



Application Reference:	P1229.17
Location:	89-101 New Road, Rainham
Ward	South Hornchurch
Description:	Outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 62 units with ancillary car parking, landscaping and access
Case Officer:	Sunil Sahadevan
Reason for Report to Committee:	The application is by or on behalf of a Joint Venture that includes the Council and is a significant development. The Local Planning Authority is considering the application in its capacity as local planning authority and without regard to the identity of the Applicant.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The development of the site for residential is acceptable in principle with no policy objection to the loss of the current industrial uses.
- 1.2 The application is submitted in outline with all matters reserved for future approval. The density is within policy range and the layout is considered to be satisfactory and capable of providing a high quality development.
- 1.3 The height proposed is considered appropriate for this part of New Road which is set to be transformed through arrival of station and nearby redevelopments of sites.
- 1.4 Subject to details submitted at reserved matters stage, the impact on the residential amenity of existing occupiers would not be affected to an unacceptable degree.

- 1.5 Given the location of the site close to the proposed new Beam Park Station and applicable maximum parking standards, the level of parking proposed is considered acceptable.
- 1.6 A significant factor weighing in favour of the proposal is the 35% affordable housing proposed across the sites in control of the applicant, meeting the objectives of the Housing Zone and current and future planning policy.

2 RECOMMENDATION

- 2.1 That the Committee resolve to grant planning permission subject to the conditions below.
- 2.2 That the Head of Planning is delegated authority to negotiate any subsequent legal agreement required to secure compliance with Condition 31 below, including that:
- 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.
- 2.3 That the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters

Conditions

1. Outline – Reserved matters to be submitted
2. Outline – Time limit for details
3. Outline - Time limit for commencement
4. Details of materials if not submitted at reserved matters stage
5. Accordance with plans
6. Details of site levels if not submitted at reserved matters stage
7. Details of refuse and recycling storage
8. Details of cycle storage
9. Hours of construction
10. Contamination – site investigation and remediation
11. Contamination – if contamination subsequently discovered
12. Electric charging points
13. Construction methodology
14. Air Quality – construction machinery
15. Air Quality – demolition/construction dust control

16. Air Quality – internal air quality measures
17. Air Quality – low nitrogen oxide boilers
18. Details of boundaries if not submitted at reserved matters stage
19. Details of surfacing materials if not submitted at reserved matters stage
20. Car parking to be provided and retained
21. Pedestrian visibility splays
22. Vehicle access to be provided
23. Wheel washing facilities during construction
24. Details of drainage strategy, layout and SUDS
25. Details of secure by design
26. Secure by Design accreditation to be obtained
27. Water efficiency
28. Accessible dwellings
29. Archaeological investigation prior to commencement
30. Bat/bird boxes to be provided
31. To provide the following planning obligations before the commencement of development:
 - a. Pursuant to Section 16 of the Greater London Council (General Powers) Act 1974, restriction on parking permits
 - b. School places contribution sum of £279,000 or such other figure as is approved by the Council
 - c. Controlled Parking Zone contribution sum of £6944 or such other figure as is approved by the Council
 - d. Linear Park contribution sum of £78,175.61 or such other figure as approved by the Council
 - e. Carbon offset contribution sum of £87,175 or such other figure as approved by the Council
 - f. To provide affordable housing in accordance with a scheme of implementation for all New Road sites controlled by the developer that ensures that individual development sites are completed so that the overall level of affordable housing (by habitable rooms) provided across the sites does not at any time fall below 35% overall. The affordable housing to be minimum 50% social rent with up to 50% intermediate

Informatives

1. Statement pursuant to Article 31 of the Development Management Procedure Order
2. Fee for condition submissions
3. Changes to public highway
4. Highway legislation
5. Temporary use of the highway
6. Surface water management
7. Community safety
8. Street naming/numbering
9. Protected species
10. Protected species – bats
11. Crime and disorder
12. Letter boxes

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The application is for outline permission with all matters reserved seeking approval for the principal of the development quantum with access, layout, appearance, landscaping and scale as reserved matters.
- 3.2 The outline proposals submitted with this application is for the demolition of the existing buildings and redevelopment of the site comprising the erection of a part five, part four-storey high building fronting onto New Road and two buildings up to three storey in height to the rear. The indicative mix proposed across the site includes 16.No. of 1 bedroom apartments, 26.No. of 2 bedroom apartments, 12.No. of 3 bedroom apartments and 8.No. 3 bedroom townhouses.
- 3.3 The proposal also outlines 56.No. dedicated vehicular parking spaces for residents at a ratio of 0.9:1, Secure cycle storage areas are to be provided within the apartment block and suggested that a minimum of 82.No cycle racks spaces will be provided together with internal refuse areas.
- 3.4 Vehicular access to the proposed apartment block and townhouses are proposed from the rear of the site off Askwith Road, this area is also to serve as refuse access.
- 3.5 The application site lies within the Rainham and Beam Park Housing Zone, and is owned by private landowners. The applicant is a joint venture including the London Borough of Havering, although they do not own the land. The Council are seeking to undertake Compulsory Purchase Orders ("CPOs") to help deliver the comprehensive redevelopment of the area which is key to delivering the forecasted rate of house building and quality of development identified in the adopted Rainham and Beam Park Planning Framework. The precursor to a CPO is often to have planning permission in place.

Site and Surroundings

- 3.6 The application site is located north of the New Road (A1306 carriageway), approximately 130 metres east of the major road junction with the Marsh Way flyover. The site is bounded by Askwith Road to the west with the flatted development of 105-109 New Road to the east. To the north the area is characterised by suburban residential development (terraces, detached and semi-detached houses).
- 3.7 The site is within the Rainham and Beam Park Housing Zone and within the area covered by the adopted Rainham and Beam Park Planning Framework. The site does not form part of a conservation area, and is not located within the immediate vicinity or setting of any listed buildings. Site constraints that are of material relevance with the works proposed include potentially contaminated land, Health and Safety Zone, Air Quality Management Area, Flood Zone 1 and area of potential archaeological significance.

- 3.8 The application site relates to a square parcel of land, a site area amounting to approximately 0.45ha and is generally level. The site currently comprises of various industrial, car repair, garage and retail outlets, as well as existing and derelict residential properties. The south-eastern end of the site comprises of a single and two storey building (car sales), to the west of this lies a pair of semi-detached residential properties (derelict), the rest of the southern part of the site consists of derelict properties. Vehicular access to the site lies from Askwith Road to the west and New Road to the south.

Planning History

- 3.9 The following planning decisions are relevant to the application:

P2175.06 - Change of use to provide residential accommodation for 21 dwellings - Refusal and dismissed on appeal, reference APP/B5480/A/07/2042542/NWF

P0961.12 - Demolition of existing buildings and redevelopment to provide 2 and 3 storey accommodation comprising 25no. residential units with associated car parking, landscaping, amenity space and highways works. Approved with conditions

P0251.17 - The demolition of all existing buildings and redevelopment of the site to provide 3 new buildings, ranging from 2 to 5 storeys, comprising 56no. self-contained flats (14 x 1-bedroom, 23 x 2-bedroom, 19 x 3-bedroom), and 3no. 4-bedroom houses, a small commercial unit to ground floor and associated landscaping, vehicle access, cycle and car parking (revised plans received 25/9/17) – Appeal against non-determination submitted.

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 The following were consulted regarding the application:
- 4.3 Essex & Suffolk Water – no objections
- 4.4 Thames Water – recommend an informative
- 4.5 Metropolitan Police (Designing Out Crime) – requested conditions regarding designing out crime
- 4.6 Environmental Protection – recommend conditions regarding contamination and air quality
- 4.7 LBH Waste and Recycling – further details regarding provision and location of waste facilities need to be provided

- 4.8 Greater London Archaeological Advisory Service – require further desk top study regarding archaeology
- 4.9 London Fire and Emergency Planning Authority – no objections
- 4.10 London Fire Brigade – no objection
- 4.11 LBH Street Management [Statutory Consultee] – no objection, subject to suggested conditions and informatives
- 4.12 TfL – consider that the level of parking provision is excessive

5 LOCAL REPRESENTATION

- 5.1 A total of 76 neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of site notice displayed in the vicinity of the application site. The application has also been publicised in the local press.
- 5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 2 of which 2 objected

Representations

- 5.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Over development of the site
- Houses to rear at 3 storeys would overlook gardens
- Density and height excessive
- Out of character with surrounding properties
- Increased traffic and parking problems
- Excessive noise from too many residents and lack of amenity space

6 MATERIAL PLANNING CONSIDERATIONS

- 6.1 The main planning issues raised by the application that the committee must consider are:
 - Principle of Development
 - Density/Site Layout
 - Design/Impact on Street/Garden Scene
 - Impact on Amenity
 - Highway/Parking

- Affordable Housing/Mix
- School Places and Other Contributions

Principal of Development

- 6.2 In terms of national planning policies, the National Planning Policy Framework (NPPF) sets out the overarching roles that the planning system ought to play, including a set of core land-use planning principles that should underpin decision-taking, one of those principles being:

“Planning decisions should promote an effective use of land in meeting the need for homes.” Para 117

“Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes.” Para 118

- 6.3 Policies within the London Plan seek to increase and optimise housing in London, in particular Policy 3.3 on ‘Increasing Housing Supply’ and Policy 3.4 on ‘Optimising Housing Potential’.
- 6.4 Policy CP1 of the LDF on ‘Housing Supply’ 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. Policy 3 in the draft London Plan sets a target of delivering 17,550 homes over the 15 year plan period, with 3,000 homes in the Beam Park area. Ensuring an adequate housing supply to meet local and sub-regional housing need is important in making Havering a place where people want to live and where local people are able to stay and prosper.
- 6.5 The aspiration for a residential-led redevelopment of the Rainham and Beam Park area was established when the area was designated a Housing Zone. Furthermore the production of the Planning Framework sought to re-affirm this and outlines potential parameters for development coming forward across the area with the aim of ensuring certain headline objectives are delivered. The ‘Rainham and Beam Park Planning Framework’ 2016 supports new residential developments at key sites including along the A1306, and the Housing Zones in Rainham and Beam Park. Therefore the existing business uses are not protected by planning policy in this instance.
- 6.6 Staff, in view of the above raise no in principle objection to a residential-led development coming forward on this site forming part of a development of sites north and south of New Road, in accordance with the policies cited above.

Density/Site Layout

- 6.7 The development proposal is to provide 62.No residential units on a site area of 0.45ha (4500m²) which equates to a density of 137 units per ha. The site is an area with low-moderate accessibility with a PTAL of 2. Policy SSA12 of the LDF specifies a density range of 30-150 units per hectare; the London Plan

suggests a density range of between 35 and 170 dwellings per hectare depending upon the setting in terms of location (suggesting higher densities within 800m of a district centre or a mix of different uses). The Planning Framework suggests a density of between 100-120 dwellings per hectare.

- 6.8 Given the range of densities that could be applicable to this site, a proposed density of 137 units per hectare is not considered to be unreasonable and would be capable of being accommodated on this site given the mixed character of the area and proximity to the future Beam Park district centre and station which would be within very easy walking distance. The proposal therefore complies with Policy DC2 of the LDF on 'Housing Mix and Density'.
- 6.9 Based on the building footprint and the building height indicated on the proposed parameter plans, the proposed apartment block would be detached and five/four storeys tall along the frontage with New Road. Having reviewed the plot width and its depth, the particularly wide nature of New Road, officers consider the height proposed to be appropriate for the site in the context of a changing character to the area as outlined in the Framework and would not be considered unacceptable.
- 6.10 The primary elevation of the proposed apartment block would front onto New Road and be south facing with secondary elevations and entrances facing toward Askwith Road which presents coherency with the street interface. To the rear the dwellings would front onto Askwith Road or to an internal footway within the site. It is considered that the indicative siting and orientation responds positively to the character of the area. The general layout plan of the building would fall in accordance with Policy DC61 of the LDF
- 6.11 The remaining area within the development is largely hard surfacing and consists of the access road and parking provision, although there would also be rear garden areas for the proposed houses. It is considered that the layout of the site is acceptable on its planning merits in accordance with the Residential Design Supplementary Planning Document.

Design/Impact on Street/Garden Scene

- 6.12 The proposal would involve the demolition of all buildings on the site, some of which are in a derelict condition. None of the buildings are considered to hold any architectural or historical value, therefore no principle objection raised to their demolition.
- 6.13 Scale is a reserved matter. From the submitted Design and Access Statement and plans it is indicated that the proposed apartment block fronting New Road would not be greater than five storeys in height with the dwellings to the rear at a height up to three-storeys. It is considered that would present a development at a height which does not detract from the current character of the street scene, both old, new and those proposed for the area (as shown from the submitted illustrative masterplan on proposed heights). It is considered that the footprint and siting of the building together with its dedicated parking areas would be acceptable on their planning merits.

- 6.14 Appearance is also reserved matter. From the submitted Design and Access Statement, the agent has not drawn attention to the proposed building design nor specified its intended material use. A condition would be applied to the grant of any permission requiring details of material use for reason of visual amenity.
- 6.15 Landscaping is a reserved matter; it is considered that the proposal can achieve an acceptable level of landscaping given the proposed layout. A condition would be applied to the grant of any permission requiring details of landscaping.

Impact on Amenity

- 6.16 The proposed flatted block together with the dwellings at the rear would not adversely impact on one another. The proposed apartment block and houses facing Askwith Road are sited such that there are no concerns with regard to its overshadowing or overlooking (subject to reserved matters). The proposed dwellings at the rear of the site would be within 8 metres of the rear boundary of the side and face side on to gardens in Askwith Road and Spencer Road. There is a concern that the proximity to the rear gardens to the proposed houses may result in overlooking. This concern could be addressed at reserved matters stage through suitable siting of rear facing habitable rooms and windows. In this respect, the application is considered acceptable at the outline stage.
- 6.17 Officers have further reviewed the external space provided with the proposed development, and the revised plans show both private and communal amenity space for its occupants which appear to be sufficient and in accordance with the Residential Design Supplementary Planning Document Policy PG20 on Housing Design, Amenity and Privacy in the Rainham and Beam Park Planning Framework.
- 6.18 From a noise and disturbance perspective, the applicant has submitted a Noise Assessment and Air Quality report which reaffirms that both residents from within and outside the proposal would not be affected by unacceptable levels of noise or air pollution arising from the development. The Councils Environmental Health officers have reviewed the submitted report and concluded that the scheme (subject to conditions imposed) would be compliant with Policy DC52 on Air Quality and Policy DC55 on Noise.
- 6.19 Officers are yet to view further details of how the proposed communal amenity space would be designed to be private, attractive, functional and safe, details of boundary treatments, seating, trees, planting, lighting, paving and footpaths or details of effective and affordable landscape management and maintenance regime are yet to be provided and would be assessed as part of any reserved matter submission. Notwithstanding this, and from a crime design perspective the proposal would present a layout that offers natural surveillance to all open areas. The proposal would accord Policy 3.5 of the London Plan on Quality and Design of Housing Developments and Policy 7.1 on Lifetime neighbourhoods and Policy 7.3 on Designing out crime as well as Policy DC63 of the LDF on Delivering Safer Places.

- 6.20 Officers have reviewed the proposed waste storage areas catering the apartments/dwellings, which have been set to be serviced via Askwith Road and the internal service road. As it stands, there are no overriding concerns with this arrangement as scheme demonstrates a convenient, safe and accessible solution to waste collection in keeping to guidance from within Policy DC40 of the LDF on Waste Recycling.

Highway/Parking

- 6.21 The application site within an area with PTAL of 2 (low-moderate accessibility). The proposal for 62 No. units with a provision of 56 No. vehicular parking spaces, which equates to a parking ratio of 0.9:1. The maximum standards suggested in the Planning Framework (which are based on the London Plan) for a development of this indicative mix would be 64 spaces. Notwithstanding this, officers have to be mindful that the site would be located close to the proposed Beam Park station and accessibility levels would consequently increase. Officers are also mindful that this is submission is an application for outline planning permission and the residential mix is potentially subject to change at reserved matters stage.
- 6.22 Accordingly, officers are content with the provision of parking proposed considering the 56 spaces would allow the applicant at reserved matters to finalise a car parking management plan. This element from the proposal adheres to London Plan Policy 6.13 Parking and Policy DC33 Car Parking of the LDF.
- 6.23 The applicant has submitted a Transport Assessment as part of this application which predicts that the traffic generated from the proposed residential development would have a negligible increase over existing traffic conditions, in peak periods, but a significant reduction over the whole day. The Highways Authority have reviewed the document and consider the development acceptable from a highway perspective and unlikely to give rise to undue highway safety or efficiency implications in accordance with Policy DC32 The Road Network of the LDF.
- 6.24 The Councils Highways Engineer has further reviewed all other highways related matters such as access and parking and raises no objections subject to the imposition of conditions (covering pedestrian visibility, vehicle access and vehicle cleansing during construction), financial contribution to Controlled Parking Zone and limitation on future occupiers from obtaining any permits in any future zone.
- 6.25 The London Fire Brigade has raised no objection in principle.

Affordable Housing/Mix

- 6.26 Policy DC6 of the LDF and Policies 3.9, 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals. The Mayor of London Supplementary Planning Guidance "Homes for Londoners" sets out that where developments propose 35% or more of the development to be affordable at an agreed tenure split, then the viability of the development

need not be tested – in effect it is accepted that 35% or more is the maximum that can be achieved.

- 6.27 In this respect, the proposal is intended to provide 35% affordable housing across all sites that the applicant is looking to develop along New Road. This could mean less provided on this site if other sites developed prior to this provided more. Due to this and other development proposals coming forward from other applicants with low or zero, affordable housing, officers have sought a viability appraisal from the applicant which has been reviewed. The review concludes that the scheme, based on present day inputs, could not viably support 35% affordable housing, but that it could support circa 20% affordable units. In this case however, the developer is willing to deliver a greater level of affordable housing that can viably be justified based upon its unique nature as an applicant (a joint venture) and its appetite for and ability to spread risk across a portfolio of sites. In this respect, affordable housing provision is being maximised, meeting the objectives of existing policy and future policy in the submitted local plan and draft London Plan as well as the stated ambitions of the Housing Zones and therefore weighs in favour of the proposal.
- 6.28 Policy DC2 of the LDF on Housing Mix and Density specifies an indicative mix for market housing, this being 24% 1 bed units, 41% 2 bedroom units, and 34% 3 bed units. The proposal incorporates an indicative mix of 26% 1 bed units, 42% 2 bed units, and 32% 3 bed units including 8 houses. The proposed mix is and closely aligned with the above policy guidance, officers are content that the mix on offer falls in accordance with policy.

School Places and Other Contributions

- 6.29 Policy DC72 of the LDF 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 8.2 of the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.30 Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 2 of the submitted Local Plan seeks to ensure the delivery of expansion of existing primary schools.
- 6.31 Evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering 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. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to S106 SPD). On that basis, it is necessary to require contributions to mitigate the impact of additional dwellings in the Borough. It is considered that, in this case, £4500 towards education projects required as a result of increased demand for school places is reasonable when compared to

the need arising as a result of the development. A contribution of £279,000 would therefore be appropriate for school place provision.

- 6.32 The Rainham and Beam Park Planning Framework seeks to deliver a new Beam Parkway linear park along the A1306 including in front of this site and seeks developer contributions for those areas in front of development sites. The plans are well advanced and costings worked out – based on the frontage of the development site to New Road, the contribution required for this particular site would be £78,175.61. This is necessary to provide a satisfactory setting for the development rather than the stark wide New Road.
- 6.33 Policy DC32 of the LDF seeks to ensure that development does not have an adverse impact on the functioning of the road network. Policy DC33 seeks satisfactory provision of off street parking for developments. Policy DC2 requires that parking permits be restricted in certain circumstances for occupiers of new residential developments. In this case, the arrival of a station and new residential development would likely impact on on-street parking pressure in existing residential streets off New Road. It would therefore be appropriate to introduce a CPZ in the streets off New Road. A contribution of £112 per unit (total £6944) is sought, plus an obligation through the Greater London Council (General Powers) Act 1974 to prevent future occupants of the development from obtaining parking permits.
- 6.34 From a sustainability perspective, the proposal is accompanied by a Sustainability Statement and Energy Statement. The reports outline an onsite reduction in carbon emissions by 36%, to include a photovoltaic strategy which aims to further reduce CO2 emissions by a further 35% across the entire site. In assessing the baseline energy demand and carbon dioxide emissions for the site, a financial contribution of £87,660 has been calculated as carbon emissions offset contribution in lieu of on-site carbon reduction measures. The development proposal, subject to contributions being sought would comply with Policy 5.2 of the London Plan.
- 6.35 In respect of all the above contributions, there may be scope to negotiate the overall total figure required if this application were to be one of several sites coming forward from the same developer at the same time – therefore the recommended sums would be subject to subsequent review and approval.
- 6.36 In this case, the applicant currently has no interest in the site. As such, it is unlikely that the current owners of the site would be willing to enter into a legal agreement (which is the usual method for securing planning obligations) as they have no role in the present application.
- 6.37 The NPPG states that in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before development can commence may be appropriate in the case of more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk. It is considered that this application and its context as part of a large multi-site strategic development presents justifiable basis to impose a

negatively worded condition which would require a s.106 obligation to be provided before the commencement of development. .

Financial and Other Mitigation

6.38 The proposal would attract the following section 106 contributions, to be secured through a negatively worded planning condition (see para 6.35-6.36) to mitigate the impact of the development:

- Sum of £279,000, or such other figure as is approved by the Council, towards provision of school places required as a result of the development
- Sum of £78,175.68, or such other figure as is approved by the Council, towards provision of Linear Park in the vicinity of the site
- Sum of £6,944, or such other figure as is approved by the Council, towards CPZ in streets north of New Road
- Sum of £87,660, or such other figure as is approved by the Council, towards the Council's Carbon Offset Fund

6.39 The proposal would attract Mayoral Community Infrastructure Levy contributions to mitigate the impact of the development. As this is an Outline application, CIL would be assessed and applied when a reserved matters application is submitted.

Other Planning Issues

6.40 There is potential that the existing buildings may provide habitat for protected species. Otherwise there is no biodiversity interest in the site. Suitable conditions are recommended.

6.41 Major Hazard Pipelines – to update

6.42 Due to the previous industrial uses on part of the site, the land is likely to be contaminated. Suitable planning conditions are recommended to ensure remediation of the site.

Conclusions

6.43 All other relevant policies and considerations have been taken into account. Planning permission should be granted subject to the conditions outlined above for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.