



Havering
LONDON BOROUGH

REGULATORY SERVICES COMMITTEE

6 April 2017

REPORT

Subject Heading:

**P1860.16: 6 Eastern Avenue East,
Romford**

**Demolition of existing vacant filling
station canopy and construction of
new apartment block comprising 9no.
flats with parking and landscaping.
(Application received 17 November
2016)**

Ward:

Pettits

Lead Officer:

**Helen Oakerbee
Planning Manager**

Report Author and contact details:

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Policy context:

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

Financial summary:

None

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

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

The proposal is for the demolition of the vacant filling station canopy and the erection of a new apartment block comprising 9no. flats, with parking and landscaping.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 874 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £17,480 Mayoral CIL payment (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following obligations by 6 October 2017 and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £54,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of

completion of the Section 106 agreement to the date of receipt by the Council.

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

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

1. Time Limit

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

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

2. In Accordance with Plans

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

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

3. External Materials

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will

harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Construction Methodology

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

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

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

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

5. Hours of Construction

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

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

6. Refuse and Recycling

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

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

7. Cycle Storage

Prior to occupation of the building the secure cycle storage facilities as detailed on drawing no. 'P05' shall be provided to the full satisfaction the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

8. Landscaping

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

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

9. Parking Provision

Before any part of the dwellings hereby permitted are first occupied the car parking provision as indicated in drawing no. 'P05' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

10. Boundary Fencing

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

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

11. Pedestrian Visibility Splay

The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access gates, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

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

12. Vehicle Cleansing

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

originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

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

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

13. Noise Insulation

The buildings shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise.

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

14. Lighting

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

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

15. Minor Space Standards

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

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

16. 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.

17. Contaminated Land

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

a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

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

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

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

Reason: 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.

18. Contaminated Land Monitoring

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.

19. Road Traffic Noise

Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from Eastern Avenue upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

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

20. Air Quality Assessment

a) Prior to the commencement of the development hereby approved, an Air Quality Assessment Report shall be submitted to and agreed by the Local Planning Authority. The air quality report will need to consider both the issues of pollution from motor vehicles and the construction works. The report shall detail: how the development may impact upon local air quality, model the future impact, identify mitigation measures, provides full details of measures that will be implemented (or continue to be implemented) after development to protect both the internal air quality of buildings and to ensure that there is no adverse impact on air quality in the vicinity of the development.

b) The use hereby permitted shall not commence until all measures identified in the Air Quality Assessment Report have been shown to be implemented to the satisfaction of the Local Planning Authority in writing.

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

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £17,480 (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. **Changes to the public highway (including permanent or temporary access)**
Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

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

Temporary use of the public highway

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

4. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
5. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
6. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

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

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the former filling station premises at 6 Eastern Avenue East, Romford. The site comprises the remains of a forecourt canopy and associated hardstanding set within a triangular plot located adjacent to the junction of the A12 Eastern Avenue East and North Street.
- 1.2 The north western boundary of the site abuts the side boundary of the commercial premises at Parkside Court. To the south the plot is bounded by the North Street Medical Centre at 274 North Street. The site is located within a mixed residential and commercial area, characterised by predominantly two storey buildings comprising detached and semi-detached houses and commercial premises.
- 1.3 The existing structures on site are not listed and the premises is not located within a conservation area. The land is not subject to any specific land use designation within the LDF.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the demolition of the existing vacant filling station canopy and removal of underground storage tanks, and the construction of a new apartment block comprising 9no. two-bedroom flats, with associated parking and landscaping.
- 2.2 The new building would be set back within the site wrapping around the junction frontage with Eastern Avenue East and North Street, incorporating two main elements: a part two and three storey rectangular brick built block, which would merge into a three storey oval corner feature with a contemporary design. The oval section would be finished with a weathered copper cladding tile finish.
- 2.3 The proposal would provide a total of 12no. off street car parking spaces set out to the north of the site and accessed directly from Eastern Avenue East. The parking area would also provide a refuse storage area installed adjacent to the northern boundary. An internal secure cycle store with 22 spaces would be provided on the ground floor of the new block.

3. Relevant History

- 3.1 P0190.09 - MOT centre, motor vehicle servicing centre with ancillary car washing service, showroom and sandwich bar - Refused, 4 September 2009

- 3.2 P0834.05 - Demolition of existing buildings and site clearance erection of 14 flats and associated parking - Allowed on Appeal, 8 December 2005
- 3.3 P0980.02 - Change of use to car wash and valeting - Approved, 18 July 2002

4. Consultations/Representations

- 4.1 Notification letters were sent to 43 properties and 7 representations have been received. The comments can be summarised as follows:

- Loss of privacy and overlooking of residential properties at Parkside Avenue.
- Loss of light and overshadowing.
- Loss of light and overlooking of offices and meeting rooms at adjacent medical centre.
- Overdevelopment of site and out of character with surrounding area.
- Concerns that future residents may use the medical centre car park as an overflow.

- 4.2 In response to the above: Issues in relation to design, scale, bulk and massing are discussed further in the Density/Layout and Streetscene sections of the report. Issues concerning privacy, overlooking and daylight are considered in the residential amenity section. Car parking is discussed in 'Highway/ Parking' section which are set out below.

- 4.3 The following consultation responses have been received:

- Thames Water - no objection.
- Essex Water - no objection.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Transport for London - no objection.
- Environmental Health - no objection, recommended conditions relating to noise insulation, contaminated land, air quality, and road traffic noise.
- Local Highway Authority - no objection, recommended conditions in relation to pedestrian visibility splays, vehicle access and vehicle cleansing.

5. Relevant Policies

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

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses, and the suitability of the proposed parking and access arrangements.
- 6.2 This proposal follows an appeal decision to grant planning permission (P0834.05) in 2005 for the demolition of the existing buildings and site clearance and the erection of 14no. flats and associated parking.
- 6.3 Whilst both the current application and the scheme allowed at appeal in 2005 propose a residential redevelopment; the current scheme is considered to be substantially different to the 2005 proposal in terms of design, but it does share close similarities by way of building footprint, site layout, height, bulk and massing.

Principle of Development

- 6.4 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.

- 6.5 In terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres. Policy DC11 generally requires the redevelopment of non-designated commercial sites for residential.
- 6.6 On this basis the proposal is considered to be policy compliant in land use terms and change of use to residential purposes is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.7 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.8 The proposal would provide 9no. residential units at a density equivalent to approximately 105 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a density of between 50 to 110 dwellings per hectare would be appropriate in this location.
- 6.9 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.
- 6.10 The proposed flatted block would provide 9no. two-bedroom flats with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed development would be in accordance with technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.11 Havering's Residential Design SPD does not prescribe minimum space standards for private and shared amenity areas. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 6.12 The proposed upper floor flats would each be provided with balconies ranging from between 7 square metres and 8.5 square metres. The ground floor flat, unit 1, would have an external terrace area and the third floor flat, unit 9, would benefit from a spacious roof terrace area. A shared landscaped

communal garden area would be set out to the south of the site adjacent to North Street.

- 6.13 It is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space and in this instance would be adequate for the requirements of the two-bedroom apartments.

Design/Impact on Streetscene

- 6.14 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.15 The former petrol filling station has not been in use for several years and the site has become untidy and run-down, giving the site and surrounding area a neglected appearance. It is recognised that the proposed building would form a prominent feature, particularly in comparison to the canopy structure that currently occupies the site. However, on balance the appearance and style of the new building is considered to be of an interesting and high quality modern design, which seeks to recognise the prominent corner plot location and form more of a salient feature within the streetscene.
- 6.16 The height, bulk and massing of the building is considered to be similar to that of the other three-storey residential development within the vicinity of the junction, located on the opposite side of Eastern Avenue East at Sphere Apartments. The proposal also shares close similarities by way of building footprint, site layout, height, bulk and massing with an earlier scheme at the site for an apartment block comprising 14no. flats that was granted planning permission on appeal in 2005.
- 6.17 It is acknowledged that to the north and south the proposed building would be juxtaposed to some extent with its setting adjacent to the two-storey commercial units and medical centre. Nevertheless, the character of the surrounding area is undistinguished and it is considered that the adjacent buildings offer little in terms of architectural quality to this section of the streetscene. As such the features of these buildings should not necessarily be replicated fully in the proposed re-development.
- 6.18 The application site forms a very conspicuous location in terms of its position adjacent to the junction of Eastern Avenue East and North Road. In summing up the appeal case in 2005, the Inspector noted that the redevelopment of the site provides an important opportunity for increasing the legibility of the local townscape by the provision of a building that would serve as a landmark feature on this corner, marking a gateway to the town centre.
- 6.19 It is recognised that the new building would be significantly larger than the structures it replaces. But in terms of height, the 2005 appeal Inspector considered a three-storey building to be sufficiently tall to give some

prominence to the site, whilst not appearing unduly out of scale with the existing development. Staff are of the view that this principle has been carried forward in to the current proposal. As such it is considered that the proposed new block would serve to frame the prominent corner location and function appropriately as a marker identifying the road junction. As such it is considered that the striking contemporary design would create an interesting architectural feature, enhancing the character and appearance of the streetscene at a gateway junction to Romford town centre.

- 6.20 In terms of materials, the oval corner feature would be treated with distinctive green weathered copper cladding tiles. Staff consider that this detail would be a crucial element in ensuring that the proposed contemporary design is of the quality necessary for a new development of the scale proposed in this prominent location.
- 6.21 On balance it is considered that the proposed development would contribute positively to the streetscene at the junction of Eastern Avenue East and North Road would serve to enhance the character and appearance of the area in accordance with Policy DC61.

Impact on Amenity

- 6.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.23 The main consideration in terms of residential amenity relates to the impact on privacy, daylight and outlook for the occupants of the dwellings at the first floor flats at Parkside Court and houses at Parkside Avenue located to the north and south of the application site respectively.
- 6.24 In terms of privacy and overlooking; the new building would be orientated with windows on all elevations, and balconies on the north and south elevations as well as a roof terrace with an outlook over Eastern Avenue East.
- 6.25 There would be no overlooking or inter-looking with the closest residential flats at Parkside Court given the off-set orientation of the adjacent building with rear windows facing away from the site. The impact on this property through loss of light and over-dominance would be mitigated by separation distances of over 20 metres.
- 6.26 The rear of the residential properties at Parkside Avenue would be located over 50 metres from the site and separated by a strip of land to the rear of the medical centre. As a result it is not considered that the proposed

development would present any undue impact on the residential amenity of these neighbouring houses in terms of privacy, overlooking and loss of light.

- 6.27 Concerns have been raised by the adjacent medical centre that the development would result in overlooking and loss of light due to the proximity of the new building to several side windows serving staff meeting rooms and patient consulting rooms. Whilst it is acknowledged that the proposed building would form a much more prominent feature adjacent to the medical centre in terms of outlook; the new building would be orientated directly to the north, so would not cause overshadowing. In addition the medical centre is not occupied by residential patients and those using the facility are doing so on a transient basis. There would be no harm to the amenity of residential occupiers in this instance.
- 6.28 Staff are of the view that given the specific site circumstances and the positioning of the proposed building in relation to the boundaries of the site and adjacent buildings, the development would stand comfortably in this location and would not prejudice future re-development of the medical centre site.
- 6.29 On balance it is not considered that the proposed development would present any undue issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with Policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

Environmental Issues

- 6.30 The site is a former petrol filling station and Environmental Health have raised no objections, subject to a series of conditions in relation to historical contaminated land issues and the remediation of the land.
- 6.31 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 6.32 The proposal is not considered to give rise to any significant noise issues that would not normally be associated with residential occupation.

Parking and Highway Issues

- 6.33 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 3, meaning that the site offers an average degree of access to surrounding public transport. As such this invokes a standard of 1.5-1 parking spaces per dwelling. The London Plan suggests that up to 1no. parking space per unit would be appropriate in this location.

- 6.34 The scheme can demonstrate off street car parking provision for 12no. vehicles, which equates to 1.3 spaces per dwelling. Given the site circumstances this level of provision is considered acceptable in this location.
- 6.35 The Local Highway Authority has raised no objection to the proposal, but have requested that additional information in relation to pedestrian visibility splays is requested via condition, to ensure the safe ingress and egress of vehicles from the site onto the A12.
- 6.36 A refuse storage area would also be installed in the car park adjacent to the northern boundary of the site. In terms of servicing the refuse store would be accessible to a refuse collection truck with sufficient spacing to allow the collection vehicle to enter and exit the site in a forward gear.
- 6.37 An internal secure cycle store with space for 22no. bicycles would be provided on the ground floor of the new block.

Mayoral Community Infrastructure Levy

- 6.38 The proposed development will create 9no. residential units with 874 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £17,480 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.39 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 6.40 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.41 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.

- 6.42 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.43 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.
- 6.44 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.45 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 per dwelling towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.46 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £54,000 for educational purposes would be appropriate.

7. Conclusion

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

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

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be required for the completion of a legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 17 November 2016.