



## REGULATORY SERVICES COMMITTEE

29 June 2017

## REPORT

**Subject Heading:**

P0549.17 Site at Roneo Corner, Junction of Rom Valley Way & Rush Green Road, Romford

Amendments to development approved under P1918.11 which permitted the construction of 2no. part eight, part nine storey blocks containing a total of 141 flats.

**Ward:**

Brooklands

**SLT Lead:**

Steve Moore  
Director of Neighbourhoods

**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**

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

[X]  
[X]  
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## **SUMMARY**

The application seeks permission for amendments to the original planning permission for the construction of 2no. part eight, part nine storey blocks containing a total of 141 flats. The current scheme involves variations to the elevations and the height of the approved, second building which fronts Rush Green Road. The building fronting Rom Valley Way, known as Vickers House, is complete and occupied.

The proposal is considered acceptable and as such it is recommended that planning permission is granted subject to conditions and a variation of the legal agreement being completed.

## **RECOMMENDATIONS**

That the Committee notes that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on the additional internal gross floor areas of 26.4m<sup>2</sup> which, at £20 per m<sup>2</sup>, equates to a Mayoral CIL payment of £528 (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant, by 29 October 2017, entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed on 30 March 2012 in respect of planning permission P1918.11 by varying the definition of Planning Permission which shall mean either planning permission P1918.11 as originally granted or planning permissions P0827.15 and P0549.17.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 30 March 2012 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 30 March 2012 will remain unchanged.

In the event that the Deed of Variation is not completed by such date the item shall be returned to the committee for reconsideration.

The Developer/Owner shall furthermore pay the Council's reasonable legal costs in association with the preparation of the agreement, irrespective of whether the legal agreement is completed.

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:

That Staff be authorised that upon the completion of the Deed of Variation that planning permission be granted subject to the following conditions:

1. *Accordance with plans* - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans submitted as part of P1918.11 and P0827.15 together with the current proposal P0549.17.

**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.

2. *Disabled parking* -. Before the building hereby permitted fronting Rush Green Road is first occupied provision shall be made within the area shaded pink on phasing plan SK.265C (phase 2) for 1 no. disabled car parking space in accordance with the approved details. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure adequate on-site parking is available for the disabled and to comply with the aims of Policy 6.13 of the London Plan.

3. *Materials* - The development hereby permitted shall be constructed with external materials as previously approved under application Q0034.13.

**Reason:** To ensure that the appearance of the proposed development 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.

4. *Landscaping* - The development hereby permitted shall be landscaped in accordance with the details as previously approved under Q0295.12.. All planting, seeding or turfing comprised within the area shaded pink on phasing plan SK.265C (phase 2) shall be carried out in the first planting season following completion of the building fronting Rush Green Road and any trees or plants which within a period of 5 years from completion of this part 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:** To enhance the visual amenities of the development and in order that the proposal complies with Policies DC60 and DC61 and the SPD on Landscaping.

5. *Boundary treatment* - The development hereby permitted shall be constructed in accordance with the details of the boundary treatment as previously approved under application Q0294.12.

**Reason:** In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

6. *Secure by Design* - The development hereby permitted shall be implemented in accordance with principles and practices of the Secured by Design Scheme as previously approved under application Q0295.12.

**Reason:** In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

7. *External lighting* - All external lighting to the development hereby permitted shall be provided in accordance with the details as previously approved under Q0295.12. The approved scheme, in so far as it relates to the area shaded pink on phasing plan SK.265C (phase 2), shall be implemented in strict accordance with the agreed details prior to the first occupation of the building fronting Rush Green Road and retained thereafter to the satisfaction of the Local Planning Authority.

**Reason:** In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

8. *Hours of construction* - No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

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

9. *Wheel washing* - The development hereby permitted shall be implemented in accordance with the wheel washing details as previously approved under application Q0294.12. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

**Reason:** In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

10. Construction method statement - The development hereby permitted shall be implemented in accordance with the construction method statement as previously approved under application Q0294.12.

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

11. CCTV - Prior to first occupation of the development hereby permitted, CCTV shall be installed in accordance with details as previously approved under application Q0034.13 and thereafter, permanently retained and maintained.

**Reason:** In the interests of delivering a safer development, reflecting guidance set out in NPPF and Policy DC63 of the Core Strategy and Development Control Policies Submissions Development Plan Document.

12. *Archaeology* - The development hereby permitted shall be implemented in accordance with the Archaeological and Geoarchaeological investigation as previously approved under application Q0294.12

**Reason:** Important archaeological remains may exist on this site. The Local Planning Authority wishes to ensure that an investigation is carried out during the development's groundworks so that archaeological remains not protected by other measures are investigated and recorded, and in order that the development accords with Development Control Policies Development Plan Document Policy DC70.

13. *Native planting* - Planting to the west of the river Rom, in the buffer zone between the river's edge and the Rom Valley Way shall be of locally native plant species only, of UK genetic origin.

**Reason:** The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

14. *Pedestrian link* - Prior to the first occupation of units within the building fronting Rush Green Road hereby permitted, the remaining pedestrian paths falling within the area shaded pink on phasing plan SK.265C (phase 2) shall be fully constructed and available for use.

**Reason:** In the interests of highway safety and to ensure connection with the public rights of way network.

15. *Insulation* - The buildings shall be so constructed as to provide sound attenuation of not less than 45dB(A) against internally generated airborne noise and 62dB(A) against impact noise.

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

16. *Noise assessment* -. Before the building fronting Rush Green Road hereby permitted is first occupied, the scheme for protecting occupants from road traffic noise shall be implemented in accordance with details approved under application Q0034.13 and thereafter, permanently retained and maintained.

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

17. *Sustainability*: - The development hereby permitted shall be implemented in accordance with the sustainability statement as previously approved under application Q0034.13

**Reason:** In the interests of energy efficiency and sustainability in accordance with the Council's Planning Guidance on Sustainable Design and Construction and Policy 5.7 of the London Plan.

18. *Minimising carbon emissions* -. In the case of the building fronting Rush Green Road hereby approved, no units shall be occupied until the renewable energy generation system as approved under application Q0295.12 has been installed into the building in strict accordance with the agreed details and is operational to the satisfaction of the Local Planning Authority.

**Reason:** In the interests of energy efficiency and sustainability in accordance with the Council's Planning Guidance on Sustainable Design and Construction and Policies 5.2 of the London Plan.

19. *Drainage 1* - Surface water drainage works shall be carried out in strict accordance with details that have been previously approved under application Q0295.12. The works serving the area shaded pink on phasing plan SK.265C (phase 2) shall be carried out in full prior to the first occupation of the building fronting Rush Green Road.

**Reason:** To prevent the increase risk of flooding to the site itself and third parties.

20. *Drainage 2* - Site drainage works shall be carried out in strict accordance with details that have been previously approved under application Q0295.12.. The works serving the area shaded pink on phasing plan SK.265C (phase 2) shall be carried out in full prior to the first occupation of the building fronting Rush Green Road.

**Reason:** To prevent pollution of the water environment.

21. *Drainage 3* - Notwithstanding the requirements of condition 22 above, the development hereby permitted shall be implemented in accordance with the details of appropriate measures to prevent pollution of groundwater and surface water as previously approved under application Q0294.12

**Reason:** To prevent pollution of the water environment

22. *Restricted storage or deposition* - No spoil or materials shall be deposited or stored on the part of the site lying within the area of land liable to flood during a 1:100 20% event.

**Reason:** To prevent the increase risk of flooding due to a reduction of flood storage capacity and impedance of flood flows.

23. *Details of culvert access* - The development hereby permitted shall be implemented in accordance with the details of the vehicle access ramp and turning area serving the River Rom culvert as previously approved under application Q0034.13

**Reason:** To retain access to the watercourse for the riparian owner or the Environment Agency to carry out maintenance and inspections and to prevent the increase risk of flooding to the impedance of flood flows.

24. *Air quality report* - The development hereby permitted shall be implemented in accordance with the details of the air quality as previously approved under application Q0034.13

**Reason:** To protect the amenity of future occupants and/or neighbours and in the interests of the declared air quality management area.

25. *Flood risk assessment* - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) issue 2 (Final), dated December 2011, reference number 5093660 compiled by Bureau Veritas and the following mitigation measures detailed within the FRA:

- Lowest finished floor level, ground floor parking area, are set at 8.85m above Ordnance Datum (AOD) (FRA section 7.1.2, page 14).
- Limiting the post development surface water run off from the site to a maximum of 5 litres per second (FRA section 8.2.4, page 16).
- Provision of a new access ramp from South Street to the River Rom flood relief channel FRA section 10.1.1, page 19).
- Balconies over hanging the easement/access ramp will have a minimum headroom clearance of 6.0m.

**Reason:** To reduce the risk of flooding to the proposed development, future occupants and third parties.

26. *Water environment* - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason:** To protect the water environment. The report provides no information on proposed drainage systems. The site could have existing contamination owing to

the site history. No infiltration to ground should be used in contaminated soils. The perched water may be fairly shallow. Should soakaways be considered they should not intercept the water table and provide sufficient stand-off.

27. *Piling* - Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:** To protect the water environment. It is not clear if piling will be used. It is also envisaged to potentially use Ground Source Heat Pumps. Information on historic use and made ground is limited, any proposals need to take into account of potential contamination through appropriate mitigation measures or risk assessment.

28. *Stopping Up of Highway* - The development hereby permitted shall be implemented in accordance with the details of the stopping up of that part of the application site which comprises adopted highway as previously approved under application Q0294.12

29. *Car Parking* - Before the building fronting Rush Green Road hereby permitted is first occupied, the areas set aside for car parking as shown within the area shaded pink on phasing plan SK.265C (phase 2) shall be laid out and surfaced to the satisfaction of 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.

Reason: To fully consider the impact of the proposed development in respect of public highway.

29. *Pedestrian access:* The pedestrian access which connects South Street to Rush Green Road to the eastern edge of the site shall be retained and secured during construction as per details previously approved under application Q0294.12

**Reason:** In the interest of ensuring good design and public safety and to comply with Policies DC61 of the Core Strategy and Development Control Policies Development Plan Document.

## **INFORMATIVES**

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012,



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

2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: 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.

3. Under the terms of the Water Resources act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or development to a surface watercourse. Please contact the Environment Management Team on 01707 632702 for further details.

4. Under the terms of the Water Resources act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Please contact the Regulatory Water Quality team on 01707 632702 for further details.

5. Under the terms of the Water Resources act 1991 and the Land Drainage Bylaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under or within 8 metres of the Rom main River.

6. The applicant is advised that there are public sewers crossing the site and no building works will be permitted within 3 metres of the sewers without prior consent of Thames Water.

7. Japanese knotweed is present along many sections of the Rom. This is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring. The site should be assessed for non-native invasive plants prior to development and if present method statements developed accordingly. Development shall proceed in accordance with the approved method statement.

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

## REPORT DETAIL

### 1. Site Description

- 1.1 The site is located to the west of the junction between Rom Valley Way and Rush Green Road and is trapezoidal in shape covering 0.6 hectares. The site is currently occupied by a newly built 8/9 storey flatted development known as Vickers House. The existing building on site is part one of an approved development for 2no. blocks of flats. A culvert of the River Rom is located to the west. The site is bound by Merritt House to the north, the Neopost building to the east, Rush Green Road to the south and Rom Valley Way to the west.
- 1.2 Vehicular access into the site is from South Street. There is an existing pedestrian way to the eastern boundary of the site linking South Street with Rush Green Road/Roneo Corner.

### 2. Description of Proposal

- 2.1. Planning permission is sought for amendments to Phase 2 of the approved scheme which may be summarised as follows:

#### Elevations

- Primary entrance relocated to the north elevation
- Slight change to window positions
- Cladding position amended
- Balcony positions changed
- Smaller sized windows introduced
- Grey brick positions amended to match the new core positions

#### Ground floor layout (internal)

- The layout re-planned to reflect removal of fire escape stair core
- Main entrance - lift and stair core relocated
- The omission of the fire escape stair core and relocation of the main entrance with straight alignment to flank walls of the block
- New ground floor projection for revised main entrance
- Refuse store reduced in size
- Cycle store re-planned to accommodate 41 cycles (51 as amended)
- Gas meter room added
- New position of refuse room, substation and switchgear

#### Ground floor external area

- One car parking space removed from new relocated entrance with the space replaced internally
- Lighting columns relocated to new entrance position
- Primary path to approved main entrance omitted
- New path to new entrance provided
- Vehicle entrance re-aligned to match adjusted ground floor layout
- Path to bin store adjusted to reflect new door position
- Paths to electric-substation and with room adjusted to reflect new door position
- Steps removed from path between two phases, and path regraded
- Gate and fence between two phases re-configured to accommodate changes to adjoining path
- Soft landscape positions adjusted to suite new paving positions

#### Upper floor residential layout

- Layout re-planned reflecting removal of stair core
- Dwelling mix amended to provide 8 one bedroom flats and 40 two bedroom flats with all 2 bedroom flats including en-suite showers
- Obscure glazed windows added to western elevation
- All three bed units omitted from the scheme

### **3. Relevant History**

- 3.1 P0827.15 - Variation of conditions 3, 4, 6, 9, 14, 17, 19, 21, 22 and 23 of P1918.11 in order to allow for phasing of development - Approved
- 3.2 P1061.13 - Variation of conditions 3, 4, 6, 9, 14, 17, 19, 21, 22 and 23 of P1918.11 in order to allow for the phasing of the development - Approved
- 3.3 P1918.11 - Construction of 2 no. part eight and part nine storey blocks containing a total of 141 flats; associated car, cycle and motor cycle parking; provision of relocated access from South Street; provision of landscaped pedestrian & cycle route linking South Street & Rush Green Road; formation of maintenance access ramp from South Street to the River Rom Culvert; part of the application site comprises adopted highway and would require a stopping up order under Section 247 of the Town and Country planning Act 1990 to facilitate the implementation of the development which will be considered separately - Approved
- 3.4 P1380.09 - Construction of 8 storey mixed use development containing 93 flats, healthcare facilities with offices, restaurant/cafe, associated highway alterations with new access, pedestrian & cycle route from South Street to Rush Green Road - Approved. This permission was valid until 6th July 2013.

- 3.5 P0269.08 - Removal of condition 33 attached to planning consent P1397.07, so as to allow vehicles to turn right from and into South Street when accessing or egressing the site - Approved.
- 3.6 P1397.07 - Construction of 8 storey mixed use development containing 121 flats, Healthcare facilities with assoc. offices, restaurant/cafe, ancillary parking & servicing, stopping up of no longer required highway land, provision of relocated access from South St, landscaped pedestrian & cycle route from South St to Rush Green Rd, maintenance access ramp from South St to culvert and new landscaping to either side of culvert - Approved.

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

4.1 Neighbour notification letters were sent to 663 properties and 15 letters of objection were received raising the following concerns.

- Insufficient car parking
- Increased congestion as the area is already very busy
- The number of dwellings would have an adverse impact on emergency services
- Overpopulation & overdevelopment
- Insufficient infrastructure provision in the area
- No room for more high rise building in the area
- Increased flood risk
- The proposal would result in a loss of amenity in the area
- The footpath is crucial to the area to enable access to local shops
- Removal of the fire escape core is a safety hazard

4.2 In response to the neighbour's concerns, it is noted that the main thrust of these concerns relate to the principal of the development and were addressed part of the original application. Therefore this response is confined to the additional issues arising out of the current application.

4.3 In this respect it is considered that the removal of one of the fire escape cores is a matter that would be addressed under separate legislation under the Building Regulations. Nevertheless, the applicant has provided the following detail in support of the proposed amendment.

4.4 The applicant states that there are eight floors of residential accommodation in the proposal each with six apartments in an identical layout on each floor. They state further that Part B of the Building Regulations allows a single escape route from the entrance door of an apartment if the apartment is separated from the stair by a protected lobby or common corridor which incorporates ventilation. The regulation also requires that the maximum travel distance from the apartment entrance door to the protected stair lobby is 7.5 metres.

4.5 They conclude by stating that the above requirements for safe means of escape are incorporated on all floor levels making the proposed single

escape stair arrangement fully compliant with Part B of the Building Regulations.

4.6 With regard to the footpath, it is noted that a footpath will be retained which would enable appropriate access.

4.7 The following consultation responses have been received:

- Metropolitan Police (Designing out Crime) - No objection subject to recommendations on a number of issues including lighting, landscaping and doors
- Environment Agency - No objection
- Essex & Suffolk Water - No objection subject to water being diverted from the site at full cost to the developer
- London Fire Brigade - No additional Hydrants required
- London Fire and Emergency Planning Authority - No objection
- Historic England - No further assessment required
- Environmental Protection - Recommend condition regarding air quality and noise
- Waste and Recycling Team - No objection subject to guidance being adhered to
- Highways - No objection
- Thames Water - No objection subject to appropriate arrangements for surface water drainage and piling

## **5. Relevant Policies**

5.1 Policies CP1 (housing supply), CP2 (sustainable communities), CP9 (reducing the need to travel), CP10 (sustainable transport), CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC50 (sustainable design and construction), DC55 (noise), DC61 (urban design), DC63 (crime) and DC72 (planning obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Residential Design SPD is also relevant.

5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character) and 7.5 (Public Realm) of the London Plan (2011).

5.3 National Planning Policy Framework (NPPF) Section 6 "Delivering a wide Choice of Homes", and Section 7 "Requiring Good Design".

## 6. *Principle of Development*

6.1 The principle of development has already been established by the original planning permission reference P1918.11 and subsequent amendments to the permission the most recent of which was reference P0827.15 which involved the phasing of the development.

6.2 Issues relating to density & layout; impact on amenity; highways and parking; the River Rom and the environmental impact of the proposal have already been considered and deemed to be acceptable on the original and subsequent variations to the original scheme.

### 6.3 **Staff Comments**

6.4 Staff consider that that the main considerations in this case relate to design, standard of accommodation, dwelling mix and impact on the amenities of surrounding occupiers. The proposal involves changes to the elevational treatment including changes to the position of windows balconies entrances and the height of the proposed building.

### 6.5 **Design and Appearance**

6.6 The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies DC61 and CP17 of the Core Strategy and Development Control Policies Development Plan Document 2008 accord with the NPPF in requiring development to and that new developments are satisfactorily located and are of a high standard of design and layout, requiring development to maintain or improve the character and appearance of the local area in terms of scale and design.

6.7 The main changes affecting the appearance of the building relate to the repositioning of windows balconies and entrance and service doors, with the windows and balconies being repositioned typically by between 1 and 1.7m to front and rear elevations of the building. Side windows to Rom Valley Way would also repositioned some 0.5m from the previously approved position.

6.8 It is considered that the repositioning of the balconies windows and doors would not significantly affect the design and appearance of the building as the elevational changes are proportionate and the varied design approach remains intact.

### **Standard of Accommodation**

6.9 The original planning permission pre-dates the current floorspace standards and the proposed floor space follows on from this with the floor space set out as follows:

#### Approved Floor space

Unit Type	Floorspace
1B2P Type A	46.3
1B2P Type B	47.1
2B4P Type A	70.7
2B4P Type B	71.1
3B5P Type A	80.8

#### Proposed Floor Space

Unit Type	Floorspace
1B2P Type	45.7
2B4P Type A	70.9
2B4P Type B	76.9
2B4P Type C	69.9
2B4P Type D	69.6
2B4P Type E	70.2

- 6.10 The proposed floorspace is generally consistent with those of the approved scheme apart from slight shortfalls of less than 1m. However, it is not considered that such shortfalls would justify the withholding of planning permission given the overall quality of the proposed development.
- 6.11 It is submitted that given the history of the approvals at the site and the extant planning permission which effectively represents a fall-back position, it is difficult to insist that the floorspace is adjusted to meet the standards set out in Policy 3.15 of the London Plan.

#### **Dwelling Mix**

- 6.12 In relation to dwelling mix, the applicant has omitted the 3 bedroom flats from the current scheme on the basis of the following:

Firstly, by reason of the nature of this high-rise residential scheme, it is not possible to provide sufficient, safe and useable outdoor amenity space for family needs and the proposal as approved makes no provision for ground level communal amenity space.

Secondly, the sizes of the three bedroom units as approved fall well below the current national standards.

Thirdly, the applicant considers that there is little demand for family sized flats in this area, in part because of the site location next to busy roads, the unsuitable nature of high-rise environment for families with children and the absence of safe private or communal amenity space for use by children.

6.13 Officers consider that while the omission of three bed flats from the proposal would reduce the overall mix of housing in the development issues raised by the applicant have substance and in the circumstances it is not considered that this omission would be so harmful to the nature of the scheme as a whole as to diminish the overall benefits of the proposal.

#### 6.14 **Impact on Amenity**

6.15 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight or privacy to adjoining properties.

6.16 The main effect of the proposed window repositioning would be to the eastern elevation of the existing building Phase I. The separation distance between buildings would be between 4m and 9m. The side windows to application premises would be repositioned by no more than 0.5m to flank bedroom windows on all floors with the flank shower room windows being obscure glazed.

6.17 The relationship would differ slightly from that approved but the impact on amenity would remain acceptable.

6.18 The development is considered acceptable in terms of its likely impact on the amenities of neighbouring residential occupiers. Thus the proposal is in compliance with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

#### 6.19 *Parking and Highway Issues*

6.20 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. Issues relating to car parking and access have been agreed on the previously approved application. The revised arrangements involving the relocation of one of the parking spaces to within the building is acceptable and no concerns have been raised by the Highways officer.

6.21 The provision of cycle storage space was originally proposed to be reduced to 41 as part of the current proposals, seven short of the 48 spaces approved for this phase of the development. Following the expression of officer concern, the applicant has agreed to provide additional secure cycle storage for 10 cycles to the front wall immediately in front of the proposed cycle storage area. This would exceed the approved provision by three which is considered acceptable.

### 7. *Mayoral Community Infrastructure Levy*

7.1 The proposed development will create 141 no. new residential units, however the original application was approved prior to the Mayoral Infrastructure levy being introduced and as such only the slight increase in



new gross internal floorspace of 26.4m<sup>2</sup>. Therefore the additional floorspace is liable for Mayoral CIL and will incur a charge of £528.00 (subject to indexation this figure may go up or down) based on the calculation of £20.00 per square metre.

## 7.2 *Infrastructure Impact of Development*

7.3 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.

7.4 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.

7.5 In accordance with the approved scheme reference P1918.11, the proposal is subject to the terms of a s.106 agreement containing obligations relating to (i) the provision of 93 affordable housing units with specified tenure mix, (ii) a highways contribution of £10,480, (iii) an education contribution of £180,000, (iv) a contribution of £20,960 towards the naturalisation of the River Rom culvert, and (v) a restriction on the rights of occupiers to obtain residents parking permits.

7.6 A Deed of Variation is necessary to ensure that these obligations agreed through the original s106 agreement dated 30 March 2012 are linked to this planning application.

## 8. **Conclusion**

8.1 In conclusion, the proposed changes to the proposal as outlined in this report are considered to be acceptable in terms of appearance and relationship to the surrounding area. It is therefore recommended that planning permission be granted, subject to the completion of a Deed of Variation.

## IMPLICATIONS AND RISKS

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

Financial contributions are required through a legal agreement.

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

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

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

None.

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

The Council's planning policies are implemented with regard to Equalities and Diversity. The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.