is further informed by an east-west cycleway/footpath that would link the development to adjoining sites and Rainham village via bridges across Rainham Creek to the east and the Pooles Sewer to the west. There would be further cycle/pedestrian linkages to New Road, Bridge Road and Lamson Road.

2.3 The layout would be in the form of a grid based upon these two connecting routes, with east-west road linkages. There would be houses facing onto Rainham Creek which have been designed to reflect the riverside setting and would have the general appearance of warehouse buildings typical of wharf side locations. These units would be three storey and in differing materials to the remainder of the development.

2.4 The flats on the northern boundary would have a frontage facing New Road and a new green corridor parallel to the road which would incorporate a new habitat based around the de-culverting of the Pooles/Havering Main Sewer. This habitat improvement would extend around the western boundary where the watercourse runs north-south. The development on this part of the site would face westwards across the water course.

2.5 The northern part of the site is currently crossed by a high pressure gas pipeline. In order to achieve the full development potential of the site this is to be relocated further to the north within the new green corridor This relocation would be undertaken prior to any development on the northern part of the site.

2.6 All the houses would have private amenity areas and parking spaces, which would include some on-street parking. 453 parking spaces are proposed including blue badge and visitor spaces plus cycle parking in accordance with the revised standards in the London Plan.

- 2.7 The development would comprise 254 two-bed units which would be mostly apartments; 135 three bed houses and 5 four-bed houses. All units would have internal floor space to meet the national described space standards. 175 of the dwellings would have the benefit of private rear gardens and most apartments would have private balconies of a minimum 5 square metres with ground floor units having individual garden areas. In addition there would be communal amenity areas, in particular the green corridor along the northern part of the site adjacent to the re-opened Pooles Sewer.
- 2.8 In terms of renewable energy the proposals include communal boilers with CHP to serve the apartments only with houses retaining individual boilers and solar voltaic panels.

3. Relevant History

- 3.1 U0002.08 - Demolition and mixed use redevelopment of 735 dwellings comprising 95 houses and 640 apartments, retail (A1-A4) and commercial floorspace (B1 & D1), car parking, public open space, de-culverting of Pooles Sewer, alterations to access to New Road, closure of accesses to New Road and Bridge Road, formation of emergency-only access to Lamson Road - approved on appeal.
- 3.2 The Secretary of State considered that the proposal complied with the relevant development plan policies and national guidance and that the scale of development, including storey height was justified. The Council had objected to the application on the grounds of poor design quality and relationship with its surroundings, heritage impact on the conservation area, highway safety and compliance with planning policy. The policy concern was that the development should be predominantly three-storey in accordance with SSA12, but the scheme included flatted blocks up to nine stories high.
- 3.3 The Council also objected on the grounds that the scale of development, in particular the storey height could materially impact on the character and appearance of the Rainham Conservation area, including listed buildings within it. The Inspector concluded that the proposal would not unacceptably affect the fabric or setting of any listed building and it would preserve the character and appearance of the conservation area. The Secretary of State agreed with these views and that the proposal would not materially compromise the value of the nearby non-designated heritage assets.

4. Consultations/Representations

- 4.1 There have been 111 letters of objection and six other representations.

Objections are raised as follows:

- Concerns over the impact on local population and infrastructure on matters such as health care and schools;
- Impact of traffic on A1306;
- Impact on local policing;

- Would have detrimental impact on existing residents due to impact on infrastructure;
- Impact on flooding;
- Impact on public transport – overcrowded trains;
- Overdevelopment of site which is not in keeping with local spacious character;
- Should be no more than 3-storey and high quality as site is the gateway to Rainham;
- Inadequate parking and only single access to the site;
- Not in keeping with existing historic village and conservation area;
- Too many apartments and are too high, not in keeping with the garden city idea in the framework;
- Does not take into account the Green Grid and transportation sections of the London Riverside OAF – no new off-road route with bridge link for commuters and cyclists; a route through Rainham would need to use the Broadway which is inadequate due to restricted width.
- Five storey landmark building more like Orchard village than Rainham

Comment on objections:

i) The recently adopted Rainham and Beam Park Planning Framework set out details of the scale of new development within the framework area, which is addressed in more detail later in the report. The framework proposes that four-storey units would be appropriate along New Road and that there is scope for taller buildings in certain locations. It is also relevant to have regard to the scale of the Weston Homes scheme which included buildings up to nine stories. The current proposals have one block above the four proposed in the framework. This is addressed in paragraphs 6.11 - 6.22 of this report.

ii) The development proposals are acceptable in principle and would help to deliver new housing in accordance with the London Riverside Opportunity Area Framework, which forms part of the London Plan and the Council's own planning framework referred to above. The development is sufficiently separate and visually isolated from Rainham Village so as to have no material impact. The nearest residential areas along New Road are of varied character with no consistent architectural style. This is addressed in paragraphs 6.23-6.24 of this report.

iii) The infrastructure impacts of the development are addressed through financial contributions for education and the Mayor's CIL which is for public transport, currently Cross-Rail. Transport for London is seeking a contribution towards the impacts on local bus services. The impact on local train services was not a major issue with the much larger Weston Homes' scheme and the current proposals would have less impact. Any improvement to services would be a matter for the service provider C2C.

iv) Proposals to de-culvert the Pooles Sewer and improve the capacity of the Havering New Sewer will address flooding issues and ensure that the site can be safely developed. This issue is addressed in paragraphs 6.34 – 6.48 of this report.

v) The Metropolitan Police have been consulted on the application and the design and layout has been amended to seek to minimise the risk of crime. A condition is proposed in relation to 'secured by design' matters. This is addressed in paragraph 6.55 of this report.

vi) Streetcare has raised no objections to the access. An emergency access is to be provided onto Lamson Road. The proposed car parking is in accordance with the standards set out in the Rainham and Beam Park Planning Framework, which accord with those in the London Plan and Policy DC2 which set maximum parking levels. This is addressed in paragraphs 6.26 - 6.33 of this report.

vii) The development would provide important cycle and pedestrian linkages east and west of the site and to the A1306 and Bridge Road. Staff are considering separately how best to extend the linkages eastwards from Bridge Road/Lamson Road to Rainham Station, which falls outside of the scope of this application. A possible route along Council owned land adjacent to the railway line is being considered as part of the redevelopment of the former library site in accordance with the Rainham and Beam Park Planning Framework.

Member queries (as reported to 6th October meeting)

- Has the scheme changed since the public presentation in Rainham Library to reflect concerns raised?

A: The scheme has been modified to reflect public comments prior to submission and subsequently modified address Staff concerns over design, layout and parking.

- Given the size and importance of the proposals there should be a separate meeting to consider the application;

A: It would normally be appropriate to consider major applications such as this at one of the scheduled committee meetings except in special circumstances.

- Are the three storey dwellings town houses?

A: Yes and all are three-bed. 50 units would be in two-storey; 128 in three-storey and 50 in four/five storey buildings.

- Is the parking for the houses in independent parking bays or outside properties and are housing and flat parking bay separated?

A: the parking is mainly in independent allocated bays for the houses, but with some outside. Most of the parking for the flats is in parking areas but some is on-street adjacent to that for housing. There would be

parking management scheme that allocates and controls the parking spaces.

- Should a lower contribution be acceptable for new housing when it is already well short of £20,444 required for infrastructure costs?

A: The lower contribution of £4,500 was originally agreed to reflect the increased costs of bringing development sites forward in the London Riverside Area. As the Council now only seeks a charge only in relation to education the comparison with £8,671 (para. 6.65) is probably more appropriate. In addition there is also a CIL payment based upon the increase in floorspace of £20 per square metre. This goes towards public transport infrastructure and is the reason why the original figure was discounted.

- Is the £1.6 million GLA grant solely for affordable housing, what is the £1.32 for?

A: The £1.62 million is the sum allocated by the GLA for affordable housing on the site. The £1.32 million is a sum that was allocated by the GLA to Council sites north of the A1306 that is now available as that development is no longer being progressed.

- Why does it say predominantly three-storey when most flats four storey. The majority of the dwellings are in four storey apartments?

A) The majority of the units would be provided in the flatted blocks; however, a greater residential floorspace would be provided in the two and three-storey development and this would also cover a greater site area. Most of the new buildings would also be two and three-storey. In the 2011 appeal decision the Secretary of State concluded that taller buildings were acceptable on the site. The Rainham and Beam Reach Planning Framework also accepts some development over three-storeys along New Road.

Consultation Responses

The application has been subject to two periods of publicity and consultation, the second following revisions to the application in March and April 2016. The summary set below refers to the most recent response, including those where there have been more recent discussions with consultees.

4.2 Network Rail:

Network Rail does not object to the application but sets out criteria for the construction period and for any future maintenance works such that these do not have an adverse impact on the operation and safety of the railway network, including any current or proposed work on the railway land. The potential impacts could arise from drainage, use of construction plant; storage of materials, scaffolding and piling. Reference is also made to the need for secure

fencing to prevent trespass onto the railway; appropriate lighting that does not interfere with the operation of the railway; guidance on species to be used in any landscaping near to the railway and use of vehicle incursion barriers close to the railway boundary. Any noise impact on the development should be assessed in accordance with the NPPF, bearing in mind that the level of usage and times could change. An asset protection agreement with Network Rail is recommended.

4.3 Public Protection:

- i) Noise: subject to the recommendations set out in the noise consultant's report being implemented prior to occupation there are no objections;
- ii) Air quality: No objections but recommends a condition in relation to Non-road mobile machinery;
- iii) Land contamination: Additional site investigation is required in order to establish the level of potential risk posed to human health and the environment. A condition is recommended to address this.

4.4 Historic England:

- i) Archaeology: In response to the original consultation Historic England recommended that further studies should be undertaken to inform the preparation of archaeological proposals for the site and objected until this had been done. Geo-archaeological coring should be undertaken to assist in identifying buried landforms and deposits of archaeological interest. The heritage statement indicates that the potential for the survival of a nationally significant Bronze Age trackway and associated settlement is high and that the coring is necessary to more closely model buried archaeological layers. The scope of such work should be agreed with the GLAAS. However, as the applicant has no access to the land to undertake coring a desktop assessment was undertaken to model deposits in the area using existing archaeological records and submitted to Historic England. The objection has now been withdrawn and archaeological conditions recommended.
- ii) Heritage: No comments are made in relation to the proximity of the Rainham Conservation Area or to listed buildings within Rainham village centre. The application should, therefore, be determined in accordance with national and local policy guidance, and the Council's own specialist conservation advice.

4.5 Environment Agency:

Originally objected to the application on the grounds that there was insufficient evidence to demonstrate that the sequential test had been applied and that the second part of the exception test had not been passed as the site specific flood risk assessment had not demonstrated that the site would be safe, without increasing flood risk elsewhere. There were also concerns regarding habitat protection during works to de-culvert Pooles Sewer. Following the submission

of further details and hydraulic modelling these objections have been withdrawn. The sequential test and exception test are now accepted as having been passed. Subject to a pre-commencement condition regarding an updated habitat survey prior to works the Agency has withdrawn its objection in relation to the habitat creation and de-culverting works subject to being implemented in accordance with submitted details.

4.6 Metropolitan Police Designing out Crime Officer:

The designing out crime officer originally raised concerns about the layout of the proposed development and objects unless changes are made. The specific concerns related to:

- The permeability of the site is excessive and provides multiple escape routes for criminals which would increase the likelihood of crime being committed. Two of the proposed routes should be omitted;
- The use of undercroft car parking should be avoided as natural surveillance is restricted. The spaces under Block A and Block B should be omitted. Natural surveillance is also very limited onto some of the courtyard parking areas. The Fog A design should be omitted. The Fog B design should also be changed to remove the undercroft car parking;
- A number of the building types do not have active windows (kitchen, living rooms) facing the front. This reduces natural surveillance into the street. The design should be changed to increase natural surveillance. Clear glass panel adjacent to front doors are also recommended;
- Side windows could be added to end terrace houses to increase natural surveillance. Recommendations are provided for first and ground floor windows;
- Open access in some areas should be restricted using railings;
- Lockable gates should be fitted to all alleyways;
- Access to rear gardens of terraced properties should be limited to a single alleyway, which should also be gated;
- Bin and cycle stores with both internal and external doorways can provide access for criminals so internal doors should be omitted.

Following further discussion revisions were made and amended plans submitted on 16th June, 2016, which addressed a number of these points, however, there remain a number of concerns. If the communal entrances to Blocks B, C and D are likely to remain then measures should be introduced to protect users of the pathways leading to the blocks. A 3 metre width pathway is recommended with 1.2 metre high railings to the north with defensive planting. Lighting for this path is also requested. The concerns about undercroft parking for Block A and B remain.

Should planning permission be granted conditions are requested to cover;

- Boundary treatment;
- Lighting;
- Landscaping;

- Parking
- Cycle storage

4.7 Streetcare:

i) Highways: The following matters are raised:

- The transport assessment suggests that the PTAL is 3, but the TfL website indicates a range from 3 (moderate) near to Dovers Corner to 1b (poor) in the south western corner. This will affect the car parking requirement and need for pedestrian linkages through the site.
- The proposed parking rate of 0.95 giving the potential for overspill parking within the site and outside north of New Road. Policy SSA12 requires a range of a maximum of 1-1.5 spaces per dwelling. This implies that the larger dwellings and those with the lower PTAL would be at the maximum end. Consequently proposals are not in accordance with the policy.
- The access design appears likely to promote higher driver speeds and should have a tightened geometry. People crossing the access would need to give way to traffic, which is contrary to the longer term ambitions for the area. A more inset crossing points with priority pedestrians and cyclists would be appropriate.
- Issues raised by road safety audit can be addressed at detailed design stage, including position of bus stop, emergency access and Toucan Crossing in Lamson road.
- East-west walking and cycle link is a requirement of SSA12 and should be to a modern standard. Separate and distinct space should be provided for pedestrians and cyclists to avoid conflicts. A minimum of 3m for cyclists and 2m for pedestrians is recommended. Priority should be given to pedestrians and cyclists where route crosses main spine road. Elsewhere clear separate space should be provided for pedestrians and cyclists with careful consideration to design of crossing points
- Shared surfaces should be minimised as generally they are hostile to pedestrians and cyclists.
- Central spine generally straight which does not help promote low vehicle speeds.
- At least some of the roads should be offered for adoption to give public right of access, especially walking and cycling links and spine road.

Following these comments changes have been made to the scheme, including the provision of additional parking spaces and access revisions. Now generally satisfied with the proposals, but recommend a condition on the final access details and highway detailing. S106 obligation recommended in the event of the roads not being adopted securing public access over the foot and cycleways and some roads

- ii) Waste and recycling: The layout shows adequate access for collection vehicles, however, there is concern about access to part of the road layout on the eastern side of the development. This is being discussed with the applicant and an update will be given at the meeting.

Further details required on bins storage size and bin details also required.

- iii) Drainage: the drainage strategy is acceptable

4.8 Education Provision and Commissioning:

The proposed development falls in the Rainham and South Hornchurch primary planning area and the South secondary planning area. There is a significant demand for school places within these areas. Additional school capacity is required to meet this demand. The additional school children generated by this development of both primary and secondary age will add to the pressure on places and exceed existing planned available capacity.

4.9 National Grid:

National Grid has assessed the impact on electricity transmission and gas apparatus in the vicinity of the site. There is apparatus in the vicinity of the site which could affect the development and the developer should contact National Grid before any works are carried out. These comprise high or intermediate pressure gas pipelines; low and medium pressure gas pipelines; overhead electricity transmission lines and above ground gas site and equipment. National Grid has set out its requirements that must be met before any works is carried out. There are gas pipelines running north-south through the site and east-west across the northern end of the site.

4.10 Essex and Suffolk Water:

There are no objections subject to compliance with its requirements. There are existing water mains which will require disconnection and modifications may be required to lower the main to enable the access to be constructed. New water mains should be laid within the highway and metered to each new dwelling.

4.11 London Fire Brigade (Water Team):

It may be necessary for new fire hydrants to be installed. The location of these will be determined once plans of the mains layout have been provided by the developer.

4.12 Greater London Authority (Mayor of London):

The Mayor is consulted at pre-decision stage (Stage 1) giving his initial views on the development. Following the comments in the response changes have been made to the proposals that seek to address the matters raised.

In his Stage 1 response the Mayor broadly supports the principle of the development but is disappointed with the poor design quality and lack of detail for a site within a housing zone. This must be addressed before the application is referred back at Stage 2 when a significant improvement in design quality will need to be demonstrated. There is no objection to the loss of employment. The application needs to be referred back to the Mayor following a draft decision by the Council. The application does not currently comply with the London Plan for the following reasons:

- The indication that no affordable housing can be provided raises strategic concerns. A financial viability appraisal is required to inform further discussion on viability and affordable housing. The residential quality, density and playspace are broadly acceptable;
- The layout raises strategic concern as opportunities to maximise connection to the wider area have not been taken. Design and architectural treatment is disappointing. New connections between the A1306, Rainham Village and Passive Close should be created. There are no strategic concerns with the massing or height.
- Further information is required on number and location of wheelchair accessible units and blue badge parking spaces;
- The development is acceptable in terms of flooding and air quality;
- Issues relating to CO₂ emissions need to be addressed;
- A reduction in the level of car parking is sought to help promote alternative modes of transport. There should be increased cycle storage for visitors.
- S106 contribution required towards impacts on bus services, subject to further work on trip generation. Improvements should be made to make the area more attractive for walking and cycling

4.13 Thames Water:

No objections to the application with regard to sewerage infrastructure capacity. There is a pipeline along the eastern edge of the site which has easements and wayleaves. These should not be affected by the development proposals.

The site is close to the Riverside STW and there could be impacts on the development. These do not appear have been addressed in the application. The encroachment of odour sensitive development to sewage works could lead to problems with complaints which did not exist before the development. On this basis Thames Water objects to the application as no modelled odour assessment has been undertaken to establish the amenity impact on future occupiers. A dispersion odour assessment should be carried out. Should this conclude that future occupiers would be adversely affected then funding should be provided for odour mitigation measures.

4.14 Natural England:

Following the submission of further hydrological information Natural England is satisfied that there is unlikely to be a significant adverse effect on either the Ingrebourne Marshes SSSI or the Inner Thames Marshes SSSI. Consequently its earlier objection has been withdrawn.

4.15 Health and Safety Executive:

HSE is consulted as the development is with the consultation distance of three high pressure gas pipelines. HSE originally advised against the development. However, the HSE has subsequently undertaken a detailed site specific response that provided the Mardyke-Ford Dagenham pipeline is rerouted as proposed, they do not 'advise against' the development. Two planning conditions are recommended.

4.16 Transport for London (TfL):

TfL's initial comments have been incorporated in the GLA's stage 1 response. However, further comments have been made in response to the revisions. TfL is supportive of the following changes:

- i) Changes to road layout to more closely align with Rainham and Beam Park Planning Framework.
- ii) The use of S106 planning contributions to create east-west connectivity and links to local public transport. This will help to reduce reliance on private motor vehicles;
- iii) The increased the number of blue badge spaces, but this is still short of the requirement and the provision should be increased accordingly. 2 visitor spaces should also be capable of accommodating blue badge holders.

TfL raises the following matters:

- i) Short stay cycle spaces should be identified;
- ii) The impact on bus capacity cannot be assessed as the details requested on trip generation have not been provided. Subject to the outcome of this a financial contribution could be required to support increased capacity. This information has now been provided which demonstrates that the impact would be minimal and a contribution is not required;
- iii) The existing bus stop outside the site should be moved westwards, to be secured through a S106 agreement.

5. **Relevant Policies**

5.1 Local Development Framework (LDF):-

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); 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 12;

5.2 Rainham and Beam Park planning Framework

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); 5.2 (Minimising Carbon dioxide emissions); 5.3 (Sustainable design and construction); 6.13 (Parking); 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); 6.13 (Parking) 7.3 (Designing out crime); 7.8 (Heritage Assets and archaeology); 8.2 (planning obligations) and the Housing Supplementary Planning Guidance.

- Parking Standards Minor Alterations to the London Plan;
- Housing Standards Minor alterations to the London Plan
- London Riverside Opportunity Area Planning Framework
- Housing SPG
- Shaping Neighbourhoods: Play and Informal space SPD

5.4 National Policy Documents:-

- Nationally described space standards;

- National Planning Policy Framework
- National Planning Practice Guidance.

6. Staff Comments

Strategic application

- 6.1 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. The application must be referred to the Mayor in two stages. The first stage is prior to decision and the comments from the Mayors 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.
- 6.2 Following the resolution of this committee the decision it intends to take it must be referred back to the Mayor with all relevant documentation, including draft conditions and draft S106 Planning Obligation. The Mayor can then either allow the Council to issue a decision in accordance with the resolution or where the Council has 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.

Principle of the development

- 6.3 The site lies within the area covered by LDF site specific policy SSA12 (Rainham West) that seeks to deliver the objectives of LDF polices CP1, CP2, CP9 and CP10. The allocation accepts residential redevelopment together with ancillary community facilities, retail and appropriate employment uses. The policy seeks to retain 33% of the site area for compatible employment use and other uses compatible with residential use. The development of the area is intended to be phased to coincide with public transport improvements. The policy seeks a range of dwelling sizes in buildings predominantly three-stories high. The development should be comprehensive. The Dovers Corner site is one of the blocks of development identified under the policy.
- 6.4 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.
- 6.5 Development should support the strategic policy directions set out in adopted opportunity area planning frameworks. Annex 1 identifies London Riverside, which includes the application site as an area which should provide a minimum

of 26,500 new homes. Within the Havering part the Council's adopted planning framework seeks to achieve 3,250 new homes, of which 1,000 are houses.

- 6.6 The Mayor's London Riverside Opportunity Area Framework (LROAF) identifies the Housing Zone designated along the A1306, which includes the application site as places where new residential development will be supported. New development should encourage a shift to public transport, cycling and walking to minimise the impacts of growing demand on the transport network. It should contribute towards integrated cycle networks that should include quieter streets and off-road routes as well as separate, dedicated facilities on, or alongside, main roads. It also proposes that the current requirement for 33% employment uses be removed from the redevelopment requirement and reflected in the new local plan policies for the area.
- 6.7 The Council's Rainham and Beam Park Planning Framework adopted earlier this year supports the objectives of the LROAF and addresses the general 33% employment requirement and provides more specific proposals for each of the development areas within the opportunity area. This supports a fully residential redevelopment of the Dovers Corner site and this will be reflected in the emerging Havering Local Plan. Whilst the Council's framework is non-statutory it is a material consideration that reflects the objectives of the LROAF and the future development of the Housing Zone.
- 6.8 Planning permission has previously been granted for the residential redevelopment of the site at a significantly greater scale. Permission for 729 dwellings and commercial development was granted on appeal in 2011. The Secretary of State considered that the proposal complied with relevant development plan policies, including SSA12 and national planning guidance. This decision, including the scale of flatted development is a material consideration in this case.
- 6.9 The redevelopment of the site for entirely residential purposes is considered to be acceptable in principle and in accordance with the relevant national and development plan policies. Site specific policy SSA12 sets the principles for the redevelopment of the site, but the more recent framework documents are considered to carry sufficient weight to override some of the more detailed provisions of the policy. The Rainham and Beam Park Planning Framework is recent and sets a clear vision for the future of the area which accords with the Housing Zone status.
- 6.10 The proposed residential use of the site would also accord with Policy CP1 of the LDF for the provision of housing on brownfield land and would be compliant with Policies 3.3 and 3.4 of the London Plan. There are no objections in principle to the loss of employment and the buildings to be removed from the site are not of any significant architectural or historical interest and there is no objection in principle to their demolition. The development would also accord with the guidance in the NPPF for new housing to meet housing need and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, including the provision of affordable housing. Housing applications should be considered

in the context of the presumption in favour of sustainable development. The proposed development would make an important contribution to meeting Havering's housing needs.

Rainham and Beam Park Planning Framework

- 6.11 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 PF are particularly relevant as they reflect the Council's proposals for the delivery of the Housing Zone in accordance with the opportunity area planning framework. A summary of the main principles of the framework proposals are set out in the following paragraphs.
- 6.12 The framework proposals for the site include a mixture of apartments and town houses with a capacity of 60-80 units per hectare. Just under half of the units should be houses. The scale of the development would be four-storey fronting onto New Road and two and three-storey elsewhere within the site. The development should be street based with continuous frontages, including residential courts and mews streets, creating a safe environment. Development should be orientated towards New Road, Rainham Creek and the Havering Main Sewer, overlooking the public realm.
- 6.13 The development principles also include the need to open the Pooles and Havering Main Sewer to help reduce the flood risk to the site and to provide improve natural habitat. It also includes providing cycle and pedestrian linkages through the site with new bridge links over the New Havering Sewer, and over Rainham Creek. The framework proposes the creation of a tree-lined linear park along the A1306 corridor reducing the width to provide a single carriageway. This will create a new public realm and increased public space including play space and pedestrian and cycle routes. This will link Dovers Corner with Beam Park and cross the frontage of this site.
- 6.14 A grant of up to £1.5 million for the diversion of the gas pipeline across the northern part of the site and diversion of the sewer is available which will release 0.25 hectares more land for development. It identifies the Dovers Corner site as having marginal viability so there is also a grant of £1.62 million for affordable housing.
- 6.15 In order to help delivery the framework proposals S106 contributions will be sought towards affordable housing, addressing the demands of the development on school spaces, construction of new bridge linkages across Rainham Creek and Havering Main Sewer and further access routes to New Road and to help create the linear park.

Scale, Density and Site Layout

- 6.16 The proposed density of development is 68 units per hectare which lies within the range set out in the Rainham and Beam Reach Planning Framework. The

density matrix in Policy DC2 indicates that the site is suburban in character with a PTAL value of 1-2, giving a density of 30-50 units per hectare with 1.5 to 2 spaces per dwelling. However, the Transport for London PTAL rating is 2-3 for most of the site and in line with the R&BRP Framework's proposals a higher density and lower parking provision is considered appropriate. Policy DC2 also allows exceptions on large development sites where development briefs have been prepared. In view of the Framework's proposals staff consider that the proposed density is acceptable. In considering these issues Members will need to also have regard to the much higher density scheme for 729 dwellings at 125 units per hectare previously permitted which also provided less parking per dwelling.

- 6.17 The scale of the proposed development is predominately two and three storey, however the north and south of the development would be characterised by four-storey flats. There would be a single five storey block close to Dovers Corner as a feature building creating a focal point for the new development corridor proposed along New Road. The R&BPP Frameworks sets a general height limit of four storeys along New Road, however, proposals for feature buildings or high density development outside of the building height zones will be considered case by case on individual merit. The increased building height along the corridor is intended to emphasise the important role of this central area and provide legibility. There is a special case for the four-storey development adjacent to the railway as this would help to enclose the space at the end of the site and reduce the visual and noise impact of the railway.
- 6.18 Staff consider that the scale of development is appropriate to the site and meets the general requirement of policy SSA 12 which specifies 'predominantly three-storey' and the design principles of the Framework. A feature building on the corner is considered acceptable in the context of the sites location. In considering this members may wish to have regard to the 2011 appeal decision where the Secretary of State agreed with his Inspector that the proposed storey height (up to nine stories) on the site was justified in this case given the presence of the Dovers Corner Roundabout and other topographical features.
- 6.19 The Dovers site is physically divorced and visually isolated from the urban context of Rainham Village to the east and suburban residential development to the north by substantial highway infrastructure. The ground levels of the site are also lower than those adjacent to the A1306 and to the north. This would help to reduce the impression of scale. The five storey block by Dovers Corner roundabout can be justified in design terms as it marks the 'entrance' to the New Road new development and would provide a landmark feature to the start of the development area. It would be sufficiently separate from the more intimate scale of development of Rainham Village beyond the Tesco store in Bridge Road.
- 6.20 The proposed layout accords with the design principles in the R&BPP Framework, providing a coherent urban structure. The layout would be street based with a strong north-south spine route which follows the line of a major service corridor. The layout has evolved throughout the application process with the east west pedestrian and cycle link forming the dominant feature

with 'calmed vehicle' crossing points. There would be east-west linking road off the main spinal route providing access to the eastern and western parts of the site. However, there would not be a complete link around the site providing a series of mews developments. The layout is designed to be outward facing with the dwellings on the edge of the site facing New Road, Rainham Creek and the Havering Main Sewer. The blocks adjacent to the railway would generally face into the site and over car parking areas.

- 6.21 Parking is proposed in a series of parking courts for the apartments and for the houses. There would also be on-street and frontage parking for the remainder of the houses. The dwellings facing Rainham Creek and Havering Main Sewer would have on street parking bays within landscaped areas which would enable the buildings to be brought to the front of the plots to give a clearer edge to the built development.
- 6.22 Within the development the relationship between residential units is generally acceptable. There are some tight relationships, where the flank wall of proposed dwellings abuts the rear boundary of other dwelling plots. While such relationships are not ideal they can be difficult to avoid in a development of this scale and improvements have been made during the course of the application. Staff consider, as a matter of judgement, that the proposed dwellings would enjoy an acceptable level of amenity. Overall staff consider that the proposed layout is acceptable and would meet the design guidance in the R&BP Planning Framework and satisfactorily address the specific character of the site and adjoining features, such as Rainham Creek.

Design/Impact on the streetscene

- 6.23 During the course of the application the design of the new dwellings has evolved to address the concerns of Staff and the GLA that the original proposals did not demonstrate an acceptable quality of design. The design changes had led to areas of different character being included within the site. These include three-storey houses along the Rainham Creek frontage which include design features and scale of traditional wharf buildings. This reflects the creek's commercial past. A mixture of house types and materials facing towards the Havering Main Sewer is now proposed that gives an improved character to this edge of the development. Elsewhere material detailing has been changed to improve the overall appearance of the development. The apartment blocks were also been changed to simplify the materials and roof design, and to provide entrances fronting onto New Road. Together these changes are judged to provide a marked improvement in the overall design character and in terms of design and materials the development is considered acceptable.
- 6.24 The changes made to the layout and design of the development provides for the proposed dwellings to be outward looking in accordance with the design principles set out on the Rainham and Beam Park Planning Framework. There would now be design continuity throughout the scheme and distinctive character areas. As such Staff consider that the development would have a positive impact on the character and appearance of the area. It would meet the

requirement set out in the NPPF for achieving high quality design to meet sustainable development principles. Overall Staff consider that in terms of layout and design the proposals would accord with development plan policies and the guidance in the NPPF.

Impact on amenity

- 6.25 The site is well separated from the main residential areas of Rainham and South Hornchurch by the highway infrastructure and Rainham Creek. However, adjacent to the site on the west side of the Havering Main Sewer is the recent Passive House (Passivhaus) development. The Havering Main (Pooles) Sewer runs between the two sites in the form of an open drainage ditch. Some of the proposed development would face toward the Passive House dwellings. The separation between the existing and proposed housing would be about 45 metres. The frontage of the dwellings would face each other and once the development is complete there would be no harmful impacts on existing residential occupiers. However, during the course of construction there would be the potential for some disturbance from noise and machinery. This addressed in the application details and can be formally agreed prior to commencement of any construction or demolition through the agreement of a construction method statement.

Parking and Highway Issues

- 6.26 In terms of parking requirements there have been recent revisions to the parking in the London Plan which are reflected in the Rainham and Beam Reach Planning Framework. These represent the most up to date parking standards for the development. Policy 6.13 of the revision indicates that there should be an appropriate balance between promoting new development and preventing excessive car parking provision than can undermine cycling, walking and public transport use. Table 6.2 sets out maximum parking standards. New development must also ensure that: i) 1 in 5 spaces provide electrical charging points, ii) parking for disabled people; iii) meet minimum parking standards and iv) business needs for delivery and servicing. In outer London a more flexible approach for applications may also be acceptable in some limited parts of areas within PTAL 0-1 locations, where boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures.
- 6.27 The site has a PTAL rating of 3 towards the front adjacent to the New Road access, with PTALs of 2 and 1a towards the southern end of the site. The construction of new cycle and footpath links to Rainham station would help improve the site's accessibility to public transport. On the basis of a PTAL of 3 the standards sets maximum levels of 1 space for one and two-bed units, up to 1.5 spaces for three- bed and 2 for four-bed. Cycle standards are one space for one-bed units and two for all other, plus additional parking spaces for visitors.
- 6.28 The Rainham and Beam Reach Framework states that a mix of on-street and on-plot parking would be acceptable. The scheme has been designed on this basis providing in excess of one space per dwelling and close to the London

Plan maximum for the proposed housing mix. The R&BR Planning Framework specifies up to 0.5 spaces per one-bed unit; up to 1 space per two-bed unit, 1.5 per three-bed and 2 spaces for four-bed. The current LDF standards in Policy DC2 indicate a maximum parking provision of 1-1.5 spaces per unit for PTAL 3-4 at 50-80 units per hectare, which is the proposed density in this case.

- 6.29 The proposal is to provide 453 spaces for the 394 dwellings which have been increased from 377 spaces in the original submission. This includes 25 visitor spaces. The maximum parking in accordance with the recently published London Plan Parking Standards would be 467 spaces based on the housing mix proposed, although this makes no allowance for visitor spaces. However, the guidance is that where there is good public transport accessibility the aim should be for significantly less than one space per unit. The GLA in its Stage 1 response has stated that there should be a reduction in the level of parking over that proposed. However, in response to member concerns the proposed parking has been increased to a level where, whilst less than the maximum in the new London Plan parking standards, it would achieve over 90% of that level. Where there is less than one space per unit Policy DC2 requires that restrictions are placed on occupiers of flatted development so that they are ineligible for resident parking permits. Whilst the parking levels have been increased to provide a ratio in excess of one space per unit this is towards the bottom end of the range and Staff consider that the restriction should remain. The two-bed apartments would still only have one space. There are 140 three and four bed units proposed (although the number of four-bed has now been reduce to five) which could also increase the demand for parking spaces. Whilst there are currently no controlled parking zones in the vicinity of the site, Staff consider that a restriction would be appropriate through the S106 obligation given the potential for overspill parking in existing streets, to cover any future designations. This would help to address member concerns about overspill parking.
- 6.30 In judging the acceptability of the parking level proposed members will need to have regard to the approved Weston Homes scheme. This was assessed against the same LDF policies and London Plan parking standards. That scheme proposed 627 parking spaces for 729 dwellings (0.86 per unit) which was considered acceptable by the Secretary of State in his appeal decision. The currently proposed provision would be at a higher ratio (1.15 per unit). Account should also be taken of the improved linkages to Rainham that would occur with the construction of a new crossing over Rainham Creek to be funded through the development. This would reduce the distance for future residents who wish to walk or cycle to the station or village centre and also help reduce car usage. Linkages to the west will in the longer term improve access to the new Beam Park station and there would be easy access to a nearby bus stop in New Road. In view of these factors Staff consider that this level of provision is acceptable and in accordance with the LDF and London Plan adopted standards, which are also included in the Rainham and Beam Park Planning Framework.
- 6.31 It is proposed to provide travel packs to new residents providing information to encourage sustainable travel modes. There would also be 792 secure cycle

spaces and an additional 10 secure visitor spaces. In terms of trip generation the forecast is for there to be more than is currently generated, but significantly less than forecast for the consented (2011) Weston Homes scheme. The proposed access is considered acceptable in terms of anticipated trip generation and there would be no material impact on the operation of New Road and Dovers Corner Roundabout junction. The development would, therefore, have a negligible impact on the local highway network.

- 6.32 Transport for London, which provides strategic highway advice in relation to London plan policies, has responded to the revised transport assessment indicating that there remain a number of concerns which have not been adequately addressed. The scheme was considered deficient in blue badge parking spaces and the spaces that are adaptable to meet Part M of the Building Regulations, and the visitor parking spaces had not been identified. These are matters have now been addressed and revised plans submitted showing this provision. With regard to trip generation and mode share, there was originally a lack of clarity on the potential impact on bus capacity. Whilst the current proposal is for significantly fewer homes than the Weston Homes scheme, there have been a number of other schemes have come forward in New Road since. These could impact on bus capacity, however, additional information has been provided that demonstrates that the impact would be minimal and TfL as agreed that a financial contribution is not required to address this. TfL also recommend westward movement of the existing bus stop. The recommendation includes provision for this to be included in a S106 agreement.
- 6.33 The proposed site layout has been designed in accordance with 'Manual for streets' to keep traffic within a target of 20mph. The road layout is considered acceptable in terms of servicing and refuse collection subject to detailed agreement with the collection service. There would be a single access to and from the site onto New Road, with an emergency access onto Lamson Road. This access would also provide a pedestrian and cycle link to Lamson Road prior to the construction of a new bridge across Rainham Creek.
- 6.34 In terms of cycle and pedestrian linkages the proposed layout includes three connections northwards to New Road, with a further two connections to Bridge Road, including the bridge across Rainham Creek. There would be a strong east- west link through the centre of the site providing a green pedestrian and cycle route that links to the other routes. A further bridge is proposed across the Havering Main Sewer to the west which would provide linkages to Havering College and eventually to Beam Park and Beam Park Station. The site would, therefore be well connected by pedestrian and cycle routes that would meet the objectives of both the London Riverside Opportunity Area and Rainham and Beam Park Planning Frameworks. This connectivity would help to encourage a reduction in car usage in accordance with NPPF and development plan polices.

Flood risk and sustainable drainage

- 6.35 There are two main water courses within the vicinity of the site. The River Ingrebourne flows in a south-westerly direction towards Dovers Corner where it

becomes Rainham Creek which flows along the eastern boundary of the site. The Pooles Sewer emerges from the Dovers Corner Flood Storage Area (FSA) immediately upstream and downstream of New Road, flowing westward in a culverted section across the northern part of the site before discharging into the Havering New Sewer which runs along the western boundary.

- 6.36 Much of the site lies within Flood Zone 3 where there is a high probability of flooding. This zone 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.
- 6.37 The site has flood defences along the banks of Rainham Creek and there are tidal defences along the Thames, including a sluice where Rainham Creek exists into the river. Modelling of flood risk indicates that the site is not directly affected by the Pooles Sewer, but from the overtopping of the Dovers corner Flood Storage Area. In order to address this it is proposed to de-culvert parts of the Pooles Sewer to provide greater capacity.
- 6.38 National guidance on flood risk requires that 'more vulnerable' development, such as housing, should pass what is 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. The Strategic Flood Risk Assessment will provide the basis for applying this test. 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.
- 6.39 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.
- 6.40 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, informed by a Strategic Flood Risk Assessment where one has been prepared; 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.

- 6.41 Both elements of the test will have to be passed for development to be allocated or permitted. A flood management and drainage strategy has been produced to support the Rainham and Beam Park Planning Framework. This identifies a risk of flooding during the 1:100 year event, including climate change, when taking existing flood defences into consideration. The report also identifies the opening of the Pooles/Havering Main Sewer as one management option to reduce flood risk. The opening up of the sewer would leave only a small part of the site in the northeast corner at risk. Leaving this as open space would mitigate this risk. Proposals for the de-culverting of the sewer form part of the flood risk assessment (FRA) submitted with the planning application. The modelling details have been assessed by the Environment Agency and found to be acceptable.
- 6.42 Staff have assessed the proposals in relation to the first category of the Exception Test and consider that the implementation of the scheme would help to meet major priorities of both the Mayor and Central Government to deliver significant amounts of new housing. The site lies within a housing zone designated by the Mayor where grant funding is available to help this delivery. In the light of this Staff have concluded that the development would provide wider community benefits.
- 6.43 A site-specific flood risk assessment has been submitted that demonstrates that the development will be safe for its lifetime and the Environment Agency has confirmed that this passes the second part of the test. In view of these conclusions it is considered that the Exception Test has been passed and the development can be considered acceptable in flood risk terms.
- 6.44 The proposal would reduce the impermeable surfaces by a minimum of 40% across the site by introducing green spaces, including residential gardens, public open spaces and permeable paving. Surface water generated from the site would be attenuated up to the 1 in 100 year storm event plus a 30% allowance for climate change. Sustainable urban drainage systems (SuDS) would be implemented in the form of above ground attenuation areas, permeable paving and downstream defender to provide attenuation and treatment prior to runoff being discharged into Pooles Sewer and the Havering Main Sewer at a controlled rate.
- 6.45 The submitted drainage strategy seeks to achieve a minimum of 50% reduction of the Site's surface water runoff at peak times in accordance with the London Plan Sustainable Design and Construction Supplementary Planning Guidance. Thames Water has confirmed that there is sufficient capacity in the combined sewer onsite to accommodate for the foul water flows generated from the proposed development.
- 6.46 Overall there is a low risk of fluvial, groundwater, surface water flooding from artificial sources once the mitigation measures and the proposed drainage strategy are implemented. The Site has a low residual risk of tidal flooding. The

development would not increase the risk of flooding elsewhere as a result of surface water run-off. The proposed finished floor levels would be set above the 1 in 100 year flood event plus climate change to provide additional protection for the lifetime of the development.

Contamination and ground conditions

- 6.47 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 during construction and on future occupiers of the development. The proposed development site is currently an active industrial estate and there is the potential for contaminant and contamination linkages to exist. The site was once marshland before being drained and used for agriculture. Industrial use started in about 1939, with most of the current buildings being constructed in the 1970's and 1980's.
- 6.48 Ground investigations have identified high concentrations of lead, arsenic and vanadium. In some parts of the site the lead levels are significantly higher than the guidance levels for the assessment of risk to human health. The assessment has identified that there are unacceptable concentrations of potential contaminants within the underlying soils in the site that pose a potential risk to public health. Potential pollution linkages will exist in developed gardens and areas of soft landscaping. In addition some hydrocarbon concentrations were identified. In terms of ground gas no significant risk was identified. The development would not pose a significant risk to the Ingrebourne Marshes SSSI or the Inner Thames Marshes SSSI from ground water pollution.
- 6.49 To bring the risk to acceptable levels and remove pollution linkages engineering solutions are required that will remediate contaminated areas. Measures will be required to ensure that construction workers and any adjoining occupiers are adequately protected during site preparation and construction works. Surface layers will be required to be removed from parts of the site and clean materials introduced to form a barrier to break pollution linkages and some form of gas barrier may also be required in parts of the site. Subject to suitable conditions to address these matters the development would comply with development plan policies and national guidance.

Noise and vibration

- 6.50 The potential impacts both during construction and occupation have been assessed as part of the application. Surveys of existing noise and vibration were undertaken, including that associated with the existing railway lines. The Council has also undertaken noise assessments in relation to the Rainham and Beam Park Planning Framework development proposals which conclude that with suitable noise attenuation rail and highway noise would not have an unacceptable impact. Vibration is unlikely to be an issue post development but there could be adverse impacts during development, especially as parts of the sites could be occupied during the construction of later phases. Noise and vibration impacts during construction can be addressed through details provide

in a construction and demolition method statement which would need to be agreed prior to commencement.

- 6.51 The R&BP Planning Framework highlights that potential noise attenuation measures from rail and highway noise may include suitable glazing, mechanical and trickle ventilation systems for properties in closest proximity to the road noise sources. Further, residential properties could be set back from the main carriageways and rail line and acoustic barriers provided to achieve sufficient reduction in noise levels to meet relevant guidelines. The apartments to the south would be set back at least 20 metres from the railway lines which would enable suitable noise levels to be achieved without overly onerous noise mitigation. The apartments to the north would be 35 metres from New Road and acceptable internal levels in accordance with the relevant standards can be achieved. The road is due to undergo carriageway changes, including changes to the roundabout that would reduce traffic speeds in the medium term.

Odour and air quality

- 6.52 In terms of odour, the B&BP Planning Framework states that the Riverside STW has been identified as a potential source of odour which may impact on the proposed development. The odour assessment conducted on behalf of LB Havering has concluded that the Riverside STW will lead to insignificant odour effects at all of the proposed development plots. This conclusion has been reached through the conclusions of the odour risk assessment, sniff-testing, and complaint record data provided by LB Havering. The R&BP Planning Framework therefore considers that the odours generated by Riverside STW should not provide a constraint to the development of residential properties at any of the proposed development sites.
- 6.53 The R&BP Planning Framework requires all development sites to be constructed in accordance with the Mayor of London's Supplementary Planning Guidance on the Control of Dust and Emissions from Construction and Demolition. A condition is recommended to address this and the control of non-road mobile machinery requested by Public Protection.

Heritage

- 6.54 The impact of development on heritage assets in Rainham village, including the conservation area, was a major concern in relation to the 2008 Weston homes proposal. This arose mainly due to the height and scale of the development proposed. Notwithstanding this the Secretary of State concluded that there would be no material impact. This proposal is of a much smaller scale and is judged to have no material impact on the character and appearance of the conservation area. No objections or concerns have been raised by Historic England on this issue. The development site is sufficiently divorced from any heritage assets not to fall within their setting.
- 6.55 However, Historic England has raised concerns regarding archaeology, in particular in relation to the possibility of a Bronze Age trackway crossing the northern part of the site. The existence of the trackway was identified during

excavations for the Tesco development; however, it was not identified during excavation prior to the Passivehaus development. Historic England has asked for further work to be undertaken to establish the possibility of the trackway being present. It is considered to be of national importance and should be preserved in-site. Details have now been submitted which are acceptable to Historic England. Conditions are recommended that require the submission of further details prior to commencement of any demolition to protect the archaeological assets.

Secured by design

- 6.56 The Metropolitan Police Designing out Crime Officer had raised objections to the revised proposals. Following discussion a majority of these issues have been resolved as set out in the consultation section of this report. However, the officer remains concerned about the number of access points which could provide escape routes for criminals. In such circumstances a balance needs to be struck between permeability of a site through pedestrian and other linkages and discouraging crime. Staff have judged that the linkages proposed are necessary to provide an acceptable layout for the site that meet the objectives of the various planning frameworks. Other concerns can be addressed through conditions.

Ecology

- 6.57 The site has a number of watercourses on or close to its boundaries, including Pooles Sewer, Rainham Creek and the Havering New Sewer. Along the railway line to the south of site is a bank which is covered in poor semi-improved grassland which has encroached onto the site. The main habitats on site are buildings and hard-standing. Some vegetation was growing through the hard-standing. There are other habitats in close proximity to the site, including the Ingrebourne Valley SSSI and a number of ponds in the sewage works south of the railway. The impact of the development on these habitats has been assessed in the Environmental Statement and a mitigation plan proposed.
- 6.58 The measure proposed include: Water bodies adjacent to site, including Rainham Creek which lies adjacent to the Site's eastern boundary will be protected during the construction phase of the development by pollution control measures. A physical barrier already lies between this habitat and the site and so no construction workers will be able to access the banks of this river. Any lighting used onsite will be directed away from Rainham Creek and Pooles Sewer to reduce disturbance to the fauna associated with this area.
- 6.59 Measures will also be taken to protect reptiles, bats and breeding birds which would include exclusion fencing to prevent reptiles entering the site. The adjoining water courses are likely to provide habitat for water voles which will need to be protected during the course of the development using security fencing. The works to open up the Pooles Sewer would provide additional habitat for water voles. A detailed habitat creation scheme has been submitted for the Pooles Sewer de-culverting. The water course will have a landscaped buffer to protect the habitat from encroachment. Two bat boxes would be

provided. Further habitat would be provided along the southern boundary to encourage reptiles. The development would have no material impact on water levels in the nearby SSSI and no objections have been raised by Natural England.

Gas pipelines

6.60 There are three high pressure gas pipelines within or close to the site. Two pass to the south on the opposite side of the C2C and HS1 railways, with the third along the northern boundary. These are:

- Romford-Baker Street Main pipeline (south of the railway)
- Horndon-Barking Main (south of the railway)
- Mardyke-Fords Dagenham Main (north of the site adjacent to New Road)

These pipelines have consultation zones, with inner, middle and outer areas. The nature of the pipelines affects what it is appropriate to build in the vicinity. The level of risk depends on the type of development and residential development is relatively vulnerable. The Health and Safety Executive provide advice to local authorities on the suitability of development within the various zones through an on-line tool kit. This generates advice of 'advise against' or 'don't advise against' depending on the zone and the vulnerability of the development. For residential development the advice in the inner and middle zones is 'advise against', only in the outer zone is it 'don't advise against'.

6.61 The original advice generated by the HSE toolkit was 'advise against'. However, as part of the work for the preparation of the Rainham and Beam Park Planning Framework the HSE was asked to reassess the consultation zones. This resulted in reduced zones with the conclusion that for most of the development sites within the housing zone, including Dovers Corner a 'don't advise against' outcome would result. This is supported by consultations with the HSE by the applicant in support of the application. In order to confirm the position HSE has been consulted directly requesting a site specific assessment in view of the local situation highlighted in the various reports. The HSE site specific assessment has confirmed a 'do not advise against' outcome, subject to the proposed re-routing of the Mardyke-Ford Dagenham pipeline and two conditions. The re-routing forms part of the application proposals.

Infrastructure impact

6.62 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.

6.63 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 Further

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

- 6.64 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.
- 6.65 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations 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.
- 6.66 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.
- 6.67 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's 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, unless the development is within an area of the Borough where there is a surplus of school places. Evidence has been provided from the Council's education service that there is a shortage of school places at both secondary and primary level in the Rainham area.
- 6.68 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, except in the London Riverside Area where a lower figure of £4,500 was agreed to reflect the increased costs of bringing sites within the area forward for redevelopment. This is a discounted rate that takes account of the Mayor's CIL. In these circumstances it is considered that the lower figure is reasonable when compared to the need arising as a result of the development.
- 6.69 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. It is

considered that a contribution equating to £4,500 per dwelling would be appropriate.

- 6.70 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. There would be 396 units and a charge of £1.782 million is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.
- 6.71 Other contributions are considered necessary to make the development acceptable in accordance with LDF Policy DC72 and the guidance in the Rainham and Beam Park Planning Framework. The Mayor's LROAPF identifies the need to improve linkages between Rainham Village and Chequers Corner along the A1306 through a linear park along its length which reduces the width of the carriageway and provides an enhanced public realm. It also refers to the enhancement of the spaces on either side of the Creek near to Bridge Road and a direct linkage across the Creek from Rainham through the application site to provide improved access to local amenities and transport. These ideas are taken forward in the Rainham and Beam Park Planning Framework. Whilst non-statutory it provides clear guidance on the delivery of the LROAPF objectives. The two frameworks identify the need for improved pedestrian and cycle linkages across Rainham Creek to provide better access from the newly developed housing area to the south of the A1306 to Rainham Village and Rainham Station. Linkages through the site to the linear park are also considered appropriate and a connection to the west to the Havering College site.
- 6.72 Some of the land involved in these linkages is not part of the development site, as it is owned by third parties, including the Council. In these circumstances a financial contribution is considered appropriate to secure delivery. A sum of up to £1.5 million pounds has been estimated as necessary. This is to be secured through S106 obligation in accordance with LDF Policy DC72 and the R&BP Planning Framework. It is also recommended that the terms of the S106 include the option for the developer to carry out the bridge works in lieu of part of the contribution. The specification for the works and timing of implementation would be agreed with the Council and this route could ensure quicker delivery. As the applicant does not own all the land involved access rights would need to be granted. The Council owns land adjacent to Rainham Creek, but access to other land would need to be negotiated.
- 6.73 There are other matters that are proposed to be covered by a S106 obligation to cover:
- Local recruitment and training strategy;
 - Relocation of bus stop on A1306;
 - Provision of travel packs to new residents;
 - Restrictions of applications for resident parking permits in Rainham area

- A public access agreement for all cycle-pedestrian routes and certain roadways in the event of the routes and roads are not formally adopted;
- Management and maintenance of SuDs, open space and non-adopted roads;

These matters are considered necessary to make the development acceptable in planning terms and are reasonably relate to the proposed development.

Affordable Housing

- 6.74 LDF Policy DC6 and London Plan Policies 3.11 and 8.2 require that new housing development should provide affordable units. The objective in DC2 is to deliver 50% of new homes across the Borough as affordable and Policy 3.11 seeks to maximise provision. Policy 8.2 sets out the Mayor's priorities for planning obligations, placing the highest strategic priority on contributions to affordable housing and transport infrastructure. In determining the level of contribution account must be taken of the Mayoral CIL charge. It should also be recognised that other benefits sought through S106, such as education contributions and infrastructure improvements may limit affordable housing provision. The Mayor's objective within the Housing Zone is to achieve in the region of 35% of new homes as affordable units.
- 6.75 The LROA Planning Framework identifies the general need to provide more intermediate affordable housing given the general high level of rented affordable housing in London Riverside. However, account also needs to be taken of the specific needs of the area concerned. Within the housing zone the Rainham and Beam Park Planning Framework seeks a 50:50 split between intermediate and affordable/social rental units to meet housing needs. Given the increased cost of providing rental units this split is likely to result in a lower total number compared with higher proportions of intermediate units, such as shared ownership. Therefore, notwithstanding the general advice in the LROAPF affordable housing should meet local housing need in terms of tenure types. The latest position is set out in the Council's Housing Strategy 2014-2017. This is a change from the 70:30 split in LDF Policy DC6.
- 6.76 Within the opportunity area grant is available for individual sites to assist with the delivery of affordable housing. The area is more affordable than other parts of London as it generally has lower house prices giving good value for money given the high quality of design that is being sought. This aspect of affordability needs to be taken into account when considering the overall provision of affordable housing. Given the constraints on new development, such as contamination and flooding, a degree of flexibility is required, including on levels of affordable housing. Given that the site lies within one of the Mayor's Housing Zones grant is available specifically for affordable housing. In this case a total of £4.44 million of Housing Zone grant funding has provisionally been allocated to be used on the site to deliver affordable housing. This GLA Affordable Housing Grant is available to be claimed by a Registered Provider (Housing Association) to fund the delivery of affordable housing within the housing zone. There are three grant allocations which comprise the grant available for the site of £1.62 million, grant of £1.32 million allocated to another site, but can now not

be spent there, and the £1.5 million infrastructure grant. The availability of the latter figure is subject to final confirmation. To ensure that steps are taken to utilise the grant clauses are recommended in the S106 obligation.

- 6.77 The application as originally submitted did not propose that any affordable housing would be provided as part of the development other than where grant is available. A viability appraisal has been submitted with the application that seeks to demonstrate that the scheme would be unviable if affordable housing is required. This takes account of the site's development costs and contributions for infrastructure works, education and Mayoral CIL. The appraisal has been independently assessed for the Council and it has been satisfactorily demonstrated that the development could not support any affordable housing and remain viable.
- 6.78 The conclusions of the independent viability assessment recommend that a review mechanism which would allow viability to be tested at agreed stage(s) of the development should be adopted to ensure that any improvements in viability can trigger the delivery of affordable housing. The details of the review mechanism and the timings would need to be incorporated into a S106 obligation. Alternatively the consultants suggest that it may be appropriate for forecasted growth values and costs to be incorporated into the appraisal, to reflect the long development period and consequently the high potential for substantial changes in viability over the course of the development. Both these approaches are consistent with RICS guidance.
- 6.79 The applicant is willing to accept either of these approaches subject to the review mechanism or the number of additional units being agreed from the outset. Details would need to be incorporated into a S106 obligation. The forecasted growth in values and costs appraisal has been undertaken which has generated nine additional affordable units based upon a 50:50 tenure split. Previously there had been an offer of 25 discounted market units, but the level of discount offered was insufficient for the units to be considered affordable.
- 6.80 Following additional consultation with the GLA and Housing Staff a request that both mechanisms should be considered was sought. However, the applicant is only prepared to offer one of the options as set out in the recommendation of the independent consultant's report. Staff consider that given the small number of units offered based upon future projections that a review mechanism would be the preferred option.
- 6.81 As part of any review mechanism any identified savings should be used to provide affordable units on site and/or provide a commuted sum to be spent elsewhere with the housing zone. Whether units can be provided on site will depend on the timings of the review and the terms of the S106 obligation. Normally the practice is to share any savings with the developer to encourage economies within the development.
- 6.82 GLA staff have been consulted on the viability appraisal and the progress of the assessment and have advised that, notwithstanding the viability position it will be necessary to maximise delivery by other means, including utilisation of the

available grant. The development should seek to deliver in the region of 35% of units as affordable housing. Forms of discounted market housing may be acceptable in achieving this level of provision. The delivery of these levels of affordable housing is a priority of the Mayor within the housing zones. However, in this part of the housing zone the Council is seeking a 50:50 split in line with its housing strategy which would not achieve this level of provision.

- 6.83 As a result of negotiations with the applicant and the GLA in respect of the utilisation of housing grant available, using offers from registered providers (Housing associations) the following has been offered. This incorporates the Council's preferred tenure mix and would provide 51 (14%) units as affordable. This delivery would depend entirely on grant funding, which is not guaranteed. The units would comprise a mix of apartments and houses including some three and four- bed as set out below:

- 10 no. 2B Apartments (Affordable Rent)
- 13 no. 3B 3ST Houses (Affordable Rent)
- 3 no. 4B 3ST Houses (Affordable Rent)
- 5 no. 2B Apartment (Shared Ownership)
- 16 no. 3B 3ST Houses (Shared Ownership)
- 4 no. 4B 3ST Houses (Shared Ownership)

- 6.84 In the original report Staff had recommended that the 25 discounted units should be accepted without a review mechanism as this would achieve the Mayor's 35% target, however, this has been reassessed and the objective is to deliver units that meet the areas housing need rather than maximise the total number of units. A review mechanism is now recommended which may deliver a higher number of units (either on or off site).

- 6.85 The high redevelopment cost of this site and others within the housing zone is recognised in the London Riverside Opportunity Area Planning Framework and grant funding has been made available to help fund affordable housing given the viability issues. However, the offer of the 51 units is totally dependant on the delivery of grant and the applicant being able to meet the grant criteria. Staff consider that what is being proposed, subject to agreement of the detailed delivery mechanism to be included in a S016 obligation, is reasonable and would accord with LDF Policy DC6 and London Plan Policies 3.11 and 8.2.

- 6.86 In terms of the balance between the competing demands on funding of affordable housing provision and infrastructure improvements Staff consider that the proposed public accessibility linkages and other public infrastructure improvements are important to the development of the site and are essential elements for the delivering of both the Rainham and Beam Park Planning Framework and the London Riverside Opportunity Area Planning Framework. Without these improvements the development would be unacceptable and as a matter of judgement Staff consider that the available money should in part be used for these purposes.

Energy/CO₂ reduction

- 6.87 The energy report submitted with the application sets out how it is proposed to achieve the 35% CO₂ reduction against Part L of 2013 Building Regulations in line with the target in Policy 5.2 of the London Plan. Policy 5.6 requires that the feasibility of decentralised energy systems be evaluated as part of development proposals.
- 6.88 The GLA's Stage 1 report sought further exploration of a site wide heat network. The area is identified in the London Riverside Opportunity Area Planning Framework as a target for deployment of a district heating network. The submitted details proposed the provision of photovoltaic units on individual properties and this has been reassessed in light of the Stage 1 comments. The energy hierarchy approach in Policy 5.6 B has been considered and revised proposals made.
- 6.89 The conclusions of the Council's energy masterplan for the area found that there were limited opportunities to establish a district heating network in the medium term. In view of this the applicant considers that within the lifetime of the development such a network is unlikely to be available. However, an on-site system could be provided that would have the ability to be linked to a wider system in the future.
- 6.90 The energy proposals have been amended to include communal boilers with CHP to serve the apartments only with houses retaining individual boilers and photovoltaic panels. The energy centre would be in apartment block D which would house the necessary equipment. A small stack would be required above roof level for flue gases. The proposals would result in there being a reduction of two of the ground floor units resulting in 394 dwellings. These revised proposals are considered acceptable in relation to LDF Policy DC50 and London Plan Policies 5.2 and 5.6.

7. **Mayor's Community Infrastructure Levy (CIL)**

- 7.1 All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. The existing floorspace has been lawfully used within this period. The net new build floorspace would amount to 16,922 square metres and the CIL rate is £20 per square metre giving a CIL liability of £338,440

8. **Conclusions**

- 8.1 This is a full application for the redevelopment of the site for the construction of 394 dwellings, comprising 219 apartments and 175 houses. The development is considered to accord with the principles set out in Policy SSA12 of the Site Specific allocations DPD, the Rainham and Beam Reach Planning Framework recently adopted by the Council and the Mayor's London Riverside Opportunity Area Planning Framework.
- 8.2 Staff have negotiated changes to the design and layout of the development since the original submission. The changes made to the layout and design of

the development provide for the proposed dwellings to be outward looking in accordance with the design principles set out on the Rainham and Beam Park Planning Framework. There would now be design continuity throughout the scheme and distinctive character areas. The relationship between residential units is generally acceptable and there would be adequate amenity space, including open areas. Staff consider that, as a matter of judgement the development the proposals would now have a positive impact and would help achieve the regeneration objectives for the area. The development would also accord with the principles for sustainable development set out in the NPPF.

- 8.3 Staff consider that the scale of development is appropriate to the site and meets the general requirement of policy SSA 12 which specifies 'predominantly three-storey' and the design principles of the Framework documents. A feature building on the corner is considered acceptable in the context of the sites location. Parking would be in accordance with the Rainham and Beam Reach Planning Framework and the updated standards that form part of the London Plan.
- 8.4 The development is considered acceptable in flood risk terms following the opening up of the Pooles Sewer across the north of the site which means the site would be flood free throughout the lifetime of the development. The development would also be acceptable in terms of contamination. Preliminary investigations have detected high concentrations of some contaminants. This would be addressed as part of the development to ensure that any pollution linkages are addressed both to safeguard future occupiers and during construction works those working on the site or living in close proximity.
- 8.5 In order to make the development acceptable staff consider that a series of S106 contributions are necessary. This includes contribution towards meeting the impact of the development on education, improving accessibility to and from the site and helping to develop the linear park along the A1306. A contribution of £1.5 million is considered necessary to achieve these.
- 8.6 New residential schemes should, subject to viability make provision for affordable housing within the development. The viability report submitted with the application seeks to demonstrate that the scheme could not support any affordable housing without grant and remain viable. This has been independently reviewed on behalf of the Council and the conclusions on viability are considered reasonable. The proposal to provide affordable units through grant funding amounts to 51 units (14%) is considered acceptable in light of the conclusions on viability and best meeting the Borough's housing need. A review mechanism to uplift affordable housing provision should values rise is also recommended. Staff consider that the development would be acceptable in terms of affordable provision and meet the objectives for the housing zone and LDF Policy DC6 and London Plan Policies 3.11 and 8.2.
- 8.7 Staff consider that the proposals are acceptable in all material respects and that planning permission should be granted subject to no contrary direction from the Mayor of London, no call-in by the Secretary of State, the prior completion of a S106 planning obligation and planning conditions.

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 S 106 legal agreement. 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:

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

BACKGROUND PAPERS

1. Application form, plans, supporting documents and Environmental Statement received 03-07-2015;
2. Revised plans received 22-07-16; 29-10-2016 & 31-10-2016
3. Addendum to Environmental Statement received 04-05-2016

APPENDIX 1

SCHEDULE OF PLANNING CONDITIONS

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

Reason: To comply with the requirements of Section 91 of the Town and Country 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 listed on the first page of the decision notice, other than where these have been modified by the specific approval of details under the conditions set out below.

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. *Accordance with Environmental Statement and mitigation measures* - The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to this application, including appendices and addendum documents submitted in July 2014 and April 2016, and any additional submission documents.

Reason: To ensure that the development is carried out in accordance with the appropriate standards, measures, requirements and methods set out in the environmental statement and the mitigation measures identified therein.

4. *Phasing* - The development shall be carried out in accordance with the construction phasing plan drawing number PH154-PL-05 00 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 ensure that full details of conditions pursuant to the relevant phase of the development are submitted and to accord with the submitted details.

5. *Condition discharge plan* - The development hereby permitted shall not commence until a condition discharge plan which indicates separate zones of the site to be subject to prior to commencement condition submissions has been submitted to and approved in writing by the Local Planning Authority. Thereafter the discharge of conditions shall proceed in accordance with the agreed condition discharge plan.

Reason: To ensure that there is an appropriate phased sequence of development on the site.

6. *Materials* - No phase of development (as identified in accordance with condition 4 above) shall be commenced until samples of all materials to be used in the external construction of the buildings and to be used to surface car parking areas and associated circulation space within that phase has been submitted to

and approved in writing by the Local Planning Authority. 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 harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. *Hard and Soft Landscaping* – No building operations shall take place above ground in any phase of development (as identified in accordance with condition 4 above) shall be commenced until a detailed scheme for the hard and soft landscaping of that phase of the site based upon the details on drawing PR034-0001 Rev J, has been submitted to and approved in writing 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 on the details of proposed landscaping to enable its acceptability to be judged. Submission of details prior to the commencement of each phase will ensure that the visual amenities of the development are appropriately enhanced in accordance with LDF Development Control Policies Development Plan Document Policy DC61 and the development accords with Section 197 of the Town and Country Planning Act 1990.

8. *Gas Pipeline relocation* – prior to the residential occupation of the units in phases 1a and 1b of the development as shown on the construction phasing plan drawing number PH154-PL-05 00, the section of the Mardyke-Ford Dagenham pipeline shall be re-routed as detailed on the Ardent Constraints Plan ref: S960-005A or to an alternative route the details of which shall be first agreed in writing with the local planning authority, in consultation with the Health and Safety Executive, subject to that route being no closer than 9 metres to any building hereby permitted. Prior to any pipeline relocation works taking place, a scheme detailing of the timing of the works in relation to the phasing of construction and demolition works within phases 1a and 1b and details of the construction methodology, including the measures to be employed to mitigate any adverse impacts on nearby occupiers during relocation, shall be submitted to an approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved scheme.

Reason: In order that the development would be safe. Insufficient information has been supplied with the application to judge the impact on adjoining occupiers, including residents that would arise during the pipeline relocation works. The agreement of details is considered necessary to protect the

amenities of these occupiers prior to commencement in accordance with LDF Development Control Policies Development Plan Document Policy DC61.

9. *Gas Pipeline* - The rerouted pipeline shall have the same characteristics as the existing pipeline i.e. 355.6mm OD, 9.52mm wall thickness, X46 steel, 33.1 barg pressure and 900mm depth of cover, unless a variation to this specification has been first agreed in writing with the Local Planning Authority following consultation with National Grid and the Health and Safety Executive.

Reason: In order to ensure that the development would be safe.

10. *De-culverting works* - The opening of Pooles Sewer shall be carried out in accordance with the details and bank profiles contained with the report entitled 'Hydraulic Modelling of Pooles Sewer' Ref S960-14 & Project S960 dated May 2016 including any revisions to these details that have been submitted to and agreed in writing with the local planning authority, in accordance with a timescale for the works, including a management programme for the newly created habitat that has been agreed in writing by the Local Planning authority prior to the commencement of the development.

Reason: To ensure that the works to the Pooles Sewer are carried out in accordance with the appropriate standards, measures, requirements and methods of construction that have been approved by the Environment Agency to provide flood protection for the development site and to create additional habitat.

11. *Car parking* - No dwelling within any phase of the development (as identified in accordance with condition 4 above) shall be occupied until car parking for that dwelling has been provided in accordance with a programme for the phased implementation of the car parking strategy shown on drawing no. PH154-PL-08 Rev E (or any such amendment to the layout) that has been submitted to and agreed in writing with the local planning authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

12. *Electric vehicle charging points* - No individual phase of development (as identified in accordance with condition 4) shall be occupied until provision has been made for 20% of the parking spaces within the development or relevant phase thereof to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

Reason: Insufficient information has been supplied with the application to demonstrate what level of provision is to be made for electric vehicle charging points. Provision prior to occupation will ensure that the development

adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with policy 6.13 of the London Plan.

13. *Energy efficiency* - Prior to the commencement of development, an energy statement shall be submitted to demonstrate the energy efficiency design measures and renewable energy technology to be incorporated into the development. The statement shall include details of a renewable energy/low carbon generation system for the proposed development, including consideration of the use of photovoltaics, which will displace at least 35% carbon reduction against Part L 2013 of the Building Regulations. The statement should also demonstrate how the proposals could interact with district heating plans for the area and if this has been technically discounted demonstrate how this has been investigated. The renewable energy generation system shall be installed in strict accordance with the agreed details and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any relevant phase of the development. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. Any change to the approved energy strategy shall require the written consent of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application in relation to renewable energy to meet the requirements of Policy 5.2 of the London Plan. The submission of details prior to commencement is necessary to ensure that the proposals would meet the terms of this policy and in the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

14. *Air quality* - The development hereby permitted shall not be occupied until all measures identified in the Air Quality Assessment Report reference Project No 441952 date June 2015 have been shown to be implemented and notification provided to the Local Planning Authority in writing that this has been done.

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..

15. *Land Contamination* - The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

a) A Phase II (Site Investigation) Report. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site 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. The report

comprises 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.

16. *Land contamination (2) -a* If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

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

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

17. *Land contamination 3* - Before any part of the development is occupied, site derived material and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007, Specification of Topsoil.

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with the LDF Core Strategy and Development Control Policies DPD Policy DC53.

18. *Refuse and recycling* - Prior to the first occupation of any phase of the development hereby permitted (as identified in accordance with condition 4 above) provision shall be made for the storage of refuse and recycling awaiting collection within that phase according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority and be retained thereafter for the lifetime of the development.

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.

19. *Cycle storage* - Prior to the first occupation of any phase of the development hereby permitted (as identified in accordance with condition 4 above) provision shall be made for cycle storage of a type and in a location within that phase that shall previously submitted to and agreed in writing by the Local Planning Authority shall be retained thereafter for the lifetime of the development.

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 in accordance with Policy DC36 of the LDF Development Control Policies Development Plan Document.

20. *External lighting* - No dwelling within any phase of the development (as identified in accordance with condition 4 above) shall be occupied until a scheme for the lighting of external areas within that phase, including any access roads, footpaths and cycleways, has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The lighting once installed shall be retained thereafter for the lifetime of the development.

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

21. *No additional flank windows* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window or

other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

22. *Removal of permitted development rights* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Article 3, Schedule 2, Part 1, (or any order revoking and re-enacting that Order with or without modification), no development shall take place under Classes A, B, C, D or E, 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.

23. *Boundary treatment* - The development hereby permitted shall not be commenced until details of proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be installed prior to occupation of that phase of the development and retained thereafter in accordance with the approved plans.

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.

24. *Landscape management plan* - No part of the development hereby permitted shall be occupied until a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscaped areas, other than private gardens, including the pedestrian and cycle pathways, area adjacent to the de-culverted Pooles Sewer and the local area of play, and a timetable for its implementation has been submitted to and approved in writing by the local planning authority. The landscape management plan as approved shall be implemented to the approved timescale and adhered to thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how new landscaped areas and open spaces are to be managed

and maintained in the long terms. Submission of a management plan will ensure that the measures to be employed are robust.

25. *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: The development is a major development in Greater London, but outside the Non-Road Mobile Machinery (NRMM) Central Activity Zone, NRMM used on site must meet Stage IIIA of EU Directive 97/68/EC as a minimum. Also to ensure that the development accords with the Development Control Policies Development Plan Document Policies CP15 and DC52 and London Plan Policy 7.14.

26. *Secured by Design* - The development hereby permitted shall not be commenced until details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included 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, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement 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.

27. *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.

28. *Vehicle Cleansing* - No works shall take place in relation to any of the development hereby approved until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously 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.

The submitted scheme will provide the following details:

- 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.

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

29. *Construction and demolition management*- The development hereby permitted shall not be commenced, including any demolition, until a scheme for a construction and demolition environmental management plan to control the

adverse impact of the development, including the demolition of site buildings and ground clearance works, on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority. The construction environmental management plan shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;
- c) storage of plant and materials, including stockpiles of demolition materials awaiting disposal or re-use;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) the method of piling to be used;
- f) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary;
- g) Details of access points to the site and routes within the site for construction vehicles;
- h) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
- i) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the local planning authority;
- j) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- k) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- l) details of disposal and recycling 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 or the relevant phase thereof shall be carried out in accordance with the approved Plan.

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

30. *Noise insulation* - The noise level in rooms of the development hereby permitted shall meet the noise standard specified in BS8233:2014 for internal rooms. Details shall be submitted to the Local Planning Authority prior to first occupation of the development to demonstrate that this has been achieved.

Reason: In order to comply with Policies CP15, DC55 and DC 61 of the Local Development Framework Development Control policies Development Plan Document.

31. *Wheelchair accessibility* - At least 40 of the dwellings hereby approved shall be constructed to comply with Part M4 (3) (2) (a) of the Building Regulations – Wheelchair User Dwellings. The remainder of the dwellings hereby approved shall be constructed to comply with Part M4 (2) of the Building Regulations – Accessible and Adaptable Dwellings.

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

32. *Details of emergency access* - No development shall commence in Phase 3 of the development as shown on drawing PH154-PL-05 00 until details of the proposed emergency access from Lamson Road have been submitted to and agreed in writing with the local planning authority. The approved details shall be implemented prior to the first occupation of any dwelling within Phase 3.

Reason: Insufficient information has been supplied with the application of the proposed access details and how they would be linked with pedestrian and cycle links to and from Lamson Road. Submission of details prior to commencement of Phase 3 development will ensure that the works can be implemented as part of that phase in accordance with LDF Development Control Policies Development Plan Document Policies DC34, DC35 and DC61.

33. *Details of cycleways and footpaths* – The development hereby permitted shall not be commenced until details of proposed cycleway and footpath linkages as shown on drawing PH154-PL-02 Rev G have been submitted to and approved in writing by the Local Planning Authority. The submission shall include details of the proposed crossing points and traffic calming measures for internal roads, the materials to be used and the method of construction, and a timetable for implementation relative to the agreed phases specified in condition 4 above.

Reason: Insufficient information has been supplied with the application of the proposed footpath and cycle linkages and when they would be constructed. Submission of details prior to commencement will ensure that the works can be implemented to an agreed specification, within an agreed timescale and with suitable materials in accordance with LDF Development Control Policies Development Plan Document Policies DC34, DC35 and DC61.

34. *Visibility splays* - 2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay. No residential unit shall be occupied until the visibility splays have been provided.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

35. *Highway agreements* - No phase of development (as identified in accordance with condition 4) shall commence on site unless and until the Local Planning

Authority has approved a scheme of works for the proposed alterations to the public highway; and no occupation of the development hereby approved shall take place until the approved scheme of works has been implemented by or on behalf of the applicant in full in accordance with the Local Planning Authority's written approval and has been certified as complete on behalf of the Local Planning Authority.

Reason: Insufficient information has been submitted with regard to the proposed alterations to the public highway. Submission of this detail prior to commencement will be in the wider interests of the travelling public and are maintained and comply with policies CP10, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

36. *Fire Hydrants* - Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme detailing the location of fire hydrants in that phase shall be submitted to and approved in writing by the Local Planning Authority. 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.

37. *Archaeology* - No demolition or other development shall take place until a 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, which shall include the statement of significance and research objectives, and

i) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

ii) 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 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 guidance in the NPPF.

38. *Foundation design and method statement* - No development shall take place until details of the foundation pile layout, design and construction method within the area of the identified archaeological potential (figure 13 in QUEST Geo-archaeological Deposit Model Report dated 3rd August 2016) 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: 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.

39. *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

40. *Ecological survey prior to de-culverting works* - Prior to the commencement of any works for the de-culverting of Pooles Sewer development, including any works of demolition or the removal of vegetation or trees within 8 metres either side of the sewer, an updated habitat/ecological survey for that area shall be carried out in accordance with a scheme, and at a time of year, to be agreed in writing by the Local Planning Authority in consultation with Natural England. The de-culverting works shall be undertaken in accordance with the recommendations of the survey.

Reason: Insufficient information has been supplied with the application to judge the final impact of the development upon protected species which are or may be present on the site. An updated survey of the habitat is required due to the nature of the works which present a high risk of severe impacts on the water vole population, in accordance with Policies CP16, DC57 and DC58 of the Core Strategy and Development Control Policies Development Plan Document and the guidance in the NPPF.

41. *Habitat creation works* – The proposals for habitat enhancement shall be undertaken in accordance with the details set out in the habitat mitigation and management plan by Southern Ecological solutions prior to the first occupation of the development or such other timescale that has been submitted to and approved in writing by the Local Planning Authority prior to the implementation of the scheme.

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.

42. *Car Parking Management Strategy* – No part of any phase of the development hereby permitted as specified in condition 4 above shall be occupied until details to show the car parking management strategy associated within that phase within the development has been submitted to the Local Planning Authority for approval in writing. The details shall include the details of measures to be used to manage the car parking areas and the allocation of spaces. The car parking management strategy shall be provided in accordance with the approved details for each phase prior to the first occupation of any dwelling in that particular phase. Such facilities shall be permanently retained thereafter for use by residents for the lifetime of the development.

Reason: In the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

43. *Access details* - No part of any phase of the development hereby permitted as specified in condition 4 above shall be occupied until details to show the access layout at the junction with the A1306 and the highway detailing throughout the development has been submitted to the Local Planning Authority for approval in writing. The details shall be implemented in accordance with the approved details including a timetable for their implementation.

Reason: Insufficient information has been supplied with the application to judge the acceptability of the access and other highway details. The submission and agreement of highway details prior to occupation will ensure highway safety and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC32.

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 representatives from Persimmon Homes and their agent Icení at a series of meetings on 20th October 2015; 2nd December 2015; 19th January 2016 and 16th May 2016 and in subsequent telephone calls and e-mails with Jayme Radford (Icení) and David Moseley (Persimmon) The revisions involved design and layout changes, including materials, orientation, road layout, orientation of cycle/pedestrian footway and linkages to and from the site and designing out crime matters. The amendments were subsequently submitted on 24th March 2016, 4th May 2016 and 16th June 2016.
2. Mayoral CIL - 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 £ (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. Planning obligation - The planning obligations required 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. Temporary use of the highway - If any 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.
5. 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.
6. The grant of planning permission 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.
7. Secured by Design - 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 or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
8. Working in the vicinity of gas pipelines –The development should be carried out in accordance with the guidance provided by National Grid for development in the vicinity of high pressure gas pipelines. A copy of this guidance is appended to the permission.
9. Working in proximity to railway – The development should be carried out in accordance with the guidance provide by Network Rail in respect of

development in proximity to railway lines. A copy of this guidance is appended to this permission.

10. 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.
11. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
12. 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.
13. 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.
14. In preparing submissions to comply with condition 28 it is recommended that reference is made to the GLA's Supplementary Planning Guidance on the Control of Dust and Emissions from Construction and Demolition.
15. In relation to condition 36 above, the written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.