



**Havering**  
LONDON BOROUGH

**Regulatory Services Committee**

**11 January 2017**

<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
P0995.17	Rainham and Wennington	The Refuse Container Unloading Jetty, Rainham Landfill Site, Coldharbour Lane, Rainham
P1316.17	Romford Town	24 Princes Road, Romford

## OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 11th January 2018

**APPLICATION NO.** P0995.17  
**WARD:** Rainham & Wennington  
**Address:** The Refuse Container Unloading Jetty  
Rainham Landfill Site  
Coldharbour Lane  
Rainham  
**PROPOSAL:** Permanent retention of the jetty, and associated infrastructure, together with a change of use of it to allow continued use in association with the Landfill and use in association with the Rainham Lagoons restoration project and as a marine logistics hub  
**DRAWING NO(S):** Site Location Plan, drawing no. 0225/03/01  
**RECOMMENDATION** It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

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### **CALL-IN**

This application has been called in by Councillor Durant for a full explanation of its implications in respect of future plans for this area and to ensure the matter has been referred to and considered by the relevant 'regeneration' Council departments.

### **SITE DESCRIPTION**

This application relates to the jetty, associated with Rainham landfill, on the banks of the River Thames. The jetty is located to the west of the landfill complex, on the northern bank of the Thames and comprises the main jetty structure, an associated platform area and a number of portacabins. The jetty is accessed by vehicular traffic via Coldharbour Lane which goes through the Freightmaster Estate and around the perimeter of the landfill. There is no public access to the site.

Rainham Landfill covers some 177ha and forms a rough triangular parcel of land, including the Freightmaster Estate, on the northern bank of the River Thames, and is the subject of a site specific allocation within the LDF (policy SSA17). This seeks to ensure that this area, in the future, becomes a riverside conservation park and a 'wildspace for a world city'. The draft Local Plan indicates that the Freightmaster Estate be designated as a Strategic Industrial Location.

The site is located approximately 1km to the Inner Thames Marshes Site of Special Scientific Interest (SSSI) and, locally designated, RSPB (Rainham Marshes) Nature Reserve. The SSSI forms the largest expanse of wetland bordering the upper reaches of the Thames Estuary. The site is of particular note for its diverse ornithological interest and especially for the variety of breeding birds and the numbers of wintering wildfowl, waders, finches and birds of prey, with wintering teal populations reaching levels of international importance. The Marshes also support a wide range of wetland plants and insects with a restricted distribution in the London area, including some that are nationally rare and scarce. The River Thames is, for reference, also a controlled water and Marine Conservation Zone.

The nearest residential properties to the application site are circa 2.5km to the north in Rainham

and 0.7km to the south of the River Thames at Erith, in the London Borough of Bexley.

## **DESCRIPTION OF PROPOSAL**

Planning permission was granted for the jetty in 1998, subject to a condition that it should only be used in connection with the adjacent landfill site and should be removed when no longer required.

This application seeks the permanent retention of the jetty, and associated infrastructure, together with a change of use of it to allow continued use in association with the landfill and use in association with the Rainham Lagoons restoration project and as a marine logistics hub in perpetuity.

The application proposes no additional development with this application simply seeking the permanent retention of the jetty as it stands and as a marine logistics hub. The applicant has suggested the wider parameters of use will allow the jetty to perform an important function as part of the sustainable blue transport network on the Thames and allow onward transportation of building materials and waste for the benefit of construction in and around London which would have otherwise occurred by road-based vehicle.

## **RELEVANT HISTORY**

P1566.12 - Planning application for the continuation of waste inputs and operation of other waste management facilities (materials recycling facility, waste transfer station, open air composting site and associated soil plant, gas engines, leachate treatment plant, and incinerator bottom ash processing) until 2024 and re-profiling of final contours.

Apprv with Agreement 22-09-2016

U0001.10 - Variation of condition 1 to application U0011.08 to allow for the importation of wastes for onward transportation to the Frog Island Waste Treatment Facility and to allow the landing of waste materials for processing at the Transfer Station and Material Recycling Facility under application P1275.96.

Apprv with cons 05-07-2010

U0011.08 - Change of wording to condition 1 of planning permission P0835.97 to allow the exportation of recycled aggregates from the Rainham Waste Transfer Jetty

Apprv with cons 25-11-2008

P0835.97 - Continued use of the waste transfer jetty

Apprv with cons 12-02-1998

## **CONSULTATIONS / REPRESENTATIONS**

18 properties were directly notified of this application. The application was also advertised by way of site notice and press advert. No letters of representation have been received.

Environment Agency - No objection although it is recommended that development should be used as an opportunity to ecologically enhance the water-body (the River Thames).

LBH Environmental Health - No objection.

LBH Lead Local Flood Authority - No comments received.

LBH Highways - No comments received.

London Riverside BID Ltd - No comments received.

Marine Management Organisation - No comments received.

Metropolitan Police (Designing Out Crime) - No comments received.

Natural England - No objection subject to a condition requiring a scheme of measures to ensure a net gain for biodiversity.

Port of London - No objection.

RSPB - No comments received.

TfL - No objection.

Thames Chase - No comments received.

## **RELEVANT POLICIES**

### **LDF**

CP07 - Recreation and Leisure

CP10 - Sustainable Transport

CP11 - Sustainable Waste Management

CP15 - Environmental Management

CP16 - Biodiversity and Geodiversity

CP17 - Design

DC22 - Countryside Recreation

DC32 - The Road Network

DC33 - Car Parking

DC39 - Freight

DC44 - Transport of Aggregate By Rail or River

DC48 - Flood Risk

DC52 - Air Quality

DC55 - Noise

DC56 - Light

DC57 - River Restoration

DC58 - Biodiversity and Geodiversity

DC61 - Urban Design

SSA17 - London Riverside Conservation Park

W1 - Sustainable Waste Management

W2 - Waste Management Capacity, Apportionment & Site Allocation

W4 - Disposal of inert waste by landfilling

W5 - General Considerations with regard to Waste Proposals

## OTHER

LONDON PLAN - 2.6 - Outer London: Vision and strategy

LONDON PLAN - 2.8 - Outer London: Transport

LONDON PLAN - 4.1 - Developing's London economy

LONDON PLAN - 5.12 - Flood risk management

LONDON PLAN - 6.1 - Strategic approach

LONDON PLAN - 6.12 - Road network capacity

LONDON PLAN - 6.14 - Freight

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.14 - Improving air quality

LONDON PLAN - 7.15 - Reducing noise and enhancing soundscapes

LONDON PLAN - 7.19 - Biodiversity and access to nature

LONDON PLAN - 7.24 - Blue ribbon network

LONDON PLAN - 7.26 - Increasing the use of the blue ribbon network for freight transport

LONDON PLAN - 7.29 - The River Thames

NPPF - National Planning Policy Framework

NPPW - National Planning Policy for Waste

PPG - Planning Practice Guidance

## MAYORAL CIL IMPLICATIONS

Not CIL liable.

## PRINCIPLE OF DEVELOPMENT

Staff note that the extant planning permission for the jetty is temporary, with a condition requiring the jetty to be dismantled and all materials removed within six months of the date of completion of waste disposal associated with the landfill or such other time that it is no longer required for such purposes. Conditions also imposed include restrictions on the use of the jetty and the location/destination of landing material. The Legal Agreement pursuant to application ref: P1566.12 also includes reference to Veolia using reasonable endeavours up to the last day of the Aftercare Period to assist the Council in securing a riverworks licence to use the Jetty.

Staff nevertheless note that policy DC39 of the LDF advocates the use of the River Thames and although this jetty is not safeguarded (given the existing conditions requiring its removal on completion of the landfilling activities) it is considered that this shows principle policy support for freight movements and infrastructure on the Thames. In this regard policy DC44 of the LDF suggests planning permission will be granted for the establishment of facilities for the importation and distribution of aggregate by rail or river where both the follow criteria are met:

- it has no significant adverse impact on the efficient functioning of the strategic road network; and
- there is no conflict with green belt, environmental or employment policies.

Policy 7.26 of the London Plan in a similar vein to the above states that the Mayor seeks to increase the use of the Blue Ribbon Network for transport freight.

Although originally the jetty was installed to facilitate the delivery of waste materials to the landfill staff note that the jetty does provide a potentially valuable provision in the delivery of other freight, particularly as it is proposed to retain (through the Local Plan) the industrial use of the adjacent Freightmaster Estate. It is acknowledged that such a use was never envisaged when the jetty was first constructed however staff, in view of the above, consider that there is principle policy support for increased use of the River Thames. Mindful of the provisions of the Legal Agreement pursuant to P1566.12 it is nevertheless considered any future use of the jetty (or part of it) in connection with the proposed public/recreational use of the land should not be lost as a result of this proposal. Therefore, a condition is recommended that seeks to restrict the marine logistics use to December 2026 unless a satisfactory management plan is submitted and implemented for the subsequent multi use of the facility, including leisure use.

The implications of the proposal in terms of landscape value, nearby amenity, highways and environment (ecology) are discussed in the proceeding sections of this report.

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

The jetty structure, as existing, has a utilitarian appearance which is not surprising given its use. No changes are proposed to this as part of this application and therefore staff do not consider a refusal on grounds of visual impact would be justified. Policy 7.29 of the London Plan however details that the River Thames is a strategically important and iconic feature in London. Although raised in respect of ecological improvements (which is discussed in a later section of this report) staff note that both the Environment Agency and Natural England have sought to suggest that this application may offer opportunities for ecological enhancements and/or gains and one such enhancement suggested is the provision of bolt-on timber fenders (or eco-fenders) to the jetty (or river wall).

In respect of this, and that this proposal seeks to retain the jetty on a permanent basis, staff note that views of it (the jetty) would exist from the landfill once this is restored and open to the public. The aforementioned works, if secured as part of this application, would in the view of staff improve the aesthetic appearance of the jetty and in doing so reduce its landscape impact, mindful that the character and nature of this area will change once the landfill is fully restored.

With regard to compatibility staff note that although final restoration plans for the landfill (as required by condition pursuant to application ref: P1566.12) have not yet been approved, the illustrative masterplans submitted when the application was determined did include or show the access road round to the jetty being retained with a dense area of planting/vegetation proposed adjacent to screen this and the Freightmaster Estate. Staff, in view of this, do not consider the permanent retention of the infrastructure associated with the landfill would have any implications on the restoration of the landfill and/or the perimeter path which would be maintained as the jetty is fenced, as existing, at the point at which it projects out into the Thames.

In respect of the aspirations for this area, and compatibility with the proposed more generic use, this is a slightly subjective judgement. In staff's opinion the benefits to realising the potential of the jetty and increasing the opportunities for freight transport via the Thames are substantial. That said, staff are also conscious about the impacts of approving a development which would introduce new industrial activities in this locality and potentially conflict with the restoration of the wider area.

On balance, staff do not consider that the granting of a permanent planning permission for the jetty would have any significant implications to the overall restoration aspirations from a landscape perspective. This is however subject to condition requiring a management plan for future multi use and pending the outcome of options arrangements of the Legal Agreement pursuant to P1566.12. The acceptability of a generic marine logistics hub, in respect of this, is discussed in the 'Amenity' and 'Highways/Parking' sections of this report in context of the rationale put forward by the applicant to this application.

In respect of future users experience, whilst if approved this application would result in the retention of industrial/transport related infrastructure, staff do not consider, post completion of the landfill, that the landscape impact would be so severe to warrant refusal. Indeed the Legal Agreement pursuant to P1566.12 infers retention and a prolonged use. Such infrastructure on the Thames is not uncommon and to some future visitors to the jetty may actually be seen as a feature of interest rather than something negative or disturbing.

### **IMPACT ON AMENITY**

The site is well removed from any nearby residential properties. As existing the jetty is not restricted in terms of the number of boat movements or overall throughput. From an amenity perspective, staff acknowledge that vehicle movements to and from the jetty have the potential to give rise to air quality and noise impacts. In respect of this and the use of the jetty for waste or dredgings associated with the landfill or the lagoons, staff note such material would be arriving by vehicle to both sites if the jetty was not in use. Accordingly it is not considered any such impacts, mindful that these restoration projects already benefit from planning permission, would be sufficient to warrant refusal.

With regard to the additional landings through the use as a marine logistics hub the applicant has suggested a limit to the maximum number of vehicle movements by condition to a maximum of 100 loads (200 movements) per day whilst the landfill remains in operation and 80 loads (160 movements) per day after the landfill closes. Staff consider that this level of use would not be prejudicial to the future recreational use of the former landfill.

The Council's Environmental Health/Public Protection department has reviewed the application and raised no objections to the proposals.

### **HIGHWAY / PARKING**

Similarly to that considered in respect of amenity, the existing vehicular activity resulting from the jetty in connection with the landfill have been accepted. That said staff note that as existing the extant planning permission for the jetty does restrict where landed material can be taken. Whilst the use of Coldharbour Lane is necessary for all movements, deliveries to and from the landfill do not progress beyond this. Use of the jetty for general purposes would likely result in vehicle movements from the site continuing to Ferry Lane and the interchange to the A13.

TfL have been consulted on this application for this reason and whilst no comments were issued on the basis that the overall amount of usage the jetty would receive would remain the same, staff are unsure on a review of the information submitted that this statement is correct. The applicant has suggested that there would be 80 loads a day (160 movements) associated with a general marine logistics hub. This is considerably less than the 300 HGV (600 movements) limit on loads

to the landfill site and therefore it would be difficult to demonstrate that the proposal would have an adverse impact on the road network.

## OTHER ISSUES

### ECOLOGY

Natural England within their consultation response to the application, although raising no objection in principle, note that the proposal has the potential to damage or destroy the interest features of the Inner Thames Marshes SSSI. In respect of this it is suggested that measures to ensure a net gain for biodiversity and a transport plan demonstrating that air quality specific to potential impacts to the SSSI has been considered, appraised and mitigated (as appropriate) are secured by condition. The Environment Agency has supported this request suggesting that in line with the Thames River Basin Management Plan opportunities to ecologically enhance the waterbody should be secured should planning permission be granted on a permanent basis. Subject to the imposition of a suitable condition requiring a scheme of ecological improvements staff raise no objection in terms of ecology or nature conservation.

## KEY ISSUES / CONCLUSIONS

Staff do not consider that the permanent retention of the jetty with the additional importation of material associated with the silt lagoons and general marine logistics would have any significant adverse impacts on the efficient functioning of the strategic road network and/or result in any significant adverse impacts on the environmental or amenity, subject to suitable safeguarding conditions. In addition, suitably worded conditions would ensure that possible multi-use of the jetty as part of the restoration of the landfill site is fully considered at that time. Therefore it is recommended that planning permission be granted.

## RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

### 1. SC32 (Accordance with plans)

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

Reason:-

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

### 2. Multi Use Details

After 31 December 2026, the jetty shall be only be used in connection with the adjacent landfill and silt lagoon sites unless a management plan is submitted to and approved in writing by the Local Planning Authority outlining the subsequent multi-use of the jetty as a logistics hub, facility for silt lagoon restoration and leisure facility including full details of access arrangements for the jetty and timescales for implementation of any measures connected with multi-use. Once approved, the jetty shall only be operated in accordance with the management plan.

Reason:-



The use of the jetty should not prejudice the future aspirations for the wider site to be a recreational asset which may wish to utilise the river and jetty.

### **3. Lorry Movements**

During the operation of the landfill site in accordance with Planning Permission Reference P1566.12, the total number of lorry movements from the jetty shall not exceed 100 loads (total 200 movements). After 31 December 2026, or when material is no longer permitted to be imported onto the landfill site, whichever is the sooner, the total number of lorry movements from the jetty shall not exceed 80 loads (total 160 movements). A detailed log of all lorry loads and movements to and from the jetty shall be kept at all times and available for inspection in the jetty office (office on the weighbridge).

Reason:-

In order that the activity associated with the use is an acceptable level in terms of noise, visual amenity and compatibility with future recreational use of the area.

### **4. NSC02 (Scheme of ecological enhancements)**

No landing of waste materials or dredging to be used in the restoration of the Rainham silt lagoons or general logistics hub use shall occur until a scheme of ecology enhancements has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, the provision of bolt-on timber fenders to the jetty and furthermore outline a timetable for the installation of the enhancements proposed and their maintenance throughout the use hereby approved. The scheme as approved shall be implemented in accordance with the agreed timescale and thereafter retained.

Reason:-

In view of the nearby ecological designations and the status of the River Thames, given this application proposes the permanent retention of the jetty and associated its infrastructure, it is considered that the scheme of ecological enhancements will ensure that the site positively contributes to the local environment and biodiversity value, in accordance with Development Control Policies Development Plan Document Policies DC58 and DC61, Policy SSA17 of the Site Specific Allocations Development Plan Document and London Plan Policies 7.19 and 7.29.

### **5. Operating Hours**

No landing of waste materials or dredging to be used in the restoration of the Rainham silt lagoons or use as general logistics hub shall occur until details of the proposed hours of operation are submitted to and approved in writing by the Local Planning Authority. The jetty shall be operated in accordance with the details approved.

Reason:-

To ensure that the additional use of the jetty can be monitored by the Local Planning Authority and in the interests of ensuring that any intensification does not give rise to undue environmental, amenity or highway implications contrary to Development Control Policies Development Plan Document Policies DC32, DC55, DC58 and DC61.

### **6. NSC04 (External lighting)**

Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority, for review and approval in writing, prior to installation. Any such submission shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The installation of any such lighting shall be undertaken in accordance with the approved details.

Reason:-

Insufficient information has been supplied with the application to judge the impact arising from the installation of external lighting. Submission of this detail prior to installation will protect amenity; the river corridor and ensure that the development accords with Development Control Policies Development Plan Document Policies DC56, DC58 and DC61.

**7. Restriction on use of landward areas**

Notwithstanding the details shown on plan number 0225-03/01, no storage of material, parking/waiting of vehicles, loading/unloading or other operations shall take place on the landward part of the site. All activity including storage, loading/unloading and other operations shall take place on the jetty structure itself.

Reason:-

In the interests of the visual amenity of the area and future recreational use of the former landfill site.

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**INFORMATIVES**

**1. Approval following revision ENTER DETAILS**

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, further information and details required to make the proposal acceptable were negotiated with the agent.

## OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 11th January 2018

APPLICATION NO.	P1316.17	
WARD:	Romford Town	Date Received: 9th October 2017 Expiry Date: 4th December 2017
ADDRESS:	24 Princes Road Romford	
PROPOSAL:	Conversion of the property from a C3 dwelling house to a C4 HMO	
DRAWING NO(S):	Site location plan 1:250, Block plan 1:500, Land registry plan 1:1250 Un-numbered ground floor plan Un-numbered front elevation Un-numbered rear elevation Un-numbered first floor plan	
RECOMMENDATION	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report	

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### SITE DESCRIPTION

The application site is situated to the west side of Princes Road, Romford and comprises of a two storey semi-detached dwelling with an attached garage. The surrounding area is predominantly residential in character and includes a mix of mainly semi-detached and terraced properties.

### DESCRIPTION OF PROPOSAL

Planning permission is sought for the conversion of the existing dwelling into a 5 bedroom, 5 person HMO. The proposal would include a double bed in each room with a separate bathroom on the first floor and a shower room on the ground floor. Garden amenity space would also be shared among occupants.

There is an existing garage that is used for storage and two car parking spaces proposed to the front of the premises on existing hardstanding. The concrete surfacing is poor in appearance and the applicant has stated that if required a condition requiring a more attractive surface would be acceptable.

The existing garage is to be used for cycle storage to accommodate 4 bicycles.

### RELEVANT HISTORY

None

### CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 33 neighbouring occupiers, eight responses have been received objecting to the proposal for the following reasons:

- Building works being undertaken to convert the property into 5 bedsits

- The road is residential and has been ruined by HMO's
- The proposal will result in increased car parking pressure
- 5 people would be excessive resulting in overcrowding
- Increased noise and disturbance
- The proposal will result in a fire risk
- Increased waste
- The property may deteriorate
- Neighbouring bedroom would be adjacent to proposed living room
- Property not suited for conversion

With regard to the use of the premises as a HMO and other premises in the road being used as such, each application is to be considered on its individual merits.

Issues relating to the number of people occupying the dwelling, noise and disturbance, suitability for conversion and its impact on car parking are addressed in the body of this report.

It is not considered that the proposal would generate significantly more waste or physical deterioration to the property than that generated by a large family, which could be accommodated within the building. On the issue of fire risk, the London Fire Brigade have not objected to the proposals.

Highways - Object to the proposal on the basis that the area has a low PTAL of 2 on a scale 1 - 6b where 1 is the lowest level of accessibility. The parking requirement in this case is 2.5 car parking spaces. The absence of suitable off street parking is likely to lead to increased pressure for parking space along the road.

Waste & Recycling - Refuse to be presented 7am within the boundary of the premises on the day of collection.

London Fire Brigade - No additional requirement for fire hydrants

Environmental Health - No objection

## **RELEVANT POLICIES**

LDF

CP17 - Design

DC04 - Conversions to Residential & Subdivision of Residential Uses

DC05 - Specialist Accommodation

DC33 - Car Parking

DC35 - Cycling

DC55 - Noise

DC61 - Urban Design

SPD09 - Residential Design SPD

OTHER

London Plan - 6.13 Parking

London Plan - 7.1 Building London's neighbourhoods and communities

London Plan - 7.2 An inclusive environment

London Plan - 7.4 Local character

NPPF - National Planning Policy Framework

## **MAYORAL CIL IMPLICATIONS**

Not liable for CIL

## **STAFF COMMENTS**

The main issues for consideration relate to the principle of the use, standard of accommodation, impact on neighbouring amenity and parking and highway issues.

## **PRINCIPLE OF DEVELOPMENT**

Policy DC4 of the LDF relates to conversion to residential use and subdivision of residential uses. Specifically in relation to conversion to residential communal uses (including houses in multiple occupation) it states the following requirements:

- The original property is detached and well separated from neighbouring dwellings.
- The nature of the new use does not have an adverse impact on the surrounding area and will not be likely to give rise to significantly greater levels of noise and disturbance to occupiers of nearby residential properties than would an ordinary single family dwelling
- It satisfies policy DC5.

It is considered that the proposal would not comply with the Policy DC4 as the proposal relates to a two storey semi-detached dwelling. Staff consider that the proposal, which would provide accommodation for up to 5 unrelated individuals would be likely to give rise to an unacceptable intensity of use and levels of related activity, comings and goings when compared to that of a large family which could be accommodated by the property. Thus the proposal would be likely to result in a greater level of activity associated with a single family dwelling house, creating conditions detrimental to neighbouring residential premises.

In terms of Policy DC5, the proposals do not sufficiently meet some of the criteria. Issues covered by Policy DC5 relating to amenity impact and parking issues are covered later in this report.

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

The property is in the process of being refurbished with UPVC windows being replaced by the traditional wooden equivalent. No further changes are being made to the appearance of the property apart from the resurfacing of the front garden which, if the scheme were acceptable, could be satisfactorily addressed by condition.

The proposals are not considered to give rise to an unacceptable visual impact in the street scene.

## **IMPACT ON AMENITY**

The refurbishment works were in the process of being completed and at the time of the visit the property was vacant. The building was being refurbished to a high standard, including new bathroom and toilet fittings along with new flooring. The nature of the accommodation is not therefore judged to be so poor as to constitute an unacceptable form of living accommodation for prospective occupiers.

The site provides a communal rear garden area and shared kitchen/dining facilities. Staff consider that it is of reasonable size, suitably private and would function as an acceptable amenity space. The amenity space is directly accessible to residents through the communal kitchen.

However, Staff consider that converting a three bedroom, single family dwelling into a five bedroom, five person HMO would greatly intensify the use of the building. The site is situated in a residential area and it is judged that occupation by up to five unrelated individuals within a semi-detached dwelling would have the potential to generate significantly higher levels of general activity and related noise and disturbance than if it were used as a single family home. This is likely to be particularly noticeable to occupiers of the neighbouring property.

While the property includes shared kitchen/dining space, given that the premises would be used by separate individuals, this is unlikely to be used at the same time by the unrelated individuals therefore it is to be expected that a significant amount of time will be spent in individual rooms for day to day activities such as listening to music or watching tv, this also generates potential for noise disturbance to neighbouring residents, particularly on the upper floor where the rooms adjoin neighbouring bedrooms.

Staff consider the proposed use would be likely to materially intensify activity at the site with the potential to cause significant harm to residential amenity from noise, disturbance and activity, including the use of the outdoor communal amenity space contrary to Policies DC4, DC5 and DC61 of the LDF.

## **HIGHWAY / PARKING**

Policy DC2 and Annex 5 of the LDF Development Control Policies DPD indicate that HMOs are expected to provide 1 space per two habitable rooms. Policy 6.13 of the London Plan indicates provision of less than 1 space per residential unit where 1-2 bedrooms units are proposed. Whilst the London Plan standard does not specifically refer to HMOs, it remains a useful comparator, particularly as the London Plan is the more up to date development plan document. Taking into account both standards, the proposed HMO would therefore be expected to provide at least 2 parking spaces.

Given the shallow nature of front gardens it is not considered that car parking provision could be satisfactorily accommodated on the front garden of the property. The feasibility of a legal agreement withdrawing the ability for future occupants to obtain residents' car parking permits has been explored with the highways officer but this is not considered to be appropriate in this case as the existing parking restrictions are limited in duration and therefore increased car parking pressure is still likely to result from the proposal.

The proposal would fail to provide parking spaces in accordance with the requirements and given the poor PTAL of 1b (very poor) and the heavily parked nature of the area with controlled parking

along the street, the inadequacy of the parking arrangements would result in an overspill of car parking in the area contrary to Policy DC33 and Policy 6.13.

## **KEY ISSUES / CONCLUSIONS**

It is considered that the proposal is contrary to Policy DC4, as the proposal relates to a two storey semi-detached property adjoining a single family house. Staff consider that the proposed HMO, which provides 5 bedrooms to accommodate up to five unrelated individuals, would give rise to a material increase in activity internally and associated comings and goings to and from the property, which would create conditions detrimental to residential amenity.

The intensification of the site would result in an unacceptable impact on neighbouring residential occupiers in terms of noise, disturbance and general increase in activity.

In addition the proposal does not meet the on-site parking standard and would lead to on street overspill in an area that is already heavily parked contrary to Policy DC33 and Policy 6.13.

The proposal is therefore considered to be contrary to policy and it is recommended that planning permission is refused.

## **RECOMMENDATION**

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

### **1. Reason for refusal - Impact on amenity**

The proposal would, by reason of the intensification of occupation, cause significant harm to residential amenity from noise, disturbance and general day to day activity, including that associated with the use of the communal amenity space contrary to Policies DC4, DC5 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

### **2. Reason for refusal - Parking Deficiency**

The proposed development would, by reason of an unacceptable shortfall in on-site parking provision, result in significant harm to local on-street parking conditions due to overspill parking contrary to Policy DC33 of the LDF Core Strategy and Development Control Policies DPD and Policy 6.13 of the London Plan.

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## **INFORMATIVES**

### **1. Refusal - No negotiation ENTER DETAILS**

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to applicant Mr Ali Khan by telephone on 8 December 2017.