

REGULATORY SERVICES COMMITTEE

22 February 2018

REPORT

Subject Heading:

P1389.17

Land at Rom Valley Way, Rom Valley Way;

Redevelopment of the site to provide 620 Residential units (use class C3) and 830sqm commercial floorspace (use class A1/A3/D1) in buildings extending to between 4 and 8 storeys in height together with associated car and cycle parking, hard and soft landscaping and infrastructure works;

(Application received 21.08.2017);

SLT Lead:

Steve Moore - Director of Neighbourhoods;

Report Author and contact details:

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Ward:

Brooklands;

Policy context:

The National Planning Policy Framework 2012;
The London Plan 2016;
Development Plan Document 2008;

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]
[X]
[X]

SUMMARY

This application is reported to Committee because it is for a major development within Romford.

This report concerns a detailed planning application for the redevelopment of the site to provide 620 Residential units with 830sqm of commercial floorspace in buildings extending to between 4 and 8 storeys in height together with associated car and cycle parking, hard and soft landscaping and infrastructure works.

Officers consider that the proposal would protect the natural and built environment in accordance with the principles of sustainable development and meet an identified housing need. The proposal is sustainable in terms of transportation and would improve the visual character of the area.

The proposal is consistent with the provisions of the Local Development Framework, Core Strategy and Development Control Policies Development Plan Document and the London Plan. It is therefore recommended that planning permission be granted subject to conditions and completion of a S106 agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

That the application is unacceptable as it stands but would be acceptable subject to applicant entering into a Section 106 Legal Agreement to secure the following obligations by 21st August 2018 and in the event that the Section 106 agreement is not completed by such date the application will be refused.

The application is subject to referral to Mayor of London at Stage 2.

All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council. The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.

Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

HEADS OF TERMS

Affordable Housing

- 11% of units (67.No. units) as Affordable;
- Tenure split 57% affordable rent and 43% intermediate shared ownership, the housing option in terms of affordable rent is the London affordable rent.
- Review mechanisms at stages of the development and benchmark values/return to be agreed in consultation with GLA;

Education

- Financial contribution of £3,888,372 towards provision of education costs, comprising:
 - £1,250,800 early years;
 - £1,715,480 primary years;
 - £643,320 secondary years;
 - £278,772 post 16 years;

Highways

- Financial contribution of £250,000 towards provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road and ancillary route improvements linked to the above;
- Financial contribution of £100,000 towards provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street and ancillary route improvements linked to the above;
- Financial contribution of £180,000 towards public transport infrastructure required by TfL;
- Provision of cycle/footway along eastern boundary of the site adjoining Rom Valley Way;
- The provision of 2 car club spaces on the site and 3 years free membership for future residents to the Car Club;
- The provision of travel plans covering the residential and commercial elements of the scheme;
- Restrictions on Parking Permits to apply to both residents and commercial operators within the site.

- 21 allocated parking spaces at no charge to be allocated for all 3 and 4 bed affordable units.

Carbon offset

- Financial contribution of £854,145 towards carbon offset schemes;

BTR

- The Western blocks (242 units) as Build to Rent under a covenant for at least 15 years;
- Provide units that are all self-contained and let separately;
- Operate under unified ownership and management;
- Offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
- Offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;
- Include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
- Be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme;
- Not to charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.

Public Realm

- Requirement to obtain a management company to maintain the public realm and landscaped areas;
- Requirement to make the pedestrian route a pedestrian right of way;
- Requirement to assume liability over the pedestrian right of way;

Quality of Architecture

- Requirement to retain novation of architect, as a minimum as executive architects for the scheme;

Subject to the above legal agreement, that planning permission be granted subject to the conditions set out below:

1. Time limit for commencement:

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Accordance with Plans Condition:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as amended), particulars and specifications (as set out on page one of this decision notice) and any other plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority

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 Policy DC61 of LBH's *'Development Plan Document'* 2008.

3. Materials Condition:

No development above ground shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for the external construction of all building(s) are submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved and thereafter the development shall be constructed with the approved materials. In respect of the brickwork, full sample panels of the brickwork including colour, texture, face bond and pointing shall be provided.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of LBH's *'Development Plan Document'* 2008.

4. Boundary Treatment:

No development above ground level shall take place until details of all proposed walls, fences and boundary treatment are submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details prior to the first occupation of the development for residential purposes and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with DC61 of LBH's *'Development Plan Document'* 2008.

5. PD Withdrawal Condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or Orders amending or revoking and re-enacting the same, other than boundary treatment approved in accordance with Condition 4 no gate, fence, wall or other means of enclosure shall be erected or constructed unless prior written permission has been granted by the Local Planning Authority (pursuant to an application).

Reason: In order to safeguard the character and visual amenities of the locality in accordance with Policy 3.5 of the '*London Plan*' 2016 and Policy CP17 of LBH's '*Development Plan Document*' 2008.

6. Site levels Condition:

No development, or works of site preparation or clearance, shall take place until details, including plans and cross sections of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto, have been submitted to and approved in writing by the Local Planning Authority. The works hereby permitted shall be carried out in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to judge the proposed site levels of the proposed development. Submission of a scheme prior to commencement will ensure that the development accords with Policy DC61 of LBH's '*Development Plan Document*' 2008 and with Section 197 of the Town and Country Planning Act 1990.

7. Drainage Condition:

No development shall commence until full details of the drainage strategy, drainage layout, together with SUDS information to serve the development have been submitted to and agreed in writing by the Local Planning Authority prior to works commencing on development. The scheme agreed shall be implemented strictly in accordance with such agreement unless subsequent amendments have been agreed with the Local Planning Authority.

Reason: To ensure that the development is properly drained in accordance with Policy DC49, DC51 and CP15 of LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

8. Drainage Condition Continued:

No development shall commence until full details of the proposed means of foul and surface water sewage disposal have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is properly drained in accordance with Policy DC49 and Policy 51 and CP15 of LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

9. Layout Condition:

The layout of this site shall incorporate children's play areas in complete accordance with the approved plans (as amended), full details of a scheme of implementation and phasing to be submitted to before any above ground level works have commenced and agreed in writing by the Local Planning Authority prior to works commencing on development. Any area(s) so provided shall not thereafter be used for any purpose other than recreation for use by residents.

Reason: To avoid undue pressure on existing local recreation facilities in accordance with Policy 3.6 from the '*London Plan*' 2016.

10. Landscaping Condition:

No development above ground shall take place until details of both on-site hard and soft landscape works (in accordance with the illustrative landscape masterplan) have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include the following, as relevant:

- existing and proposed finished levels or contours;
- means of enclosure to both the private garden areas and public spaces;
- hard surfacing materials;
- minor artefacts and structures (eg. street furniture, play equipment, refuse or other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (eg. drainage, power, communications cables, pipelines, intruder alarm boxes, communal aereals, including lines, manholes, supports etc);

Soft landscape details shall include the following as relevant:

- planting plans;
- written specification (including cultivation and other operations associated with plant and grass establishment;
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- retained areas of grassland, hedgerow and trees;
- implementation programme;

Reason: To improve the appearance of the site in the interests of visual amenity and to ensure the long term retention of soft landscaping including future protection from those in private gardens and public spaces.

11. Landscaping Condition Continued:

All hard and soft landscape works shall be carried out in accordance with the approved details. Hard landscaping works shall be completed prior to the occupation of the dwellings. The soft landscaping shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To improve the appearance of the site in the interests of visual amenity and to ensure the long term retention of soft landscaping including future protection from those in private gardens and public spaces in accordance with Policy DC60 of the LBH's *'Development Plan Document'* 2008.

12. Land Contamination Condition:

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

- a) A Phase II (Site Investigation) Report, as the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- c) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Policy DC53 of the LBH's '*Development Plan Document*' 2008.

13. Land Contamination Condition Continued:

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

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

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

14. Electric Vehicle Parking Provision Condition:

Electric charging points shall be installed in 20% of the allocated parking spaces at the development. The charging points shall be supplied with an independent 32amp radial circuit and must comply with BS7671. Standard 3 pin, 13 amp external sockets will be required. The sockets shall comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

Reason: So to protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people in accordance with guidance under Para's 58 and 69 from the '*NPPF*' 2012.

15. Non-Road Mobile Machinery Condition:

- a) Prior to the commencement of the development hereby approved, the developer or contractor must be signed up to the NRMM register.
- b) The development site must be entered onto the register alongside all the NRMM equipment details.
- c) The register must be kept up-to-date for the duration of the construction of development.
- d) It is to be ensured that all NRMM complies with the requirements of the directive.
- e) An inventory of all NRMM to be kept on-site stating the emission limits for all equipment.

Reason: Being a major development in Greater London, but outside the Non-Road Mobile Machinery (NRMM) Central Activity Zone, NRMM used on site must meet Stage IIIA of EU Directive 97/68/EC as a minimum. From 1st September 2020 the minimum requirement for any NRMM used on site within Greater London will rise to Stage IIIB of the Directive.

16. Dust Monitoring Scheme Condition:

- a) Prior to the commencement of the development, a Dust Monitoring Scheme for the duration of the demolition and construction phase of the development hereby approved, shall be submitted for the written approval of the Local Planning Authority. The scheme shall detail:
- Determination of existing (baseline) pollution levels;
 - Type of monitoring to be undertaken;
 - Number, classification and location of monitors;
 - Duration of monitoring;
 - QA/QC Procedures;
 - Site action levels; and
 - Reporting method.
- b) Following the completion of measures identified in the approved Dust Monitoring Scheme, a “Dust Monitoring Report” that demonstrates the effectiveness of the dust monitoring carried out must be produced, and is subject to the approval of the Local Planning Authority.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the construction activities do not give rise to any exceedances of the national air quality objectives/limit values for PM10 and/or PM2.5, or any exceedances of recognised threshold criteria for dust deposition/soiling.

17. Construction Methodology Condition:

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- d) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;

- e) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- f) siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) 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.

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 with Policy DC61 of the LBH's *'Development Plan Document'* 2008.

18. Vehicle Cleansing Condition:

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 Policy DC32 and DC61 of the LBH's *'Development Plan Document'* 2008.

19. Lighting Condition:

Details of any external lighting of the site shall be submitted to, and approved in writing by the Local Planning Authority prior development above ground level. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, and in order that the development accords with Para's 58 and 69 from the *'NPPF'* 2012; and Policy 7.3 of the *'London Plan'* 2016; and Policies CP17 and Policy DC63 of LBH's *'Development Plan Document'* 2008; and with LBH's SPD on *'Designing Safer Places'* 2010.

20. Hours of Construction Condition:

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 Policy DC55 of LBH's *'Development Plan Document'* 2008.

21. Noise Pollution Condition:

All noise mitigation measures in the form of appropriate glazing and ventilation units will need to be incorporated into the scheme and in accordance with the report entitled *'Noise Impact Assessment'* Ref: Rev P1 dated 01.06.2017. Any deviation from works prescribed or methods agreed in accordance with the report shall be agreed in writing to the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with Policy DC55 of LBH's *'Development Plan Document'* 2008.

22. Noise Pollution Condition Continued:

Before any works relating to new plant or machinery commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with Policy DC55 of LBH's *'Development Plan Document'* 2008.

23. Surfacing Materials Condition:

Before any above ground development is commenced, surfacing materials for the access road and parking areas shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent uses of the access road for anything but access.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the surfacing materials. Submission of this detail prior to commencement will ensure that the development accords with Policy DC61 from LBH's *'Development Plan Document'* 2008.

24. Car Parking Provision Condition:

Prior to the first occupation of any of the relevant residential blocks hereby permitted, a phased scheme outlining the areas set aside for car parking spaces, and laid out and surfaced to the satisfaction of the Local Planning Authority to provide a minimum of 248.No. vehicular parking spaces (inclusive of 30.No. spaces wheelchair accessible standard) shall be submitted. Those areas shall be retained permanently thereafter for the accommodation of vehicles associated with the site.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy DC32 of LBH's *'Development Plan Document'* 2008.

25. Cycle Parking/Storage Provision Condition:

Prior to the first occupation of any of the relevant residential blocks hereby permitted, a phased scheme outlining the cycle storage areas shall be provided and laid out and surfaced to the satisfaction of the Local Planning Authority to

provide a minimum of 1,031.No. secure cycle parking stores provided for building residents (long stay) exclusive of a minimum of 18.No. cycle parking spaces provided for commercial units and 16.No. cycle parking spaces for visitors (short stay). The safe, secure and accessible areas as marked on the plans shall be retained permanently thereafter for the accommodation of cycle parking spaces associated with the site.

Reason: To ensure that cycle parking spaces are made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy DC35 of LBH's '*Development Plan Document*' 2008.

26. Refuse and Recycling Condition:

Prior to the first occupation of any of the individual blocks hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection arising from that block in accordance to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with Policy DC40 of LBH's '*Development Plan Document*' 2008.

27. Community Safety Condition:

Prior to carrying out above grade works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve full 'Secured by Design' accreditation. The development shall only be carried out in accordance with the approved details.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and LBH's SPD on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

28. Community Safety Condition Continued:

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use.

Reason: In the interest of community safety and in accordance with the Development Control Policies Development Plan Document Policies DC63 and

LBH's SPD on '*Designing Safer Places*' (2010) and '*Sustainable Design Construction*' (2009).

29. Fire Safety Condition:

Any inlet for a fire main shall, where ever possible, be positioned on the face of the building which it serves and be visible from the appliance. Any access point shared with a pedestrian/cycle route shall be capable of supporting a pump appliance with a minimum carrying capacity of 14 tonnes. No part of a proposed access route shall contain a grassed area.

Reason: In order to comply with Policy 3.8 of the '*London Plan*' 2016 and Policy DC7 of the LBH's '*Development Plan Document*' 2008.

30. Water Efficiency Condition:

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the '*London Plan*' 2016 and DC51 of the LBH's '*Development Plan Document*' 2008.

31. Access Condition:

At least 62 of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy 3.8 of the '*London Plan*' 2016 and Policy DC7 of LBH's '*Development Plan Document*' 2008.

32. Archaeology Condition:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the sites which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: Insufficient information has been supplied with the application in relation to the above matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of LBH's *'Development Plan Document'* 2008.

33. Ecology/Biodiversity Condition:

No development above ground shall take place until a scheme for the provision of bat and bird boxes integrated into the built form of new buildings shall be submitted to and approved by the Local Planning Authority. The boxes so approved within each phase of the development shall be completed and available for use before the last dwelling within that phase is occupied.

Reason: To ensure that any protected species remain safeguarded, and in accordance with Policy CP15 and Policy CP16 of LBH's *'Development Plan Document'* 2008.

34. Ecology/Biodiversity Condition Continued:

Works shall be carried out in full accordance with the specific recommendations and mitigation measures set out from the Preliminary Ecological Appraisal dated June 2017, unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to secure adequate ecological mitigation and enhancement, including with regards to protected species, and in accordance with Policy CP15 and Policy CP16 from LBH's *'Development Plan Document'* 2008.

35. A1/A3 Further Details Condition:

No parts of blocks E1 or E4 shall be constructed until details of internal core running to roof level suitable for fume extraction equipment are submitted and approved by the Local Planning Authority. The building shall be constructed in accordance with the approved details. Before the A1 and A3 uses hereby permitted commences, details of the hours of use, together with a scheme for the mechanical ventilation of the working area (utilising the internal core) and for the filtration of grease and cooking odours shall be submitted to and approved in writing by the Local Planning Authority and thereafter so retained unless further written approval

from the Local Planning Authority for an alternative scheme is gained. Details shall include the noise attenuation measures for the ventilation machinery.

Reason: To preserve the residential and visual amenities of the locality in accordance with Policy CP17 of LBH's '*Development Plan Document*' 2008.

36. D1 Further Details Condition:

Before the D1 use hereby permitted commences, details of the hours of use shall be submitted to and approved in writing by the Local Planning Authority and thereafter so retained unless further written approval from the Local Planning Authority for an alternative scheme is granted.

Reason: To preserve the residential and visual amenities of the locality in accordance with Policy CP17 of LBH's '*Development Plan Document*' 2008.

37. Phasing Condition:

In the event that the development approved is to be developed in phases and prior to the commencement of a phased development, a Phasing Plan shall be submitted to and approved by the Local Planning Authority. The conditions outlined in this decision notice shall be applied for and approved in accordance with the phasing strategy.

Reason: To ensure that the development programme is not unnecessarily prolonged.

INFORMATIVES

1. Approval following Revisions:

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework In accordance with para 186-187 of the National Planning Policy Framework 2012.

2. Fee:

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, (as amended); a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse is needed.

3. Changes to the Public Highway:

Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. Highway Legislation:

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

5. Temporary use of the public highway;

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

6. Surface Water Discharge:

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 08000093921 so to ensure that the surface water discharge from the site shall not be detrimental to the existing sewage system.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures

he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwgriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

With regard to water supply, this comes within the area supplied by the Essex and Suffolk Water Company. For your information the address to write to is -Essex and Suffolk Water Company, Sandon Valley House, Canon Barns Road, East Hanningfield, Essex CM3 8BD Tel - (03457) 820999.

7. Surface water management:

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

8. Street name/numbering:

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

9. Protected species:

The presence of European protected species, such as bats, is a material consideration in the planning process and the potential impacts that a proposed development may have on them should be considered at all stages of the process. Occasionally European protected species, such as bats, can be found during the course of development even when the site appears unlikely to support them. In the event that this occurs, it is advised that the developer stops work immediately and seeks the advice of the local authority ecologist and/or the relevant statutory nature conservation organisation (e.g. Natural England). Developers should note that it is a criminal offence to deliberately kill, injure or capture bats, or to deliberately disturb them or to damage or destroy their breeding sites and resting places (roosts). Further works may require a licence to proceed and failure to stop may result in prosecution.

10. Protected species continued:

The applicant's attention is drawn to the provisions of both the Wildlife and Countryside Act 1981, and the Countryside & Rights of Way Act 2000. Under the 2000 Act, it is an offence both to intentionally or recklessly destroy a bat roost,

regardless of whether the bat is in the roost at the time of inspection. All trees should therefore be thoroughly checked for the existence of bat roosts prior to any works taking place. If in doubt, the applicant is advised to contact the Bat Conservation Trust at Quadrant House, 250 Kennington Lane, London, SE11 5RD. Their telephone number is 0845 1300 228.

11. Crime and disorder:

The applicant is advised to seek the advice of the Metropolitan Police Services Designing out Crime Officers (DOCOs). The services of the MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 02082173813.

12. Community Safety:

In aiming to satisfy the condition the applicant should seek the advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 02082173813.

13. Archaeology:

A written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

14. Water Regulations:

The applicant is advised to seek the advice of the Water Regulations Team on 01268664890 as failure to comply with the Water Supply (Water Fittings) Regulations 1999 is an offence which may result in a fine of up to Level 3 on the standard scale, or summary of conviction.

15. CIL Liability:

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be an estimated £1,425,580. (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development.

A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

16. Planning Obligations:

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.

REPORT DETAIL

1. Site Description:

- 1.1 The application site is located within close proximity to the Romford town centre and within the Romford Housing Zone. Site constraints that are of material relevance with the works proposed include; Contaminated Land; Landfill 250m Buffer; Flood Zone 1; Area of Archaeological Significance; Aerodrome Safeguarding.
- 1.2 In terms of its local context, the application site lies southeast of Rom Valley Way (A125) dual carriageway which forms part of the Strategic Road Network ("SRN"). The application site is bound to the north by a public car park and to its west by Oldchurch Rise and Queen's Hospital. The southern boundary of the site lies adjacent to the hospital site access, also the main vehicular access point.
- 1.3 The surrounding buildings/uses are varied, a mix of residential, community, retail and small scale industrial uses surround the site. To the east of the site beyond Rom Valley Way lies a substantial retail park, residential dwellings and a small amount of industrial use lies further to the north and a substantial residential area is located beyond this further north of Oldchurch Road. Beyond the hospital further south lies more large areas of residential development.
- 1.4 The application site is rectangular in shape with a site area of approximately 2.9ha (29,000m²). The site has been vacant since the former Ice Rink on the northern half of the site (single storey building at 3300m²) was demolished. The site is now largely hard-surfaced with some grassland and some trees/shrubs around its perimeter, and is relatively level (slight gradient from north-west to south-east).

2. Description of Proposal:

- 2.1 The proposal seeks a comprehensive redevelopment of the site to deliver a residential-led mixed use scheme. The proposal seeks to erect nine apartment blocks that range between four to eight storeys in height to contain a total of 620 residential apartments and two residents' gyms with ground floor commercial units, together with associated landscaping, car and cycle parking.
- 2.2 A total of 5.No. apartment blocks are to be six storeys in height, the tallest part of the proposal would be sited in the northern part of the site adjacent to the town centre boundary and the Rom Valley Way frontage which peaks at eight storeys set at a height of approximately 26m high at its tallest point. The height of the buildings will then be stepped down across the site towards the southern end of the site, which extends between 4 and 5 storeys.
- 2.3 The proposed layout introduces a wide, north-south pedestrian link through the site which connects Rom Valley Way to Queens Hospital as the main pedestrian through link. The layout of the site has been integrated and framed around the central communal areas, which include a range of public, communal and private amenity spaces with street entrances providing outward frontages.
- 2.4 The residential mix proposed across the site (at 65,876m² gross internal area) includes 240.No. of 1 bedroom flats, 294.No. of 2 bedroom flats, 83.No. of 3 bedroom flats and 3.No. 4 bedroom flats.
- 2.5 The commercial mix proposed across the site provides mixed retail units and community floorspace (totalling 830m² of gross internal areas), this includes a café/restaurant/shop (515m² gross internal areas), together with a medical use facility (315m² gross internal area).
- 2.6 The proposal is for 248.No. dedicated vehicular parking spaces for residents at a ratio of 0:4 per dwelling, with secure cycle parking stores capable of accommodating 397.No. cycle parking spaces for the west blocks and 634.No. cycle parking spaces for the east blocks and 16.No. visitors/commercial cycle parking spaces, together with internal refuse areas.
- 2.7 Vehicular access into the site would be provided via two points at the northern and southern end of the site. The main vehicular route into the site will be taken from Rom Valley Way (A125) via the roundabout to the south-east of the site, a secondary vehicular access will be provided via Oldchurch Rise, to the north-west of the site.

3. Planning History:

- 3.1 A planning history search revealed an extensive planning background, as this application seeks the complete re-development of a particular site, the specific historical permissions issued to the land in question are not considered overly relevant in this instance, except for:

- Full application submitted under planning reference: P0732.13 for 'Change of Use of existing ice rink car park to a public pay & display'. Application approved on 23.07.2013 for temporary period which expired on 31.12.2015.
- Full application submitted under planning reference: P1468.12 for 'Proposed food store within Class A1 (retail) use, petrol filling station, associated parking and landscaping, alterations to existing access to Rom Valley Way and formation of new access/egress on to Rom Valley Way; and outline planning application for a residential scheme of up to 71 units comprising a mix of 3 bedroom town houses and two blocks of 1 and 2 bed flats (access only to be considered)'. Application approved on 18.12.2013, permission now lapsed.

4. Consultations/Representations:

- 4.1 Public consultation was carried out by way of site (6.No. notices) and press notices as well as notification to nearby properties.
- 4.2 In total, 19 letters of objection and 9 letters of support had been received. Objector comments from a material planning perspective are summarised as follows: potential loss of light or overshadowing; adequacy of parking, road access and traffic generation; crime and disturbance; pressures on existing infrastructure (schools and surgeries); design/appearance (height) and landscaping. Supportive comments from a material planning perspective are summarised as follows: supports housing targets; makes use of a vacant brownfield site.
- 4.3 The following statutory consultee responses have been received:
 - 4.3.1 Greater London Authority: Concerns raised over the level of affordable housing on offer, and whether the density should be increased and parking levels decreased (extent of surface parking). GLA have further expressed that they do support proposals for high density housing in the Romford Housing Zone, especially ones which fall close to Romford town centre and the emerging Crossrail station which welcome and respond well to London Plan policy and the Mayor's aspirations for Outer London. Moreover, GLA have highlighted that this level of retail and community floorspace is acceptable for this location and will support the delivery of new housing and that the principle of development is supported. Further comments and remedies have been set out in their conclusion which they believe could address deficiencies, with further update to be provided at stage 2.
 - 4.3.2 Transport for London: No objection subject to financial contributions being sought through the S106 agreement. Initial concerns have been overcome.
 - 4.3.3 LBH Highways Authority: No objection subject to financial contributions being sought through a S106 agreement which include ancillary improvements in order to support making the site more accessible to walking and cycling. Additional S106 obligations requested include restrictions on future occupiers from obtaining any parking permits in any future zone.

- 4.3.4 LBH Environment Health and Protection: No objection in relation to land contamination/pollution, subject to the imposition of conditions 12 and 13.
- 4.3.5 LBH Environment Protection: No objection in relation to air or noise pollution subject to the imposition of conditions 14-17 and 21-22.
- 4.3.6 LBH Waste and Recycling: No objection, initial concerns over waste storage areas, and refuse collection and their vehicle routes (access/egress) have all been resolved by submission of revised drawings.
- 4.3.7 LBH Street Management: No objection.
- 4.3.8 LBH Energy Strategy Team: No comment.
- 4.3.9 School Organisation and Pupil Place Team: No objection subject to a S106 education contribution which is requirement to support the following generated number of pupils in each school phase; 106.No. early years, 104.No. Primary, 30.No. Secondary and 13.No. Post-16 pupils.
- 4.3.10 Historic England: No objection subject to a condition being imposed on any forthcoming consent, requesting that the applicant submit a satisfactory written methodology for archaeological evaluation to the LPA to comply with condition 32.
- 4.3.11 Metropolitan Police: No objection subject to Secured by Design ("SBD") conditions requiring the developer to achieve SBD accreditations by way of conditions 27-28 and informatives 11-12.
- 4.3.12 Cadet Gas Network: No objection raised, standard guidance given.
- 4.3.13 Thames Water Developer Services: No objection, comments received on in part advise that with regard to sewerage infrastructure capacity, Thames Water would not have any objection to the above planning application. A list of requirements on the subject of surface water drainage and trade effluent has been included by way of informative 14.
- 4.3.14 Essex and Suffolk Water: No objection.
- 4.3.15 London Fire Brigade: No objection subject to the imposition of condition 29 to address potential concerns.

5. Planning Policy:

- 5.1 The 'National Planning Policy framework' ("NPPF") 2012:
The National Planning Policy is set out in the "NPPF" which was published in March 2012. The "NPPF" and Guidance ("NPPG") states clearly that its content is to be a material consideration in the determination of applications. The "NPPF" states that due weight should be given to the adopted policies of the Local Development Framework (LDF) according to their degree of consistency with the "NPPF" (the closer the policies in the plan to the policies in the "NPPF", the

greater the weight that may be given). Accordingly, due weight is also given to the Nationally Described Space Standards (2015).

5.2 The London Plan 2016:

The relevant policies from the '*London Plan*' include: Policy 1.1 (Delivering the Strategic Vision and Objectives for London), Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential), Policy 3.5 (Quality and Design of Housing Developments), Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities), Policy 3.7 (Large Residential Developments), Policy 3.8 (Housing Choice), Policy 3.9 (Mixed and Balanced Communities for All), Policy 3.10 (Definition of Affordable Housing), Policy 3.11 (Affordable Housing Targets), Policy 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes), Policy 5.1 (Climate change mitigation), Policy 5.2 (Minimising carbon dioxide emissions), Policy 5.3 (Sustainable design and construction), Policy 5.4 (Electricity and Gas Supply), Policy 5.6 (Decentralised energy in development proposals), Policy 5.7 (Renewable energy), Policy 5.9 (Overheating and cooling), Policy 5.10 (Urban greening), Policy 5.11 (Green roofs and development site environs), Policy 5.12 (Flood risk management), Policy 5.13 (Sustainable drainage), Policy 5.14 (Water quality and wastewater infrastructure), Policy 5.15 (Water use and supplies), Policy 5.16 (Waste self-sufficiency), Policy 5.18 (Construction, excavation and demolition Waste), Policy 5.19 (Hazardous Waste), Policy 5.21 (Contaminated Land), Policy 6.1 (Strategic Approach), Policy 6.3 (Assessing effects of development on transport capacity), Policy 6.9 (Cycling), Policy 6.10 (Walking), Policy 6.13 (Parking), Policy 7.1 (Lifetime neighbourhoods), Policy 7.2 (An inclusive environment), Policy 7.3 (Designing out crime), Policy 7.4 (Local character), Policy 7.5 (Public realm), Policy 7.6 (Architecture), Policy 7.7 (Location and design of tall and large buildings), Policy 7.14 (Improving air quality), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 7.19 (Biodiversity and access to nature), Policy 8.2 (Planning obligations), Policy 8.3 (Community Infrastructure Levy).

5.3 London Borough of Havering's Development Plan Document ("DPD") 2008:

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the provisions of the development plan and any other material considerations when dealing with an application for planning permission. Havering's Development Plan comprises the London Plan (2016), London Borough of Havering's 'DPD' (2008), together with London Borough of Havering's ("LBH") Supplementary Planning Documents ("SPD") '*Designing Safer Places*' (2010), '*Landscaping*' (2011), '*Planning Obligations*' (2013), '*Residential Design*' (2010), '*Sustainable Design Construction*' (2009).

5.4 The relevant policies from Havering's "DPD" include; Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions to Residential and Subdivision of Residential Uses), DC6 (Affordable Housing), (DC7 - Lifetime Homes and Mobility Housing), DC29 (Educational Premises), DC32 (The road network), DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste

recycling), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated land), DC55 (Noise), DC58 (Biodiversity and Geodiversity), DC60 (Trees and Woodlands), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), DC66 (Tall Buildings and Structures), DC72 (Planning Obligations).

6. Mayoral CIL implications:

- 6.1 Through powers provided under Part 11 of the Planning Act 2008, and the Community Infrastructure Levy Regulations 2010 (since amended by the CIL [Amendment] Regulations of 2011, 2012, 2013 and 2014) the development proposed is liable for the Mayor's Community Infrastructure Levy in accordance with London Plan Policy 8.3 on 'Community Infrastructure Levy' of the '*London Plan*' 2016.
- 6.2 The retail aspect of the development at 830m² gross internal areas would be liable for CIL rate of £20 per square metre as net additional floorspace which amounts to £16,600.
- 6.3 The residential and ancillary (parking) aspect of the development for market housing at 70,449m² gross internal areas would be liable for CIL rate of £20 per square metre as net additional floorspace which amounts to £1,408,980.
- 6.4 The total CIL amount payable (retail and residential combined) is therefore estimated at £1,425,580.

7. Planning Considerations:

- 7.1 Officers consider that the determining issues with regards to the proposal are as follows:
 - a) The Principle Development;
 - b) Housing Mix/Density, Tenure/Affordable Housing;
 - c) Layout/Siting, Scale/Heights, Design/Appearance, Residential Amenities;
 - d) Road Network/Access, Parking/Servicing Areas;
 - e) Archaeological, Ecological and Arboricultural, Flooding/Drainage, Infrastructure and Utilities, Sustainability, Crime and Disorder;
 - f) S106 contributions/CIL Implications:

8. Principle of Development:

- 8.1 In terms of national planning policies, Para 17 from the '*NPPF*' 2012 sets out the overarching roles that the planning system ought to play, a set of core land-use planning principles that should underpin decision-taking, one of those principles are that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high

environmental value. Para's 50 and 52 from the document seek to provide opportunities for achieving sustainable development, delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.

- 8.2 Policy 1.1 on 'Delivering the Strategic Vision and Objectives for London' of the '*London Plan*' 2016 sets out the strategic vision for growth and change in London to be managed in order to realise the Mayor's vision for London's sustainable development to 2036. Policy 3.3 on 'Increasing Housing Supply' of the '*London Plan*' 2016 sets out the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.
- 8.3 In terms of local planning policies, Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008 expresses the need for a minimum of 535 new homes to be built in Havering each year through prioritising the development of brownfield land and ensuring it is used efficiently. Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year. The proposal for 620 units would be equivalent to 53% of the annual target and the principle is therefore supported.
- 8.4 The proposal is sited on land formerly referred to as Romford Ice Rink, therefore Policy SSA7 on 'Romford Ice Rink' from LBH's '*Site Specific Allocations Development Plan Document*' 2008 becomes a material policy consideration. The policy, outlines that mixed use development comprising residential, leisure and retail facilities will be acceptable. As the proposal is for a residential-led mixed use scheme this aspect fulfils the above policy requirement and would be acceptable in principle, furthermore given its urban location supported by a PTAL score 5-6, the site is considered a sustainable location.
- 8.5 In light of the above policy considerations, officers are of the view that there are no in principle objections to a residential-led development coming forward on this site, the proposal seeks to increase housing supply in an area supported by sustainable transport patterns. The proposal, subject to satisfying other policy requirements would adhere with guidance from Paras 17, 47 and 52 of the '*NPPF*' 2012; and Policies 1.1 and 3.3 of the '*London Plan*' 2016; and with Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008 and Policy SSA7 on 'Romford Ice Rink' from LBH's '*Site Specific Allocations Development Plan Document*' 2008.

9. Housing Mix/Density, Tenure/Affordable Housing:

- 9.1 In terms of national planning policy, paragraph 50 from the '*NPPF*' 2012 aims to steer development to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Whilst paragraph 10 emphasises that decisions need to take local circumstances into account so that they respond to the different opportunities for achieving sustainable development in different areas.

- 9.2 In recognising the importance of new developments offering a range of housing choices, in terms of the mix of housing sizes and types, Policy 3.8 on 'Housing Choice' of the *'London Plan'* 2016 comes into effect. The above policy stance is to allow Londoners a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.
- 9.3 In terms of local planning policies, Policy DC2 on 'Housing Mix and Density' of the LBH's *'Development Plan Document'* 2008 suggests a mix for market housing of 24% 1 bedroom units, 41% 2 bedroom units, and 34% 3 bedroom units. The Council's Housing and Needs Assessment (2012) suggested that future market housing delivery should be split between 50% small (1- and 2-bedroom units) and 50% large (3+ bedrooms) units. Overall, around 70% of small units should provide 2-bedrooms, although it has been noted that this may not apply to all sites.
- 9.4 The proposal incorporates 38.8% 1 bedroom apartments (47.No one persons and 193.No. two persons), 46.6% 2 bedroom apartments (46.No two persons and 248.No. three persons), 13.7% 3 bedroom apartments (6.No four persons and 47.No. five persons and 30.No. six persons), and 0.8% 4 bedroom apartments (1.No five persons and 2.No. six persons). Although, the proposed mix would not necessarily coincide with the above policy expectation, it needs be appreciated that the policy portrayed only an indicative mix, and even the Council's Housing and Needs Assessment (2012) emphasises that their split between 50% small and 50% large may not apply to all sites. Therefore, and in keeping with the new Housing Zone status of the framework area, the immediate environment of the site and proximity to the town centre not necessarily being suited to large numbers of larger family dwellings and commitment to achieving the delivery of significant amounts of much-needed housing of varying types to suit a variety of household sizes, officers are content that the mix on offer is suitable and closely aligned with the indicative mix from Policy DC2 on 'Housing Density and Mix' of the LBH's *'Development Plan Document'* 2008.
- 9.5 With regards to density, Policy 3.4 on 'Optimising Housing Potential' from the *'London Plan'* 2016 emphasises that development should optimise housing output for different types of location within the relevant density range shown and that development proposals which compromise this policy should be resisted. Moreover, Policy 7.1 on 'Lifetime Neighbourhoods' from the *'London Plan'* 2016 emphasises that development should be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure, the Blue-Ribbon Network, local shops, employment and training opportunities, commercial services and public transport.
- 9.6 More site specific, Policy SSA7 on 'Romford Ice Rink' from LBH's *'Site Specific Allocations Development Plan Document'* 2008 in keeping with Policy DC2 on 'Housing Density and Mix' of the LBH's *'Development Plan Document'* 2008 provides an indicative density range of 165-275 units per hectare. The London Plan provides an indicative density range of between 45-260 units, or 200-700 habitable rooms per hectare (PTAL 5a).

- 9.7 The development proposal would provide 620.No residential units (net gain of 620) on a site area of amounting to approximately 2.9ha which equates to a density of 214 units per ha in a site which achieves a PTAL score of 6. Given the range of densities that could be applicable to this site, a proposed density of 214 units per hectare falls within the density parameter of the framework and considered in keeping to the density guidance set out within Policy 3.4 and Policy 7.1 from the '*London Plan*' 2016 and Policy SSA12 of LBH's '*Site Specific Allocations Development Plan Document*' 2008.
- 9.8 Policy 3.13 on 'Affordable Housing Thresholds' emphasises that Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes. The affordable housing and contribution approach is also supplemented through Policy 3.8 on 'Housing Choice'; Policy 3.9 on 'Mixed and Balanced Communities'; Policy 3.10 on 'Definition of Affordable Housing'; Policy 3.11 on 'Affordable housing targets' from the '*London Plan*' 2016.
- 9.9 Policy 3.12 on 'Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes' from the '*London Plan*' 2016 also sets out that "negotiations on sites should take account of their individual circumstances including development viability and in support of this, the London Plan requires a tenure split of 60:40 in favour of affordable rented. Currently LBH seek a split of 70:30 in favour of social rented.
- 9.10 The Mayor of London's Supplementary Planning Guidance ("SPG") on '*Homes for Londoners*' 2017 states that it is essential that an appropriate balance is struck between delivery of affordable housing and overall housing development. The preferred tenure split as set out in the SPG is for 30% of affordable housing to be delivered as social/affordable rent, 30% as intermediate, to include London Living Rent and shared ownership. The SPG seeks to maximise the amount of affordable housing and sets guidelines in relation to viability. The SPG specifies that where 35% affordable housing is proposed in accordance the Borough's preferred tenure mix, then a detailed viability appraisal would not be required.
- 9.11 The proposed development seeks provision of privately rented units within the apartment blocks labelled W1, W2 and W3 which are located on the north-western end of the site, these 'Build for Rent' units are purposely built for rent, with a single landlord for all the units . The proposed 'Build for Rent' units incorporates a mix of 38% being 1 bedroom apartments (7.No one persons and 85.No. two persons), 49% being 2 bedroom apartments (27.No three persons and 91.No. four persons), 14% being 3 bedroom apartments (2.No four persons and 19.No. five persons and 11.No. six persons), totalling 242 units.
- 9.12 The proposed development seeks provision of 'Market Sale' units within the apartment blocks labelled E1, E2, E3, E4 and E5 which are located in the centre of the site. The proposed "Market Sale' units incorporates a mix of 43% being 1 bedroom apartments (40.No one persons and 94.No. two persons), 49% being 2 bedroom apartments (14.No three persons and 138.No. four persons), 8% being 3 bedroom apartments (17.No five persons and 8.No. six persons), totalling 311 units.

- 9.13 The proposed development seeks provision of affordable rented units within the apartment blocks labelled E6 allocated for Social and Affordable housing (split into three cores, Cores 1 and 2 are Affordable Rent and Core 3 is Intermediate) which are to be located on the south-eastern corner of the site. The proposal incorporates a mix of 11% being 1 bedroom apartments (4.No two persons), 34% being 2 bedroom apartments (5.No three persons and 8.No. four persons), 48% being 3 bedroom apartments (4.No four persons and 6.No. five persons and 8.No. six persons), 8% being 4 bedroom apartments (1.No five persons and 2.No. six persons), totalling 38 units. Within Core 3 which is allocated as Intermediate and intended for Shared Ownership use, the unit mix is predominantly one and two bedroom apartments through some larger family units are also included to ensure diversity of mix. The proposal incorporates a mix of 34% being 1 bedroom apartments (10.No two persons), 38% being 2 bedroom apartments (11.No four persons), 27% being 3 bedroom apartments (5.No five persons and 3.No. six persons), totalling 29 units.
- 9.14 The proposed delivery of 11% of the total number of units as affordable equates to 14% on a habitable room basis. This equates to 67 affordable units in total, and the affordable mix comprises a tenure split of 38 affordable rent units (57%) and 29 intermediate rent units (43%). The submitted viability assessment states that any deviation from the above would make the scheme unviable. Further, the developers have approached Registered Providers to explore whether with grant the level of affordable housing could be increased in line with advice in the Mayor's recent SPG.
- 9.15 Havering is in need of affordable housing and the Mayors SPG and Havering's emerging local plan highlights the need to deliver 35% affordable housing on all schemes with a tenure split of 70:30 % ratio in favour of affordable rent. This development also falls within the housing zone, where one of the zone outputs is the delivery of affordable housing. The failure to provide this level of affordable housing therefore needs to be carefully scrutinised.
- 9.16 Officers have reviewed the viability assessment submitted as part of this application and sought to run differences in the modelling supporting the viability statement to take account of higher sales values and likely future increases in values in the area. The viability scenarios have been reviewed by the Council's appointed viability consultants and Housing staff who have concluded that the amount on offer is most that can viably be achieved at the present time. It may be possible that a different scheme with different costs and returns (e.g. more units) would increase the viability but it would be difficult to refuse the current application on these grounds given that the current proposal is considered acceptable in other respects and no similar consideration of the full planning merits of possible alternatives has been undertaken.
- 9.17 The level of affordable housing proposed is disappointing, nevertheless it is considered that the Council has insufficient grounds to come to an alternate conclusion on viability. In accordance with the Mayor of London SPG, the applicant was requested to engage with Registered Providers to see if there is any opportunity to increase the level of affordable housing through use of grant. The applicant has since engaged with a dozen RP's who either confirmed that no grant

funding would be applied or that the that affordable housing value with grant would be lower than market value, the results of this are that the cost of the housing proposed could not be met through grant. It is therefore recommended, in accordance with conclusions of the Council's viability consultant, that through a S106 legal agreement, the level of affordable housing be reviewed. The exact details of any review, including number of reviews, benchmark land value and appropriate developers return are still to be agreed and will be subject to further discussion with the GLA at appropriate stages of the development to be agreed.

10. Layout/Sitting, Scale/Heights, Design/Appearance, Residential Amenity;

- 10.1 In terms of national planning policy, paragraphs 10, 56, 57, 58 and 131 from the "NPPF" 2012 fall relevant on all design related matters, and highlights that plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas and that the desirability of new development making a positive contribution to local character and distinctiveness.
- 10.2 Policy 7.1 on 'Lifetime neighbourhoods' of the 'London Plan' 2016 states that the layout of new development should be designed to ensure that the proposed new uses interface with surrounding land. Policy 7.4 from the above document on 'Local character' seeks to ensure high quality design that has regard to existing form and spaces, is informed by the surrounding environment and contributes to positive relationships between the built and natural environment. In addition, Policy 7.6 seeks on 'Architecture' seeks high quality architecture that makes a positive contribution to a coherent public realm, streetscape and wider cityscape.
- 10.3 In terms of local plan policies, Policy CP17 on 'Design' from the LBH's 'Development Plan Document' 2008 seeks to maintain or improve the character and appearance of the local area in its scale and design in line with guidance from LBH's SPD on 'Residential Design' 2010. Furthermore, Policy DC61 on 'Urban Design' from LBH's 'Development Plan Document' 2008 states that planning permission will only be granted where buildings respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context and integration with surrounding land and buildings.
- 10.4 The layout of the site has been well-integrated and framed around the central communal areas, which include a range of public, communal and private amenity spaces with street entrances providing outward frontages. The layout of the blocks and configuration of spaces and buildings are orientated positively to the sun's path which ensures that the apartments as well as the public and private amenity spaces benefit from natural sunlight throughout different parts of the day.
- 10.5 The proposed layout introduces a wide, north-south pedestrian link through the site which connects Rom Valley Way to Queens Hospital as the main pedestrian through link. The secondary pedestrian routes run the outer perimeter of the site, any leftover space from the development has been successfully integrated into the wider network of walkways, cycle paths, and open spaces without undermining

defensible spaces. The open spaces, which include landscaped podiums, roof terraces and balconies as well as children's play space would be suitably landscaped and overlooked from the residential aspect of the development which in turn promotes heightened natural surveillance of the areas. The Rom Valley Way frontages to the blocks include active frontages with semi private areas and entrances. Combined with the proposed widened and landscaped cycle/pedestrian route along the road frontage, there would be significant visual improvements to this part of the site and the adjacent highway. The sites layout accords with Policy 3.5 on 'Quality and Design of Housing Developments' of the '*London Plan*' 2016.

- 10.6 The proposal seeks to enhance the permeability of the area for pedestrians and cyclists by opening up the site, and providing improved pedestrian and cycle infrastructure along the eastern frontage of the site (along Rom Valley Way), this is regarded important as it will enhance sustainable travel to the site and beyond.
- 10.7 The Councils Highways Engineer has commented that the upgraded cycle track along Rom Valley Way is welcomed, and would like to seek financial contributions through a S106 agreement to improve walking and cycling infrastructure to help connect the site to Romford Town Centre. With regard to the financial contributions sought through the S106 there are two main requirements, firstly the provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road, and secondly the provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street. It is regarded that the Oldchurch Road (west) crossing would provide a better walking route to the Town Centre via Oldchurch Road and South Street and the Oldchurch Road (east) crossing would provide a better walking and cycling route between the northern corner of the site on Rom Valley Way and the existing walking/ cycling route on western side Waterloo to the north of Oldchurch Road.
- 10.8 Policy 6.10 on 'Walking' from the '*London Plan*' 2016 emphasises that planning decisions should ensure that development proposals provide high quality pedestrian environments and emphasise the quality of the pedestrian and street space by referring to Transport for London's Pedestrian Design Guidance.
- 10.9 Officers consider the increased permeability and active frontages that the proposal brings acceptable, and crucially the pedestrian access through the site to linking quicker access to the town centre and also to the existing bus stops outside the Queens Hospital. Officers have also reviewed the baseline Pedestrian Environment Review System (PERS) audit in line with the objectives of the PERS assessment and are satisfied that all links, routes, crossings, and Public Transport Waiting Areas and Interchange Spaces fall in keeping with best practice and guidance from within Policy 6.10 of the '*London Plan*' 2016 and Policy DC61 from the LBH's '*Development Plan Document*' 2008.
- 10.10 Policy 7.7 on 'Location and design of tall and large buildings' of the '*London Plan*' 2016 states that tall and large buildings should relate well to the form, proportion, composition, scale, and character of surrounding buildings, urban grain, and public realm. The policy seeks to ensure that tall and large buildings contribute to improving the legibility and permeability of the site and wider area.

- 10.11 In local policy terms, Policy DC66 on 'Tall Buildings and Structures' from LBH's '*Development Plan Document*' 2008 states that tall buildings may be permitted outside the town centre where they create an attractive landmark building, preserve or enhance the natural environment, the historic environment, local amenity and the local character of the area; and act as a catalyst for regeneration without marring the skyline or having significant adverse impact on the amenity of nearby occupiers.
- 10.12 On a site specific note, Policy SSA7 on 'Romford Ice Rink' from LBH's '*Site Specific Allocations Development Plan Document*' 2008 specifies that development on this site should in its scale and massing be consistent with the Queen's Hospital and Blades Court. In context, the Queen's Hospital extends to equivalent eight storeys set at a height of approximately 27m high at its tallest, adjacent buildings include Blade Court which is up to five residential storeys and former Oldchurch hospital site located to the north west is between six and nine storeys in height.
- 10.13 The proposal for 9.No. apartment blocks of varying heights from four to eight storeys includes 5.No. apartment blocks in excess of six storeys in height. The mix includes block E1 which extends to 8 storeys in height (comprising 56.No. residential units); block E2 at 7 storeys in height (comprising 53.No. residential units); block E3 at 6 storeys in height (comprising 44.No. residential units); block E4 between 5 and 6 storeys in height (comprising 101.No. residential units); block E5 between 8 storeys in height (comprising 57.No. residential units); block E6 between 5 storeys in height (comprising 67.No. residential units); block W1 between 7 storeys in height (comprising 93.No. residential units); block W2 between 7 storeys in height (comprising 85.No. residential units) and block W3 between 6 storeys in height (comprising 64.No. residential units).
- 10.14 The tallest part of the proposal would be sited in the northern part of the site adjacent to the town centre boundary and the Rom Valley Way frontage which peaks at eight storeys set at a height of approximately 26m high at its tallest point. The height of the buildings will then be stepped down across the site towards the southern end of the site, which extends between 4 and 5 storeys.
- 10.15 It is considered that the proposal, in terms of its scale and height will be generally consistent with that of surrounding development. The setting of the site, next to the hospital, on a busy dual carriageway, opposite large shed retail park and away from traditional forms of housing means that a degree of height and scale to the buildings would be appropriate in this case. Given the context to the site, officers are satisfied that the proposal would create no adverse effect on the skyline or overbearing impacts, subject to a high quality of architecture and standard of accommodation being achieved. The proposal is consistent with provisions of Policy 7.7 of the '*London Plan*' 2016; and policies DC66 and SSA7 from LBH's '*Development Plan Document*' 2008.
- 10.16 Policy 7.6 on 'Architecture' of the '*London Plan*' 2016 requires new buildings and structures to ensure that they do not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to a number of factors, including overshadowing and privacy.

- 10.17 In light of the above, the applicant has submitted a Sunlight/Daylight report as part of this application which determines that the proposed units will receive appropriate levels of daylight and sunlight in accordance with BRE guidance which officers are in agreement with. Moreover, officers have reviewed the separation distances between buildings and those of the boundary and consider the layout, distances and set-backs as appropriate to mitigate any concerns of loss of privacy as a result of overlooking in keeping with Policies DC3, DC61 and CP17 of the LBH's *'Development Plan Document'* 2008 and LBH's SPD for *'Residential Design'* 2010.
- 10.18 Policy 7.7 on 'Location and design of tall and large buildings' of the *'London Plan'* 2016 requires proposals to incorporate the highest standards of architecture and materials. In local policy terms, Policy DC61 on 'Urban Design' from LBH's *'Development Plan Document'* 2008 states the materials used in new development should complement or improve the amenity and character of the local area and surrounding land and buildings.
- 10.19 The proposal seeks to incorporate two different types of facade materials, red brick for blocks to the west of the site and buff brick for blocks to the east of the site. The buff brick blocks will provide faceted and corner projecting balconies. The red brick blocks will provide recessed corner balconies and some projecting metal balconies. Further, building typology will also vary across the site, through the use of expressive facades on the linear blocks and recessive facades on corner blocks, as well as projecting corner balconies across the site. The site is of a size and location where it can define its own character. The proposed material choices and finishes are considered to provide a high quality appearance contributing to the legibility and appearance of the site in accordance with Policy 7.7 on of the *'London Plan'* 2016 and Policy DC61 from LBH's *'Development Plan Document'* 2008.
- 10.20 Policy 7.2 on 'An inclusive environment' of the *'London Plan'* 2016 requires that new development should achieve the highest standards of accessible and inclusive design. In local policy terms, Policy CP17 on 'Design' from the LBH's *'Development Plan Document'* 2008 requires new development to provide a high standard of inclusive design so it is accessible to those who require access to it. Policy CP2 on 'Sustainable Communities' from the document states that new development should ensure that the needs of those households with special needs, including the elderly, are met and that in their design and layout, new homes provide for the lifetime needs of households. Lastly, Policy DC26 on 'Access' states planning permission will only be granted for buildings which provide a service where a high standard of inclusive access is provided.
- 10.21 The residential blocks all encompasses lobbies which are formed as recesses within the rusticated ground floor brick work, which offer a degree of shelter from the elements. Concierge spaces are provided for both the east and west sides of the site, these areas are considered the focal hub of the site with double height volumes and generous vertical circulation and access to upper level podium gardens and residences. The commercial frontages sit within the ground floor corbelled brick rustication and will be defined with more open areas of glazing providing appropriate frontages. There is a clearer delineation between the

commercial and residential elements, both construction materials/shades and physical demarcation.

- 10.22 The development proposal has allocated 10% of the proposed residential accommodation as wheelchair accessible, a total of 12.No. 1 bedroom (two persons), 39.No. 2 bedroom (four persons), 2.No. 3 bedroom (five persons), and 9.No. 3 bedroom (six persons) totalling 62.No. units are aimed to be wheelchair accessible accommodation and provision safeguarded under condition 31, additionally 30.No. parking spaces are to be provided to wheelchair accessible standards under condition 27. The proposal, subject to accordance with condition 27 and 38 would fall keeping with Policy 7.2 of the '*London Plan*' 2016; Policies CP2, CP17, DC26 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Residential Design*' 2010.
- 10.23 Policy 3.6 on 'Children and Young People's Play and Informal Recreation Facilities' from the '*London Plan*' 2016 expresses that the Mayor and appropriate organisations should ensure that all children and young people have safe access to good quality, well designed, secure and stimulating play and informal recreation provision. In terms of local plan policies, Policy DC3 on 'Housing Design and Layout' of LBH's '*Development Plan Document*' 2008 expresses that planning permission will only be granted if, in their design and access statements, developers demonstrate how they have addressed the policies in this plan which impact on the design and layout of new developments.
- 10.24 The proposal which generates a child yield of 112 children provides 886m² of door step provision for under-fives within the communal courtyard areas whereby only 530m² is required by policy. The proposed play areas would be accommodated within the communal courtyards to provide secure safe environments for the younger children, 133m² of playable space provided within the Podium Garden, 232m² of Integrated Play provided within the Central Street, 259m² of playable space provided within the Podium Garden and 371m² of playable space provided within the Courtyard Garden (Affordable Courtyard). Further playspace would be met on-site within the 'main square' onsite, as well as offsite, with Oldchurch Park and Union Road Park within 400 metres of the site, and Park Lane Recreation Ground and Grenfell Park within 800 metres. This aspect of the proposal complies with Policy 3.6 from the '*London Plan*' 2016 and the Mayors SPG on 'Shaping Neighbourhoods: Play and Informal Recreation' and Policy DC3 of LBH's '*Development Plan Document*' 2008.
- 10.25 Policy 3.5 on 'Quality and Design of Housing Developments' from the '*London Plan*' 2016 relates to the quality and design of new housing and seeks to ensure that all new development enhances the quality of local places. The policy expresses that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment.
- 10.26 Officers have further reviewed the proposed unit sizes, and bedroom sizes and it has been acknowledged that all units either meet or exceed the minimum space standards in line with Nationally Described Space Standards 2015 and requirements from Table 3.3 from the '*London Plan*' 2016 and Policy DC3 from the

LBH's '*Development Plan Document*' 2008 and LBH's SPD for '*Residential Design*' 2010.

- 10.27 In respect of outdoor amenity space, in addition to providing communal amenity space the proposal further provides a minimum of 5sq.m of private outdoor space in the form of a balcony, this aspect of the development complies with the requirements of the London Plan Housing SPG 2017, which requires a minimum of 5m² of private outdoor space for a 1-2 person dwelling and an extra 1m² for each additional occupant.
- 10.28 Officers considered that the proposal delivers a high quality design; however, there is a need to ensure that this is delivered and a clause is recommended in the S106 which seeks to retain a role for the present architects in ensuring the quality of development is delivered.

11. Residential Amenity:

- 11.1 In terms of national planning policy, paragraph 109 from the '*NPPF*' 2012 emphasise that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 123 from the document then goes on to state that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.
- 11.2 Policy 7.15 on 'Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes' from the '*London Plan*' 2016 seeks to steer development to reduce and manage noise to improve health and quality of life and support the objectives of the Mayor's Ambient Noise Strategy.
- 11.3 Policy DC55 on 'Noise' of the LBH's '*Development Plan Document*' 2008 highlights that where the proposal would lead to a noise sensitive development being located near to a noise generating activity, a formal assessment will be required to ensure compliance with the noise exposure categories in Planning Policy Guidance Note 24. Policy CP15 on 'Environmental Management' of the LBH's '*Development Plan Document*' 2008 also emphasises that construction and use new development should avoid a noise sensitive use being exposed to excessive noise.
- 11.4 The applicant has submitted a Noise Impact Assessment whereby baseline noise surveys had been undertaken at four different measurement locations with noise modelling being prepared. The report had taken into consideration road traffic noise levels, noise sources associated with the hospital and the emergency helipad, and noise from proposed fixed plant noise sources. The noise assessment concluded that mitigation measures in the form of appropriate glazing and ventilation units will need to be incorporated into the scheme in order to protect amenities of future residents.

- 11.5 The applicant has in their Noise Assessment included a qualitative assessment of the helipad and as such stated that there are four helicopters operating in the area which officers have confirmed. In light of this, officers are of the understanding that the helipad would only be used in the case of an emergencies, it is considered that the helipad will be infrequent in its use and therefore will not cause a constant source of disturbance. In any event, officers can confirm that the helipad is located approximately 100m northwest of the nearest proposed residential dwellings and the associated noise attenuation as a result of this distance will not be substantial. Moreover, it needs be appreciated that presently there are existing dwellings that are within 45m of the helipad and Environmental Health Officers have no record of noise complaints from these properties as a result of the helipad use. Notwithstanding this, the glazing specification for the units facing towards the helipad is proposed to be of a higher attenuation level as a result of the noise associated with the hospital, which will also acts as attenuation against any noise associated with the helipad. Finally, as a result of the positioning of the proposed units and the hospital, the hospital building will effectively act as a noise barrier from the helipad.
- 11.6 The Councils Environmental Protection Officer has reviewed the submitted Noise Impact Assessment and raised no objection subject to the imposition of conditions 21-22 covering details specified in the report (for glazing, ventilation). With this respect, the proposal subject to adhering with conditions imposed will fall complaint with Para's 109 and 123 from the '*NPPF*' 2012; and Policy 7.15 from the '*London Plan*' 2016; and Policies DC55 and CP15 of the LBH's '*Development Plan Document*' 2008.
- 11.7 Officers have reviewed the proposed waste strategy for both the residential and commercial aspects of the development, the collection of bins and storage facilities which are to be provided in communal stores and secure storage stores located across the ground floor of the site. Residential refuse areas are to be provided in each building block (segregated recyclable and non-recyclable waste) for use by residents, and designed based on a weekly collection. The submitted Site Waste Strategy suggests that residents drop off their refuse at designated refuse stores adjacent to each core where site management team will then take all refuse together for collection to a single point for the east of the site (blocks E1-6) and a single point for the west of the site (blocks W1-3). Refuse vehicles enter the site via the roundabout to the south (for eastern blocks) or the car park to the north (for western blocks) and within a 10m drag distance of the refuse.
- 11.8 Commercial and residential waste will be kept separate through the nature of their management at the site and collections will be strictly managed to ensure they occur during the off-peak periods All refuse areas are to be accessible to building occupants (except commercial) and facilities operators and of a capacity that is appropriate to the building's type, size and predicted volumes of waste.
- 11.9 The Councils Street Management and Waste and Recycling team has reviewed the submitted information and raised no objection. As it stands, there are no overriding concerns with the proposed waste arrangement as the scheme demonstrates convenient, safe and accessible solutions to waste collection in keeping to guidance from within Policy 3.2 on 'Improving Health and Addressing

Health Inequalities' from the '*London Plan*' 2016; and Policy DC40 on 'Waste Recycling' of the LBH's '*Development Plan Document*' 2008.

- 11.10 Policy 5.21 on 'Contaminated Land' from the '*London Plan*' 2016 seeks that planning decisions ensure that appropriate measures be taken to ensure that development on previously contaminated land does not activate or spread contamination. This is supplemented under local planning Policy DC53 on 'Land Contamination' of LBH's '*Development Plan Document*' 2008.
- 11.11 The Environment Agency website lists the site and surrounding area (Queens Hospital) as a historical landfill named as Oldchurch Park. The Crowlands Open Space and Jutsoms Recreation Ground landfill sites are also indicated to be present approximately 450m west of the site. As such, the applicant has submitted a Geo-Environmental Risk Assessment as part of this submission, which outlines that based on the information available regarding the site, the potential for Statutory Authority action based on 'pollution of controlled waters' or 'significant harm' as defined by Part IIA of the Environmental Protection Act 1990 is considered to be 'moderate' based upon the known elevated contamination issues within the shallow soils and groundwater at the site.
- 11.12 The Councils Environment Health and Protection team have reviewed the Preliminary Environmental Risk Assessment and consider the recommendations made for the development implications are appropriate subject to conditions 14 to 15 being applied with the grant of any consent. Therefore, subject adhering with and satisfying conditions imposed, the development proposal would adhere with Policy 5.21 of the '*London Plan*' 2016 and Policy DC53 of LBH's '*Development Plan Document*' 2008.

12. Road Network/Access, Parking/Service Areas:

- 12.1 In terms of national planning policies, guidance under paragraph 36 from the "*NPPF*" 2012 expresses that all developments which generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and required to provide a Travel Plan. Guidance from the document emphasises that decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.
- 12.2 The integration between transport and development is discussed under Policy 6.1 on 'Strategic Approach' and under Policy 6.3 on 'Assessing Effects of Development on Transport' from the '*London Plan*' 2016. The aforementioned policies encourages patterns and nodes of development that reduce the need to travel, especially by car, and refers to supporting measures that encourage shifts to more sustainable modes whilst ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Similarly,

and in terms of local planning policies this is supplemented under local plan Policy CP9 on 'Reducing the Need to Travel' and Policy CP10' on Sustainable Transport' and Policy DC32 on 'The road network' from LBH's '*Development Plan Document*' 2008.

- 12.3 The site is bound to the south and the west by the hospital, and to the east by Rom Valley Way (A125 dual carriage) which forms part of the Strategic Road Network. Each corner of the site has an Accessibility Index ("AI") which falls within the band for Public Transport Accessibility Level ("PTAL") ratings of 6a (access index range 25.01-40.0) which is regarded a very high level of accessibility. An average AI taken for the site based on the AI of each corner of the site also produces a PTAL of 6a. The existing vehicular access to the site is primary from the Rom Valley Way/Queens Hospital junction (south of the site); the proposal will maintain this provision (east and west of the site). The site is however to provide further vehicular access to its northern corner which will exit onto an access road, right of entry via Oldchurch Rise. The proposed works to form the access would not affect the character and amenity of the area or the convenience and safety of other highway users in keeping with guidance from within Policy DC62 on 'Access' from LBH's '*Development Plan Document*' 2008.
- 12.4 The applicant has submitted a Transport Assessment and draft Travel Plan as part of this application, the Transport Assessment highlights that the proposed residential development is likely to generate around 363 person movements during the weekday morning peak, and around 256 movements during the evening peak, this provides the opportunity to reduce the level of vehicle movements to the site by 300 in the morning peak and 600 in the evening peak period when compared to the historic food store permission. The assessment highlights that the site benefits from excellent access to local public transport, with a PTAL rating of 6 and lies within an 8 minute walk from Romford rail station, which provides significant onward journey opportunities and will provide access to Crossrail in the future. The assessment also identifies that the site has access to 27 local bus services connecting it to the wider community with local education, employment and leisure facilities all within easy walking distance of the site. The proposal provides cycle parking for all residential and adopted an on-site refuse collection strategy whilst further outlining the provision of a car club, with 3 years membership being provided to each unit.
- 12.5 The Councils Highways Engineer has reviewed the submitted Transport Assessment and reaffirmed that the site will generate 40 vehicle movements in the morning peak and 29 movements in the evening which is suggested to be negligible in the overall scheme of things. In light of the submitted documents, GLA have also commented in support of this application from this aspect.
- 12.6 Transport for London has commented that they have reviewed the site and its surroundings and reaffirmed a PTAL score of 6a which equates to a 'high' level of accessibility (where 1 represents the lowest accessibility level and 6b the highest). TfL have sought financial contribution by way of S106 agreement in order to improve the access to the bus stops at Queens Hospital (from the southern end of the site) to reconfigure the highway layout in the area, increase stop provision and

introduce a zebra crossing. All other outstanding transport issues have now been resolved and concerns mitigated by way of S106 agreements and conditions.

- 12.7 Officers have assessed the site location and existing conditions, taking into consideration the Trip Generation Assessment and Highway Capacity Assessment and anticipate the vehicular traffic associated with the development would not adversely impact the safety and convenience of other highway users, the scheme falls compliant with Policies 6.1 and 6.3 from the '*London Plan*' 2016; and Policies CP9, CP10 and DC32 from LBH's '*Development Plan Document*' 2008.
- 12.8 The strategic approach to parking is emphasised under Policy 6.13 on 'Parking' from the '*London Plan*' 2016. The Policy stresses that planning decisions on parking should seek the maximum standards (and provide parking for disabled people) as set out in Table 6.2 whilst meeting the minimum cycle parking standards set out in Table 6.3 from the Parking Addendum to this chapter which should be the basis for considering planning applications. Policy 6.9 on 'Cycling' and Policy 2.8 (g) on 'Outer London Transport' from the document also seeks to encourage greater use of cycling and walking as modes of choice in outer London.
- 12.9 In terms of local planning policies this is supplemented under local plan Policy DC2 on 'Housing Mix and Density' which identifies that flatted developments should seek to provide a low car parking provision, with less than 1 space per dwelling. Further policy guidance parking and cycling provisions and servicing areas is expressed under Policies DC33 on 'Car Parking', Policy DC35 on 'Cycling' and Policy DC36 on 'Servicing' from LBH's '*Development Plan Document*' 2008.
- 12.10 The proposed development initially incorporated a total of 251.No. vehicular parking spaces which has subsequently been reduced to 248.No. spaces following submission of amended plans which allow an improved layout to allow emergency vehicle ability to better access and manoeuvre. The parking areas are contained almost entirely at ground floor level beneath podiums and at the amount provided account a rate of 0.4 per unit, from this amount 30.No. spaces will be provided to accessible standards and 20% of the car parking will have electric vehicle charging point. The scheme also provides secure cycle parking stores capable of accommodating a total of 1,031.No. cycle parking spaces, a further 18.No. cycle parking spaces provided for the proposed commercial floorspace and 16.No. visitor cycle parking spaces which is 29.No. spaces above the required number anticipated under the London Plan requirements.
- 12.11 A total of 70.No. vehicular parking spaces (inclusive of 11 disabled spaces) will be provided on-site (to the western car park) serving 242 dwellings which represents a ratio of 0.3 spaces per rented dwelling. A total of 178.No. vehicular parking spaces (inclusive of 20 disabled spaces) will be provided on-site (to the southern car park) serving 378 dwellings which represents a ratio of 0.47 spaces per dwelling. A total of 2.No. vehicular parking spaces will be provided on-site (to the north) which represents a ratio of 0.3 spaces per rented dwelling.
- 12.12 Officers have assessed the proposed vehicular and cycling parking facilities and dedicated areas for service vehicles and consider the spaces capable of accommodating the parking requirements generated by the use at the site in

accordance with guidance from Policies 2.8, 6.9 and 6.13 from the '*London Plan*' 2016; and Policies DC33, DC35 and DC36 from LBH's '*Development Plan Document*' 2008.

- 12.13 The Councils Highways Engineer has raised no objections over the parking provisions provided onsite, they have however expressed to seek an agreement under the Greater London Council (General Powers) Act 1974; S16 -Restrictions on Parking Permits to apply to both residents and commercial operators within the site. Furthermore, Transport for London have commented that the close proximity of Romford Station is ideal to the site and the proposed provision of car parking spaces made available is acceptable and in line with London Plan policy 6.13 parking maximum standards as is the proposed provision of 1,031 cycle spaces which falls in line with Policy 6.9 of the '*London Plan*' 2016.
- 12.14 It is considered by officers that in areas with high public transport accessibility, as is the case here, that low parking ratios would be acceptable. Particularly in regard to this site, there is nowhere nearby for parking to take place so it would not be possible to demonstrate that a lower parking provision would result in overspill parking. The opportunity for residents to have access to the car would be reduced, but given the site's proximity to the town centre and associated retail and other services and availability of car club vehicles on site, that the parking levels proposed are acceptable. As car parking spaces would likely be sold or rented separately to the units, a clause is proposed in the S106 agreement that allocated a parking space to the proposed 3 bed or more affordable units.
- 12.15 The London Fire Brigade has made comments and referenced requirements to Part B5 of Approved Document B Volume 2 of The Building Regulations 2010. Subject to adhering with condition 32, the proposal would adhere to Policy DC36 on 'Servicing' of LBH's '*Development Plan Document*' 2008.

13. Archaeological:

- 13.1 In terms of national planning policy, paragraph 128 from the '*NPPF*' 2012 expresses that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage and assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.
- 13.2 In recognising the importance of archaeology so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping, Policy 7.8 on 'Heritage and Assets and Archaeology' of the '*London Plan*' 2016 accentuates that the conservation of archaeological interest is a material consideration in the planning process.
- 13.3 In terms of local plan policy, Policy DC18 on 'Heritage' of the LBH's '*Development Plan Document*' 2008 emphasise the importance of preservation and enhancement

of historic assets. The policy is unambiguous in highlighting that all new development affecting sites of archaeological importance must preserve their setting. Furthermore, Policy DC70 on 'Archaeology and Ancient Monuments' of the LBH's *'Development Plan Document'* 2008 emphasises the need for the Council to ensure that the archaeological significance of sites is taken into account when making planning decisions and will take appropriate measures to safeguard that interest.

- 13.4 The application site lies in an area of archaeological interest; the site is divided between areas of very low archaeological potential (where modern quarrying has removed any buried remains) and an area of higher potential that avoided quarrying. The undisturbed portions of the site may preserve prehistoric and medieval remains, especially remains connected with the original settlement of Oldchurch. The applicant has submitted an appraisal of the site using the Greater London Historic Environment Record, information submitted with the application indicates the need for field evaluation to determine appropriate mitigation, a trial trenching report has also been submitted.
- 13.5 In light of the above, Historic England have commented, although not entirely content with the efforts to date, the developers have accepted the potential for archaeological remains in their desk based assessment and have sought to agree the required condition with Historic England. Whilst the Archaeological Advisor was included in terms of trial trenching, he has recommended a condition which the applicant is willing to accept. Notwithstanding this, the archaeological interest and/or practical constraints are such that a condition could provide an acceptable safeguard and a condition is recommended to require a two stage process of archaeological investigation comprising: first, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.
- 13.6 The development proposal, subject to satisfying mitigation requirements imposed under condition 35 would then adhere to safeguarding guidance under Policy 7.8 on 'Heritage and Assets and Archaeology' of the 'London Plan' 2016; and Policy CP18 on 'Heritage' and Policy DC70 on 'Archaeology and Ancient Monuments' of LBH's *'Development Plan Document'* 2008; and Para 128 of the *'NPPF'* 2012.

14. Ecological and Arboricultural:

- 14.1 In terms of national planning policies, guidance under paragraph 118 from the *'NPPF'* 2012 emphasises that when determining planning applications, local planning authorities should seek to promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations. This conserve and enhance approach to biodiversity is further supplemented under Policy 7.19 on 'Biodiversity and access to nature' from the *'London Plan'* 2016 and by Policy CP15 on 'Environmental Management' and Policy CP16 on 'Biodiversity and Geodiversity' from LBH's *'Development Plan Document'* 2008.
- 14.2 The application site itself is not subject to, nor located adjacent to, any area identified by a statutory or non-statutory nature conservation designation. The

location of Non-Statutory Sites of Importance for Nature Conservation within a 2km Radius of the Application Site include East Brookend Country Park LNR and SINC (1.3km south); The Chase LNR (1.3km south); Romford Cemetery SINC (0.5km west); Railsides west of Romford (0.5km north).

- 14.3 The applicant has submitted a Preliminary Ecological Appraisal whereby the details received from a desk top study and the site walkover have confirmed the site is of low ecological value with some potential value for nesting birds in some of the denser areas of vegetation and trees. The report does however highlight some key enhancement recommendations be provided to ensure net gains in biodiversity, to include the provision of biodiverse, roof, bird and bat boxes in built into the building fabric, a wildlife-friendly landscaping (including swale planting, shrubs, trees and hedgerow) and invertebrate features (such as stag beetle loggery, lacewing box and solitary bee house)
- 14.4 Independently, officers have conducted a site appraisal and identified the vast majority of the site to be of low to moderate ecological value; as such the loss of grassland and shrubs for development is of little to no ecological significance or landscape value. Notwithstanding this, a range of recommendations and measures put forward in the supporting statement. The development proposal, subject to conditions 33-34 and informatives 9-10 would adhere to guidance from para 118 from the "NPPF" 2012 and Policy 7.19 from the 'London Plan' 2016 and Policies CP15 and Policy CP16 from LBH's 'Development Plan Document' 2008.
- 14.5 From an arboricultural perspective, Para 118 from the "NPPF" 2012 seeks to conserve and enhance biodiversity. Policy 7.21 on 'Trees and Woodland' from the 'London Plan' 2016 emphasises that existing trees of value should be retained and any loss as the result of development should be replaced. In terms of local plan policies, Policy DC60 on 'Trees and Woodlands' of the LBH's 'Development Plan Document' 2008 stresses the amenity and biodiversity value afforded by trees and woodland which should be protected and improved where appropriate.
- 14.6 The application site comprises areas of hardstanding, surrounded by overgrown, rough amenity grassland and semi-mature scattered trees which include elder, ash, holly, oak, maple and cherry. Officers can confirm that none of the trees from within the site are protected by any Tree Preservation Orders. The applicant has submitted a Preliminary Ecological Appraisal which highlights a small patch of elder, Pyrocantha and bramble which can be found in the north western corner of the site, with a single silver birch tree along the southern site boundary.
- 14.7 Officers consider that the removal of the trees on site hold little to no amenity value if not for the ecological aspects which shall be mitigated from the proposed landscaping plan and ecological strategy. The proposal would however mitigate the loss of any existing trees through the planting of trees across the proposals, and any loss is unlikely to have any adverse impact upon the character and amenities of the local area, this in accordance with guidance from within Policy 7.21 of the 'London Plan' 2016; and Policy DC60 of the LBH's 'Development Plan Document' 2008 and LBH's SPD on 'Protection of Trees' 2009 and 'Landscaping' 2011.

15. Flooding and Drainage:

- 15.1 In terms of national planning policies, guidance under paragraph 103 from the ‘*NPPF*’ 2012 seeks to safely manage residual risk including by emergency planning and give priority to the use of sustainable drainage systems.
- 15.2 In order to address current and future flood issues and minimise risks in a sustainable and cost effective way Policy 5.12 on ‘Flood risk management’ of the ‘*London Plan*’ 2016 emphasises that new developments must comply with the flood risk assessment and management requirements and will be required to pass the Exceptions Test addressing flood resilient design and emergency planning as set out within the NPPF and the associated technical Guidance on flood risk over the lifetime of the development. Furthermore, Policy 5.13 on ‘Sustainable drainage’ of the ‘*London Plan*’ 2016 stresses that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 15.3 The Flood and Water Management Act 2010 gives London boroughs clearer responsibilities related to surface water flood risk. Subsequently, the Mayor of London’s SPG on ‘Sustainable Design and Construction’ 2014 expounds on the use of efficient design which should be resilience to flooding. Additionally, the Mayor of London’s SPG on ‘*Housing*’ 2016 standard 38 requires development sited within an area at risk of flooding to incorporate flood resilient design whilst standard 39 from the document requires new development to incorporate SUDS and green roofs where practical with the aim of achieving a Greenfield run-off rate, increasing bio-diversity and improving water quality.
- 15.4 In terms of local planning policies, Policy DC48 on ‘Flood Risk’ of LBH’s ‘*Development Plan Document*’ 2008 emphasises that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. The policy highlights that the use of SUDS must be considered. Further guidance of how to meet the requirements as presented in the Core Strategy is supplemented under LBH’s SPD on ‘*Sustainable Design Construction*’ 2009 which encourages developers to consider measures beyond the policy minimum and centred on Flood risk.
- 15.5 Policy DC51 on ‘Water Supply, Drainage and Quality’ from the LBH’s ‘*Development Plan Document*’ 2008 seeks to promote development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems. Whilst Policy CP15 on ‘Environmental Management’ Quality’ from the LBH’s ‘*Development Plan Document*’ 2008 seeks to reduce environmental impact and to address causes of and to mitigate the effects of climate change, construction and new development to reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; whilst having a sustainable water supply and drainage infrastructure.

- 15.6 The application site is entirely brownfield in nature, with ground levels ranging from 15.12mAOD to 11.72mAOD and identified as having (Hackney Gravel Member) sand and gravel superficial deposits underlain by (London Clay Formation) clay, silt and sand bedrock. The site is shown to be situated within a Flood Zone 1 of the Environment Agency Flood Map (Low Probability) and defined as land having less than a 1 in 1000 annual probability of river or sea flooding (<0.1%). The Environment Agency identifies the Main River, the River Rom being located approximately 130m to the east of the site, with no minor watercourses within the vicinity of the development.
- 15.7 A Strategic Flood Risk Assessment has been submitted and it is recommended that finished floor levels are raised by a minimum of 150mm above immediate surrounding ground levels, that no unit is located in any topographical depression, and that ground levels are profiled to direct runoff to the nearest positive drainage point. To mitigate the development's impact on the current runoff regime it is proposed to incorporate surface water attenuation and storage as part of the development proposals. A surface water drainage strategy has been prepared for the site. This demonstrates that water from the development will be directed to the local public sewer network at a controlled rate, and that sufficient storage will be provided at the site to accommodate the 1 in 100 year storm, including an allowance for climate change.
- 15.8 Advice obtained by the case officer from the London Greater Authority has commented that measures taken by the developer would mitigate against such low level surface water risks and are acceptable in line with London Plan Policy 5.12. Furthermore, the case officer has examined potential risks in the local vicinity, particularly the overland flow routes crossing the A124 and A125 towards the River Rom and accepts that limit peak run-off rates to 14 litres per second through the use of green roofs, swales, permeable paving and five water attenuation tanks is considered acceptable in line with London Plan Policy 5.13.
- 15.9 In light of the information provided together with the perceived strategy, this aspect from the development is consistent with guidance from Paras 104 and 121 from the 'NPPF' 2012 and the provisions of Policies 5.12 and 5.13 from the 'London Plan' 2016; and Policies DC48 and DC49 of LBH's 'Development Plan Document' 2008; and LBH's SPD on 'Sustainable Design Construction'.

16. Infrastructure and Utilities:

- 16.1 Policy 5.18 on 'Construction, excavation and demolition Waste' of the 'London Plan' 2016 requires developers to produce site waste management plans (SWMPs) to arrange for the efficient handling of construction, excavation and demolition waste and materials. Policy CP11 on 'Sustainable Waste Management' of LBH's 'Development Plan Document' 2008 outlines the council's commitment to minimising the production of waste, increasing recycling and composting and achieving substantial reductions in the use of landfill.
- 16.2 In this respect, a Site Waste Strategy had been prepared and submitted to outline the development's approach to applying the waste hierarchy regarding both

construction/demolition phases as well as the operational phases of the proposal. The measures outlined in the waste strategy suggest that a principal contractor will be appointed and shall be responsible for preparing and implementing the SWMP in line with the Joint Waste Development Plan for the East London Waste Authority Boroughs 2012. Subject to satisfying condition 20, the proposal would adhere with Policy 5.18 of the '*London Plan*' 2016 and Policy CP11 of LBH's '*Development Plan Document*' 2008.

- 16.3 Comments received by UKPN, ESW and TW raise no objections to the proposal and highlight that the existing surrounds appear to be well served by their utilities and service. The site appears capable of accommodating the proposal with no added pressure to existing infrastructure and aligned with guidance from within Paras 162 of the '*NPPF*' 2012; and policies 4.11, 5.4, and 5.17 from the '*London Plan*' 2016; and Policy DC51 of LBH's '*Development Plan Document*' 2008.

17. Sustainability:

- 17.1 In terms of national planning policy, paragraph 94 from the '*NPPF*' 2012 falls aligned with the objectives of the Climate Change Act 2008. Guidance from the document encourages local planning authorities when determining planning applications for new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 17.2 In recognising the importance of climate change and meeting energy and sustainability targets and the statutory duty to contribute towards the mitigation under the Greater London Authority Act 2007, Policy 5.2 on 'Minimising Carbon Dioxide Emissions' of the '*London Plan*' 2016 seeks all major developments to meet targets for carbon dioxide emissions reduction in buildings, leading to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019. The policy requires all major development proposals to include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy.
- 17.3 The Mayor of London's SPG on '*Housing*' 2016 applies a zero carbon standard to new residential development, and defines 'Zero carbon' homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions (beyond Part L 2013) on-site. Furthermore, the Mayor of London's SPG on 'Sustainable Design and Construction' 2014 provides guidance on topics such as energy efficient design; meeting carbon dioxide reduction targets; decentralised energy; how to off-set carbon dioxide where the targets set out in the London Plan are not met.
- 17.4 In terms of local plan policy, Policy DC50 on 'Renewable Energy' of LBH's '*Development Plan Document*' 2008 stipulates the need for major developments to

include a formal energy assessment showing how the development has sought to ensure that energy consumption and carbon dioxide emissions are minimized applying the principles of the energy hierarchy set out in the London Plan.

- 17.5 The applicant has submitted an Energy Statement which includes an Energy Strategy, the Energy Assessment outlines that the combination of Energy Efficiency measures will result in a 1.5% reduction over the Part L (2013) baseline, achieving the target of 37.3% regulated carbon dioxide reduction over the Part L 2013 baseline (through the use of a CHP and Air Source Heat Pump) at the base of block W3 together with a carbon offset payment calculated at £854,145.
- 17.6 In calculating the baseline energy demand and carbon dioxide emissions from the residential aspect of development, officers acknowledge that the CO₂ has been calculated at 474.5 tonnes a year, which at a cost of £60 a tonne of CO₂ equates to £28,470 per year. Therefore, a financial contribution of £854,100 will be sought as carbon emissions offset contribution in lieu of on-site carbon reduction measures. The development proposal, subject to engaging into S106 agreement and providing the necessary contributions sought after would present a scheme that adheres with Policy 5.2E of the '*London Plan*' 2016 and the Mayor of London's SPG on 'Housing' 2016; and Policy DC50 on 'Renewable Energy' and Policy DC72 on 'Planning Obligations' of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Planning Obligations*' 2013.
- 17.7 Policy 5.3 on 'Sustainable Design and Construction' from the '*London Plan*' 2016 seeks that developers utilise the highest standards of sustainable design and construction to be achieved to improve the environmental performance of new developments. This is supplemented under Policy DC49 on 'Sustainable Design and Construction' of LBH's '*Development Plan Document*' 2008 which requires for all major new development to a high standard of sustainable construction.
- 17.8 Guidance of how to meet the requirements as presented from the above policy is further discussed within LBH's SPD on '*Sustainable Design Construction*' 2009 which encourages developers to consider measures beyond the policy minimum and centred around development ratings, material choice, energy and water consumption.
- 17.9 Officers have reviewed the design measures aimed at maximising the energy efficiency incorporated to both the residential and non-residential aspects of the development through enhanced insulation in the building envelope (walls, roofs, floors and glazing). The scheme is to incorporate double-glazed Low-emissivity windows and walls to unheated areas; all party walls will be fully insulated and sealed achieving high performance of building envelopes that minimise heat loss from apartments. The applicants energy strategy is to reduce energy demand through effective use of locally sourced materials and low embodied energy materials, and that which achieves average U-Values better than those required by Part L (2013) and thus in accordance with Policy 5.3 from the '*London Plan*' 2016 and the Mayor of London's SPG on 'Sustainable Design and Construction' 2014; and Policy DC49 on of LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

- 17.10 Policy 5.9 on 'Overheating and Cooling' from the '*London Plan*' 2016 emphasises that major development proposals should reduce potential overheating and reliance on air conditioning systems. The applicant has submitted an Overheating Assessment as part of the overheating mitigation strategy, undertaking a series of dynamic thermal modelling studies (model geometry and local shading on a selection of unit types to evaluate and minimise the risk of summer overheating. Design modelling had also played a key part in the assessment from an early stage, factoring in weather data, building fabric, construction, windows (solar control glazing (low g-value)) and ventilation (mechanical and natural cross-ventilation)) and infiltration. It has been stated that there is no provision for active cooling within the development that all dwellings instead shall use a passive cooling strategy to mitigate the risk which falls in keeping with the above policy.
- 17.11 In recognising the need to protect and conserve water supplies and resources a series of measure and guidance has been provided under Policy 5.15 on 'Water Use and Supplies' from the '*London Plan*' 2016 where it is stressed that planning decisions should seek development to minimise the use of mains water by incorporating water saving measures and equipment and designing residential development so that mains water consumption would meet a target of 105 litres or less per head per day. This is supplemented under Standard 37 from the Mayor of London's SPG on '*Housing*' 2016, the target set out in this standard is in line with the lower optional maximum water consumption requirement which is set out in Part G of the Building Regulations from October 2015.
- 17.12 Policy DC51 on 'Water Supply, Drainage and Quality' Sustainable Design and Construction' of LBH's '*Development Plan Document*' 2008 highlights that applicants are required, as a minimum, to incorporate a high standard of water efficiency which can include greywater and rainwater recycling to help reduce water consumption.
- 17.13 The applicant has submitted a Sustainability Statement which provides details of sustainable design and construction measures aimed at reducing the sites energy and water consumption. It has been highlighted that for all the new dwellings proposed, the development shall achieve 105 litres/person/day internal water consumption targets (installed leak detection and water metering) with a commitment to energy efficiency measures which result in a 1.5% reduction over the Part L (2013) baseline. For the commercial spaces however, the internal water consumption is also anticipated to be reduced through the use of water efficient fixtures and fittings in line with the Wat 01 requirements of the BREEAM assessment. These aspects from the development adhere with guidance from Policy 5.15 on 'Water Use and Supplies' from the '*London Plan*' 2016 and Standard 37 from the Mayor of London's SPG on '*Housing*' 2016; and Policy DC51 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Sustainable Design Construction*' 2009.

18. Crime and Disorder:

- 18.1 Section 17 of the Crime and Disorder Act 1998 as amended by the Police and Justice Act 2006 requires that Local Authorities take community safety into consideration in all of its decision-making, compliance with Section 17 can be used as a means to demonstrate the department's response to crime and disorder. Secured by Design ("SCD") is a police initiative to guide and encourage those engaged within the specification, design and build of new homes to adopt crime prevention measures, although non-prescriptive. Guidance of the latest security standards that have been developed to address emerging criminal methods of attack can be scoped under SBD on 'New Homes' 2014 which addresses the community safety and security requirements for most types of housing development including low and high rise apartment blocks.
- 18.2 In terms of national planning policy, paragraphs 58 from the 'NPPF' 2012 emphasise that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Paragraphs 69 from the document then accentuates that planning policies and decisions should aim to ensure that developments create safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.
- 18.3 The above strategic approach is further supplemented under Policy 7.3 on 'Designing out Crime' from the 'London Plan' 2016 which indoctrinates measures to designing out crime so to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In local plan policies terms, Policy CP17 on 'Design' and Policy DC63 on 'Delivering Safer Places' from LBH's 'Development Plan Document' 2008 falls in line with national and regional planning guidance which places design at the centre of the planning process. The above mentioned policy piece together reasoned criteria's for applicants to adopt the principles and practices of SBD. More detail on the implementation of the above policy is provided from LBH's SPD on 'Designing Safer Places' 2010, this document which forms part of Havering's Local Development Framework was produced to ensure the adequate safety of users and occupiers by setting out clear advice and guidance on how these objectives may be achieved and is therefore material to decisions on planning applications.
- 18.4 The submitted Design and Access Statement has referenced a management and security strategy, benefits of this approach provide a sense of security to its residents and the local community and discourage antisocial behaviour. The statement outlines that the design has been developed with SBD principles in mind following subsequent meetings with the Metropolitan Police Designing out Crime Officer. Points of discussion include improved residential areas (secure access and access control), residential amenity spaces (secure gated access to include presence of servicing staff), refuse collection and bicycle storage areas (secure access to include presence of maintenance and servicing staff).

- 18.5 The council consulted the Metropolitan Police Designing out Crime Officer ("DOCO") who prior to the submission had the opportunity to meet with the developers and examine the details submitted. In gauging the outcome of their crime risk analysis and an understanding of local crime occurrence in line with Havering's Crime and Disorder Strategy 2005-2008, the DOCO raised no objection, but recommended that specific conditions be attached to the grant of any planning approval requiring the developer to achieve a SBD accreditation and completion of the relevant SBD application forms at the earliest opportunity.
- 18.6 The commercial units which range from planning use class A1, A3 and D1 sit within the ground floor and are well-defined with the open areas. Officers have considered the level of human activity and crime and disorder associated with those uses and regards the uses appropriate to the location as the reduced risk of crime and a sense of safety integrate well with its surrounding context, the proposal reinforces the distinctive qualities of its surroundings. The lighting strategy for the ground floor public areas include column and up-lighting, whilst the Podium lighting strategy incorporates the aforementioned alongside bollard lighting, all lighting strategies are subject to detailed design under condition 19.
- 18.7 Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application in line with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, officers consider that the development proposal subject to satisfying SBD requirements imposed under conditions 27-28 would not undermine crime prevention or the promotion of community safety in accordance with guidance from Para's 58 and 69 from the 'NPPF' 2012; and Policy 7.3 of the 'London Plan' 2016; and Policies CP17 and Policy DC63 of LBH's 'Development Plan Document' 2008; and with LBH's SPD on 'Designing Safer Places' 2010.

19. **Planning Obligations/Financial contributions:**

- 19.1 Policy DC72 on 'Planning Obligations' of LBH's 'Development Plan Document' 2008 which in part emphasises 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.
- 19.2 In 2013, the Council adopted its SPD on 'Planning Obligations' which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure. There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 19.3 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 on 'Planning Obligations' of LBH's *'Development Plan Document'* 2008 and Policy 8.2 on 'Planning obligations' of the *'London Plan'* 2016.
- 19.4 Policy DC29 on 'Educational Premises' of LBH's *'Development Plan Document'* 2008 highlights how the Council will ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of residents. This is partly achieved by seeking payments from residential developers for the capital infrastructure of schools required to meet the demands generated by the residential development. Therefore, financial contribution shall be sought to be used for educational purposes in accordance with the Policy DC29 and LBH's SPD on *'Planning Obligations'* 2013. Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early year's school places generated by new development.
- 19.5 Comments received by the Councils Children's Services have confirmed as a result of the breakdown by unit size/tenure that they have applied the GLA Population Yield Calculator and that the development will generate the following number of pupils in each school phase; 106.No. early years, 104.No. primary and 30.No. secondary and 13.No. Post-16 pupils. The cost per place figures for early years, primary, secondary and post-16 as calculated by the DFE for Havering is £11,800, £16,495 and £21,444 respectively (the cost per place for Post-16 is the same for Secondary). On this basis, it is necessary to continue to require contributions of £1,250,800 for early year pupils, £1,715,480 for primary pupils, and £643,320 for secondary and £278,772 for post-16 pupils, totalling £3,888,372 towards the cost of mitigating the impact of additional dwellings in the Borough for educational purposes, this in accordance with Policy DC29 of LBH's *'Development Plan Document'* 2008.
- 19.6 A financial contribution totalling £854,145 to be used for off-site carbon emissions offset measures in lieu of on-site carbon reduction measures is required in as the submitted Sustainable Design Construction Statement highlights that in order to achieve 'zero carbon' for the residential portion of the scheme, 474.5 tonnes per annum of regulated CO₂, equivalent to 14,235 tonnes over 30 years from the new-build domestic portion should be offset onsite. In calculating the baseline energy demand and carbon dioxide emissions for the site, a financial contribution as carbon emissions offset contribution in lieu of on-site carbon reduction measures has been calculated at £60 per tonne (£854,145) and would be required in accordance with Policies 5.2, 5.3, 5.15, 5.16, 8.2, on from the *'London Plan'* 2016; and Policies CP15, DC49 and DC72 of the LBH's *'Development Plan Document'* 2008; and LBH's SPD on *'Sustainable Design Construction'* 2009.

As outlined earlier in this report, the planning obligation would also need to include the following provisions:

- 11% of units (67.No. units) as Affordable;
- Tenure split 57% affordable rent and 43% intermediate shared ownership, the housing option in terms of affordable rent is the London affordable rent.
- Review mechanisms - final details to be agreed;
- Financial contribution of £3,888,372 towards provision of education costs, comprising:
 - £1,250,800 early years;
 - £1,715,480 primary years;
 - £643,320 secondary years;
 - £278,772 post 16 years;
- Financial contribution of £250,000 towards provision of a controlled crossing over Oldchurch Road (west) to improve access to the existing walking and cycling route along the western side of Waterloo Road and ancillary route improvements linked to the above;
- Financial contribution of £100,000 towards provision of a controlled crossing over Oldchurch Road (east) to improve walking access between the site and South Street and ancillary route improvements linked to the above;
- Financial contribution of £180,000 towards infrastructure required by TfL;
- Provision of cycle/footway along eastern boundary of the site adjoining Rom Valley Way;
- The provision of 2 car club spaces on the site and 3 years free membership for future residents to the Car Club;
- The provision of travel plans covering the residential and commercial elements of the scheme;
- Restrictions on Parking Permits to apply to both residents and commercial operators within the site.
- 21 allocated parking spaces at no charge to be allocated for all 3 and 4 bed affordable units.
- Financial contribution of £854,145 towards carbon offset schemes;
- The Western blocks (242 units) as Build to Rent under a covenant for at least 15 years;
- Provide units that are all self-contained and let separately;
- Operate under unified ownership and management;
- Offer longer tenancies (three years or more) to all tenants, with break clauses that allow the tenant to end the tenancy with a month's notice any time after the first six months;
- Offer rent certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;
- Include on-site management, which does not necessarily mean full-time dedicated on-site staff, but must offer systems for prompt resolution of issues and some daily on-site presence;
- Be operated by providers who have a complaints procedure in place and are a member of a recognised ombudsman scheme;
- Not charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.

- Requirement to obtain a management company to maintain the public realm and landscaped areas;
- Requirement to make the pedestrian route a pedestrian right of way;
- Requirement to assume liability over the pedestrian right of way;
- Novation of architect.

19. Conclusion:

- 19.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning considerations, it is considered that the proposal would provide much needed housing and would improve pedestrian and cycle connections to the town centre.
- 19.2 The proposal, by virtue of its design, layout and highway related matters would not adversely impact the visual quality of the locality or amenities of nearby properties, the proposal is situated within a sustainable transport location and would not be detrimental on grounds of highway safety subject to the monitoring of safeguarding conditions.
- 19.3 It is therefore recommended that planning permission be granted subject to conditions and completion of a S106 agreement.

IMPLICATIONS AND RISKS

Financial implications and risks: None.

Legal implications and risks: None.

Human Resources implications and risks: None.

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including units that provide for wheelchair adaptable housing, and units which are designed to Lifetime Homes standards. The residential development provides affordable housing, thus contributing to the provision of mixed and balanced communities.