



REGULATORY SERVICES COMMITTEE

5 October 2017

REPORT

Subject Heading:

P0610.17:Highways Depot and
Workshop, 423 Rainham Road,
Hornchurch

Ward:

Expansion of the existing Central Depot parking area by 27 no. vehicle parking spaces, with associated hard paving and external lighting works (Application received 26th June 2017).

SLT Lead:

Elm Park

Report Author and contact details:

Steve Moore
Director of Neighbourhoods

Policy context:

Suzanne Terry
Planning Team Leader
suzanne.terry@havering.gov.uk
01708 432755

Financial summary:

Local Development Framework
The London Plan
National Planning Policy Framework

None

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

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input checked="" type="checkbox"/>
Connections making Havering	<input checked="" type="checkbox"/>

SUMMARY

The application relates to the existing Council highways depot in Rainham Road. The application seeks consent for an expansion of the existing parking facilities within the site, to create an additional 27 spaces. These would be used by the Council's Passenger Transport Service. The site is located within the Metropolitan Green Belt. However, Staff consider that very special circumstances have been demonstrated to justify the proposed development within the Green Belt. The proposal is considered to be acceptable in all other material respects.

The application is subject to referral to the Mayor for London. Subject to no contrary direction from the Mayor for London it is recommended that planning permission is granted

RECOMMENDATIONS

That the application is unacceptable as it stands but would be acceptable subject to:

No direction to the contrary on referral to the Mayor for London under the provisions of the Town and Country Planning (Mayor of London) Order 2008.

Subject to this that planning permission be granted subject to the following conditions:

1. Time Limit

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

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning 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 Lighting

The car parking area hereby approved shall not be brought into use until external lighting has been provided in accordance with details which shall have been 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.

4. Ecology

The development hereby approved shall be undertaken in accordance with the recommendations set out in Section 5 of the Extended Phase I Habitat Survey, dated 6th March 2017.

Reason:

To ensure that the development satisfactorily addresses the potential impacts of the development on protected species and notable habitats on site and in the surrounding area and to accord with Policy DC58 of the Core Strategy and Development Control Policies Development Plan Document.

5. 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.

6. Hours of Construction

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

Reason:-

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

7. Wheel Washing

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.

8. Construction Logistics Plan

Prior to the commencement of the development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason:

Insufficient information has been provided to demonstrate the arrangements put in place to manage construction traffic. Submission of this detail prior to commencement will mitigate the impact of the development on the strategic highway network.

9. Removal of Spoil

Prior to the commencement of the development hereby approved, details of the amount of spoil to be removed from the site and the method of removal and disposal, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason:

Insufficient information has been provided to quantify the amount of spoil to be removed and the associated impacts of this. Submission of the detail prior to commencement will ensure that suitable measures are put in place to mitigate the impact of the removal of spoil from the site.

10. Construction Method Statement

No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. 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.

11. Travel Plan

Within 3 months of the bringing into use of the development hereby approved, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include a review of the need for additional cycle storage and blue badge parking within the site. It shall also include measures for future monitoring and review. The recommendations of the

travel plan shall thereafter be implemented in accordance with a timetable that shall be agreed in writing with the Local Planning Authority.

Reason: To ensure that the development cater suitably for all members of the travelling public and to minimise the impact of the development on the highway network

INFORMATIVES

1. Approval - No negotiation required

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

2. Fee Informative

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwelling house, is needed.

REPORT DETAIL

1. Site Description

1.1 The application site is located to the western side of Rainham Road, at the point where the road bends northwards, beneath the railway embankment and into Upper Rainham Road. The site is presently used by the Council as a fleet maintenance and highways servicing depot.

1.2 The site is situated within the Metropolitan Green Belt. The site also forms part of a site of Nature Conservation Importance (SINC) at Borough level and is part of the Bretons playing fields area of open space. The site is also within a Minerals Area of Search. There is a variation in levels but the site generally lies, approximately 1m below street level. The Beam River runs along the north/north-western side of the site, beyond which is the railway embankment atop which runs the London Underground District Line.

1.3 The Council depot is a well-established site, having initially been granted planning permission in 2008, with further expansion of the site approved in 2011. It comprises areas of hard surfacing and a number of associated buildings, including a 7m high workshop building, which is located on the

north/north-eastern side of the site. The planning application relates to the south-western part of the depot, which is currently occupied by the passenger transport services site office, a salt storage building and approximately 50 surface parking spaces, which are enclosed by landscaped bunding to the south and western sides.

2. Description of Proposal

- 2.1 The application is for expansion of the existing parking area towards the southern and western boundaries of the site to create additional parking area within the current Council depot, as well as enlarging the size of bays to accommodate coach parking (2.85m wide by 8.1m long). The expanded parking area would result in a total of 77 parking bays, which is an increase of 27 spaces, compared to the 50 spaces currently existing. The additional parking space will be used by the Council's Passenger Transport Service (PTS) to transport a range of clients, including adult social care and children with special educational needs.
- 2.2 The additional spaces will be provided within the existing site boundaries and will be created by the reduction of two existing earth bunds, enabling the formation of an enlarged surface parking area. A new concrete retaining wall and metal balustrade would be constructed to the northern boundary, to match that currently existing with new external metal steps in the north-western corner of the site. The existing earth bund would be reduced in depth but still retained along the southern boundary of the site, at a height of approximately 1.5m.

3. History

- 3.1 P1322.05 Change of use to highways depot, hard standing and erection of temporary buildings - withdrawn

P0437.08 Use of land as Highways Depot, including vehicle parking and open storage, erection of workshop, office and ancillary buildings. Formation of new access and alter part of former salt store to reinstate landscaped area – approved.

P0175.10 New office / mess / store building and provision of parking spaces to form new Council transport depot. New boundary fencing and lighting. Realignment of footpath – approved.

P0324.11 Provision of salt storage facility to be included within the existing central depot – approved.

4. Consultation/Representations

4.1 The application has been advertised on site and in the local press as being contrary to Green Belt policies. Neighbour notification letters have also been sent to 25 nearby properties. No letters of representation have been received.

GLA – The application is referable to the Mayor for London. The outcome of the Stage I referral is expected at the end of September and Members will be advised of the Stage I response.

TfL – No objection in terms of impact on highways network but recommend a condition requiring a Construction Logistics Plan. Applicant should review and provide for any additional demand for blue badge parking or cycle parking, which could be delivered through an updated travel plan.

Environmental Health – conditions requested if contamination not previously identified is found.

Waste and Recycling – no comments.

Flood Risk – Initially queried drainage arrangements. Following advice that site boundary some 15m from the River Beam and new paving will be permeable concrete block system, no objections are raised in terms of flooding and sustainable drainage.

Highways – no objections.

Essex & Suffolk Water – no response.

Thames Water – no response.

Fire Brigade – Satisfied with proposals in terms of pump appliance access. To ensure adequate water supply one additional hydrant will be required.

5. **Relevant Policy**

5.1 The National Planning Policy Framework, specifically Sections 4 (sustainable transport), 9 (Green Belt) and 11 (conserving and enhancing the natural environment).

5.2 Policies 5.12 (flood risk management), 5.21 (contaminated land), 6.12 (road network capacity), 7.4 (local character), 7.16 (Green Belt) and 7.19 (biodiversity) of the London Plan are material considerations.

5.3 Policies CP9 (Reducing the need to travel), CP10 (sustainable transport), CP14 (Green Belt), CP15 (Environmental Management), CP16 (Biodiversity), DC32 (The Road Network), DC45 (Green Belt), DC48 (Flood Risk), DC53 (Contaminated Land), DC59 (Biodiversity) and DC61 (Urban Design) of the LDF are also material considerations.

6. Staff Comments

6.1 The issues arising from this application are the principle of development, including the acceptability of the proposal within the Metropolitan Green Belt; the visual and environmental impacts of the development, parking and highway issues and the impact on amenity.

6.2 Principle of Development

6.2.1 The application site is already established as a Council transport depot, following the grant of previous planning consents in 2008 and subsequently in 2010 and 2011. The expansion of the depot to increase the bus/coach parking capacity would therefore be compatible with the existing use of the site. However, as the site lies within the Metropolitan Green Belt, the acceptability of the development in principle will be subject to assessment against national and local Green Belt policies.

6.3 Impact on the Green Belt

6.3.1 National planning guidance in relation to Green Belts is set out in the National Planning Policy Framework (NPPF). Paragraph 87 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

6.3.2 Paragraph 88 of the NPPF makes clear that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

6.3.3 The NPPF sets out certain forms of development that are considered not to be inappropriate in principle within the Green Belt. Although this can include local transport infrastructure which can demonstrate a requirement for a Green Belt location, given the nature of the application, which is an expansion of parking facilities within the existing depot, it is a matter of judgement as to whether this exemption would apply and the requirement to be sited within the Green Belt would still need to be demonstrated. As such, Staff have considered the development to be inappropriate in principle within the Green Belt. As such it is considered that very special circumstances would need to be demonstrated to justify the proposed development.

6.3.4 Policy DC45 of the LDF sets out that development in the Green Belt will only approved for specified purposes. The proposal does not comply with any of those specified purposes and, as such, is judged to be contrary to Policy DC45 of the LDF. However, given that the NPPF is a more recent document, its Green Belt policies are considered to be more up to date

than those in the LDF. As such, it is considered appropriate to consider the application in the light of the NPPF policies.

- 6.3.5 In terms of the case for very special circumstances, it should be noted that the additional parking will be provided within the boundaries of the existing depot. As such, it may be considered that the works will take place on previously developed land within the Green Belt. The depot has been established for some years now and currently accommodates the Council's existing passenger transport fleet. The site already provides 50 parking spaces. However, demand for the Council's transport service has grown due to the increase in population, particularly school age children and the Borough's relatively high number of elderly residents. The expansion by a further 27 spaces would therefore enable the Borough to meet demands for its passenger transport service, thus fulfilling its statutory obligations. In addition, the site also currently provides workshop facilities for the servicing of the fleet. There are clear operational benefits to enabling fleet parking adjacent to the existing servicing facilities, as well as existing staff facilities, that enable the Council to operate its passenger transport service in a more efficient and cost-effective way, thereby fulfilling its wider obligations as a publicly accountable body. It is also judged more sustainable to expand the existing depot, as this will reduce the need for additional journeys that would otherwise arise with vehicles travelling to the Rainham Road site from other depots for re-fuelling, maintenance and servicing.
- 6.3.6 In terms of physical impact on the openness of the Green Belt, the parking area is within the existing boundaries of the depot. The development is at surface level, although some increase in levels will occur within the site to match that of the existing parking area, and does not include any new buildings, thereby reducing its degree of visibility across a wider area. Although the existing bunding to the site boundary will be reduced, it will not be removed in its entirety. Where larger sections of bunding are removed, such as to the western site boundary, existing 2.4m high mesh fencing will be retained and the contour of ground levels outside the site creates an effective visual screen. As such, an effective screen from the new development will be maintained around the boundaries to the site. Accordingly it is judged that no material harm to the character or openness of the Green Belt will result.
- 6.3.7 Having regard to the limited impact of the development on the character and openness of the Green Belt, the fact this is a previously developed site, the increased demand on the Council to provide passenger transport facilities and its statutory obligations, as well as the clear operational and sustainability benefits of expanding the existing facility rather than establishing an additional facility, Staff consider that the very special

circumstances necessary to justify the proposed development have been sufficiently demonstrated.

- 6.3.8 Staff have given consideration as to whether the development requires referral to the Secretary of State under the T&CP (Consultation) (England) Directions 2009. However, as the development is less than 1,000 square metres and is judged not to have a significant impact on the openness of the Green Belt it is not considered to be referable.

6.4 Visual and Environmental Impacts

- 6.4.1 In terms of visual impact, as mentioned above, the development is primarily at surface level. Existing boundary treatment would largely screen wider views of the proposed development which would, in any event, be viewed in the context of the existing depot and extensive parking area. New lighting will be required within the depot, again viewed in the context of that which already exists. Details of proposed lighting and light spill could be required by condition. No material adverse visual impact is however considered likely to result from this development.
- 6.4.2 The application site is, at its closest point, some 15m from the River Beam. It lies within flood zone 1. The site is not considered to be at significant risk from flooding and the nature of the proposed development is not sensitive given it is for vehicle parking. The applicant has confirmed that the new surfacing will be permeable concrete blocks, as per the existing surfaces, on a geotextile membrane to enable sustainable drainage. The Council, in its capacity as Lead Local Flood Authority, raises no objection to these arrangements.
- 6.4.3 The site has a designation as a minerals area of search and an area of open space. However, this pre-dates the development of the site as a depot and it is considered that these matters were considered and assessed at the time the depot was originally approved. As such, there is no policy objection on these grounds to the proposed provision of additional parking within the existing site.
- 6.4.4 The site lies within a Borough Site of Nature Conservation Importance. An extended Phase I habitat survey has been submitted with the application. It recommends a precautionary methodology while undertaking the works as there is potential for presence of reptiles; vegetation should only be removed outside of bird nesting season unless the area is checked for nests by an ecologist prior to removal; any access for construction machinery on adjoining land should use existing paths and maintain a buffer from the River Beam; there is scope to enhance ecology through addition of bird boxes to existing buildings, planting of native trees and shrubs and seeding of wildflowers. The habitat survey does not indicate

any material ecological reasons why consent should not be granted. As such, Staff conclude the development is acceptable in this respect subject to appropriate planning conditions.

- 6.4.5 The application will involve the removal of part of the existing bunding in order to create the additional parking area. The application does not make clear how much earth will need to be removed and how this will be managed. As such it is considered appropriate to apply a condition so that details can be secured.

6.5 Impact on Amenity

- 6.5.1 The proposed new development will take place at the western end of the existing depot. It is located over 170m from the nearest residential properties located to the east of the site, on the opposite side of Rainham Road. Given that the depot already exists and has no restriction on operating hours, it is not considered this proposal would create conditions which have a materially greater impact on residential amenity compared to the operation of the existing depot.

6.6 Parking and Highway Issues

- 6.6.1 The proposal will provide an additional 27 parking spaces within the site (currently there are 50) to provide for an expansion in the passenger transport fleet. It is therefore to be expected that there will be some increase in vehicular activity around the entrance to the site and along Rainham/Upper Rainham Road. A transport statement has been submitted with the application. Both LBH Highways and TfL are satisfied with the proposals in terms of highway safety and impact on the road network.
- 6.6.2 There are currently 12 cycle parking facilities and one blue badge parking space. No additional staff are proposed so demand for these may not change. The site already has a travel plan. However, an updated travel plan could be required by condition enabling these matters to be reviewed.

6.7 Mayoral Referral

- 6.7.1 The application is referable to the Mayor of London. At the time of writing this report, Staff were awaiting the conclusion of the Stage I referral. Members will be advised of the outcome of this. A decision on this application may not be issued until a Stage II referral has been sent to the Mayor to notify him of the intended decision, unless the Mayor confirms that he does not wish to be consulted.

7. Conclusion

- 7.1 The site is an existing depot and the proposal is to expand the parking area within the existing site boundaries. In view of the identified need for the additional parking, the fact this is a previously developed site and the limited harm the development has on openness, it is considered that very special circumstances have been demonstrated that would justify this development within the Metropolitan Green Belt.
- 7.2 No material harm to local character is considered to result. No are there any material adverse ecological or environmental impacts. No material harm to amenity is considered to result and there are no significant adverse impacts on the highway. It is therefore recommended that, subject to the outcome of the Stage II Mayoral referral, that planning permission is granted subject to conditions.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None arising from this application.

Legal Implications and risks:

This application has been assessed independently of the Council's interest as applicant and landowner, which has no material bearing on the planning considerations of this development.

Human Resource Implications:

None arising from this application.

Equalities and Social Inclusion Implications:

The proposal will provide expanded parking facilities for the Council passenger transport service, which provides transport for a wide range of user groups within the community, including elderly and less mobile residents and children with special educational needs.

BACKGROUND PAPERS

1. Planning application received 26th June 2017.