



**Havering**  
LONDON BOROUGH

**Strategic Planning  
Committee  
11<sup>th</sup> October 2018**

<b>Application Reference:</b>	<b>P1057.17</b>
<b>Location:</b>	<b>165 -193 New Road, Rainham</b>
<b>Ward</b>	<b>South Hornchurch</b>
<b>Description:</b>	<b>Outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 110 units with ancillary car parking, landscaping and access</b>
<b>Case Officer:</b>	<b>Sunil Sahadevan</b>
<b>Reason for Report to Committee:</b>	<b>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 identify of the Applicant.</b>

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**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 commercial, industrial and social club 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 £495,000 or such other figure as is approved by the Council
  - c. Controlled Parking Zone contribution sum of £12,320 or such other figure as is approved by the Council
  - d. Linear Park contribution sum of £156,567.18 or such other figure as approved by the Council
  - e. Carbon offset contribution sum of £191,100 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 up to 4 and 3 storey blocks. The indicative mix proposed across the site includes 24.No. of 1 bedroom apartments, 44.No. of 2 bedroom apartments, 16.No. of 3 bedroom apartments and 3 No. 2 bedroom townhouses, 23.No. 3 bedroom townhouses. A total of 110 units would be provided.
- 3.3 The proposal also outlines 120.No. dedicated vehicular parking spaces for residents at a ratio of 1.1:1, Secure cycle storage areas are to be provided within the apartment block and suggested that a minimum of 154.No cycle racks spaces will be provided together with internal refuse areas.
- 3.4 Vehicular access to the proposed apartment blocks and townhouses are proposed from the side of the site off Philip 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 site is accessed from Phillip Road to the east and New Road to the south. The north-west corner of the site is adjacent to the car parking area associated with residential development known as Annabel Court. To the east is a single storey industrial and hardstanding, with the majority of the boundary is formed by a breeze block wall topped with barbed wire. There are two locked, gated access points on this boundary, with a third forming an entrance to a car parking area associated with the garage and vehicular rental site.
- 3.7 The southern part of the site fronts onto New Road and extends for approximately 150m and contains a variety of uses and boundary treatments. The south east part of the site is mainly hard standing, with a two storey

building and pitched roof fronting New Road itself. This part of the site boundary is characterised by wire mesh panels and brick wall topped with metal palisade fencing. Vehicles are parked on hardstanding directly in front of the boundary and adjacent to a marked cycle path.

- 3.8 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.
- 3.9 The site is 1.08ha and is located on the north-west corner of the New Road/Phillip Road junction. The site is broadly rectangular in shape and appears to be generally level. It is bounded to the north and west by residential development of houses and rear gardens located within Phillip Road and Louise Gardens, and to the east and south by existing commercial employment sites.
- 3.10 The site consists of various car repair and garage outlets and related industrial uses, a newsagent, a café, two houses, bed and breakfast hotel and a social club. The building at 179 New Road, which was formerly in use for car repairs, is currently being used for religious/community purposes without the benefit of planning permission. The Council are in the process of taking formal action, and an Enforcement Notice requiring the use to cease was issued in July 2018.

### **Planning History**

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

193 New Road - P1265.15 - Construction of 2 No x 3 bedroom semi-detached dwellings. Planning permission refused.

179 New Road - P1899.16 - Change of use to community resources centre, including: community hall, adult day centre, children play area, computer area, and cafeteria /eating area. Planning permission refused.

173 New Road - P0048.16 – Proposed demolition of existing buildings and erection of 9 no. three bedroom dwellings. Refused permission, which was appealed against unsuccessfully, appeal reference; APP/B5480/A/07/2042542/NWF.

## **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 – Advice provided about surface water drainage and in relation to sewerage infrastructure capacity there would not be an objection.
- 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 Brigade – The scheme should comply with Building Reg standards for access for Fire Brigade vehicles.
- 4.10 LBH Highways – No objections subject to conditions being included that deal with; i) pedestrian visibility splay, ii) highway agreement for vehicular access, and iii) vehicle cleansing during construction. In addition a S106 contribution is sought seeking funds for a CPZ in the area should it be required in the future.
- 4.11 TfL – consider that the level of parking provision is excessive.

## **5 LOCAL REPRESENTATION**

- 5.1 A total of 152 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: 23 of which 22 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

- Loss of existing workshop use which provides employment
- Part of the site (no.179 New Road) is being used as a local place for worship/community centre and the proposals will affect this use
- Concerns about construction
- Loss of community facilities (Silver Hall Social Club)
- Proposed plans do not offer sufficient comfort that the development will be properly defined
- Cumulatively with other proposals may need an Environmental Assessment

### Support

- The proposed building is supported.

## 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. There is a social club located on the site, but private members clubs are not included in the list of community facilities within Policy CP8 of the LDF and so there is no protection in planning terms.
- 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 110.No residential units on a site area of 1.08ha (10,800m<sup>2</sup>) which equates to a density of 102 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 102 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 blocks and town houses would achieve heights of between 4 and 3 storeys. The blocks will be detached and arranged along the southern portion of the site. The 2 and 3 storey town houses will be arranged along the northern portion of the site. The pedestrian and vehicular access from Phillip Road will provide the separation between the two typologies. Having reviewed the plot widths and their depths, the particularly wide nature of New Road and the existing heights of buildings and dwellings on the neighbouring sites, 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 elevations of the proposed apartment blocks fronting onto New Road would be south facing, with the other (town house) blocks set further back within the site having an east/west orientation or north/south orientation. The town houses will all be a minimum of dual aspect. The arrangement of the blocks and relationship with New Road and Phillip Road presents coherency with the street interface. 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 and communal amenity space for the apartment blocks. 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 blocks fronting New Road would not be greater than four 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 blocks together with the dwellings at the rear would not adversely impact on one another. The proposed apartment block and houses at the rear that back onto Louise Gardens and Phillip 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 arranged in a layout that will create some overlooking with the surrounding existing properties, however the overlooking impacts would not be direct in nature and/or at an acceptable distance. Any concerns can however also 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 Phillip 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 110 No. units with a provision of 120 No. vehicular parking spaces, which equates to a parking ratio of 1.1:1. The maximum standards suggested in the Planning Framework (which are based on the London Plan) for a development of this indicative mix would be 131 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 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 120 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 Council's 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, as part of the joint venture Council strategy, are developed prior to this provided more. The developer is willing to deliver this level of affordable housing 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 22% 1 bed units, 43% 2 bed units, and 35% 3 bed units including 26 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 £495,000 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 £156,567.18. 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 £12,320) 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 41.1%, to include a photovoltaic strategy which aims to further reduce CO2 emissions by a further 14.8%, across the entire site. In assessing the baseline energy demand and carbon dioxide emissions for the site, a financial contribution of £191,100 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.

#### Consultation responses

- 6.38 A number of responses were received on the application on a range of issues and these are set out in Section 5.3. This section of the report address each of the reasons received.

6.39 A key concern was the loss of the existing Social Club (Silver Hall). Policy DC27 of the LDF seeks to protect existing community uses and community uses are defined under Policy CP8. Private members clubs are not in the list of community uses:

- education facilities;
- health and medical centres;
- residential care and day care facilities;
- childcare facilities (including private nurseries);
- community centres and halls;
- places of worship;
- cemeteries and crematoria; and.
- police facilities

Therefore the loss is not considered to be contrary to planning policy.

6.40 There was also concerns about loss of amenity during construction. This can be dealt with through a suitably condition on any approval to ensure any such impacts are minimised.

6.41 In terms of undertaking an Environmental Assessment, staff are of the view that this development is of a relatively minor nature and that also cumulatively with the other sites, the impacts can be suitably considered and assessment through separate reports and assessments submitted with the application.

6.42 Officers are satisfied that the plans submitted offer sufficient information to make an informed decision on this application and that the plans offer sufficient comfort in regards being properly defined and correct. Therefore it is considered the concerns raised in relation to this is issue is unfounded.

6.43 A number of objections were raised about the existing use of 179 New Road for worship purposes and the potential loss of that use if these proposals went ahead. As mentioned previously in this report, that particular use does not benefit from planning permission and therefore these comments are not material to the consideration of this application.

### **Financial and Other Mitigation**

6.44 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 £495,000, or such other figure as is approved by the Council, towards provision of school places required as a result of the development
- Sum of £156,567.18, or such other figure as is approved by the Council, towards provision of Linear Park in the vicinity of the site
- Sum of £12,320, or such other figure as is approved by the Council, towards CPZ in streets north of New Road
- Sum of £191,100, or such other figure as is approved by the Council, towards the Council's Carbon Offset Fund

- 6.45 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**

- 6.46 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.
- 6.47 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**

- 6.48 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.