



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm	Thursday 9 June 2011	Havering Town Hall, Main Road, Romford
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Members 11: Quorum 4

COUNCILLORS:

**Conservative Group
(7)**

**Residents' Group
(2)**

**Labour Group
(1)**

**Independent
Residents'
Group
(1)**

Sandra Binion
Jeffrey Brace
Robby Misir
Barry Oddy (Chairman)
Frederick Osborne
Garry Pain
Barry Tebbutt (Vice-Chair)

Linda Hawthorn
Ron Ower

Paul McGeary

Mark Logan

**For information about the meeting please contact:
Richard Cursons (01708 432430)
E-mail: richard.cursons@havering.gov.uk**

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

The Chairman will announce the following:

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting of the Committee held on 19 May 2011 and to authorise the Chairman to sign them.

5 P0438.11 - 5 FARNHAM ROAD, HAROLD HILL (Pages 7 - 12)

6 P0420.11 - 227 LONDON ROAD ROMFORD (Pages 13 - 32)

- 7 **P0379.11 - 1-7 ANGEL WAY, ANGEL WAY, ROMFORD** (Pages 33 - 40)

- 8 **P1135.03 - STAFFORD AVENUE, HORNCHURCH** (Pages 41 - 46)

- 9 **P0230.11 - FORMER HAROLD WOOD HOSPITAL, GUBBINS LANE, HAROLD WOOD** (Pages 47 - 58)

- 10 **P0350.11 - 19-21 EASTERN ROAD, ROMFORD** (Pages 59 - 84)

- 11 **P0037.11 - INGREBOURNE LINKS, RAINHAM, ESSEX** (Pages 85 - 92)

- 12 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS OUTSIDE STATUTORY LIMITS** (Pages 93 - 100)

- 13 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Ian Buckmaster
Committee Administration and
Member Support Manager**

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Thursday 19 May 2011 (7.30pm – 8:45pm)**

Present:

COUNCILLORS:	11
Conservative Group	Barry Oddy (in the Chair), Sandra Binion, Jeff Brace, Robby Misir, Fred Osborne, Garry Pain, and Barry Tebbutt
Residents' Group	Linda Hawthorn Brian Eagling
Labour Group	Paul McGeary
Independent Residents' Group	Mark Logan

Councillors Wendy Brice-Thompson, Steven Kelly, Eric Munday, Ron Ower and Frederick Thompson were also present at the meeting.

20 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

285 MINUTES

The minutes of the meeting of the Committee held on 28 April 2011 were agreed as a correct record and signed by the Chairman.

286 P0508.11 – R/O 25 PETTITS LANE, ROMFORD - Outline planning application – for the erection of two bungalows

It was **RESOLVED** that consideration be deferred at the request of staff to address issues that had been raised by the applicant.

287 P0037.11 – INGREBOURNE LINKS, RAINHAM, ESSEX - Temporary construction plant and vehicle learning centre, with site buildings for classroom, welfare and car parking.

It was **RESOLVED** that consideration be deferred at the request of staff to review the applicant's very special circumstances case.

288 P0546.11 – LAND TO THE REAR OF 38-40 BURWOOD GARDENS, RAINHAM - Demolition of garages and the construction of 2 two bedroom semi-detached houses

The application related to the construction of a pair of semi-detached houses on a disused Council owned garage site.

The Committee was advised that there had been three letters of representation against the scheme on the grounds that the proposal would cause a loss of privacy, reduce light received, result in additional noise and disturbance, loss of a view/outlook and could result in the loss of access to a garage.

In accordance with the public participation arrangements, the Committee was addressed by an objector, with a response from the applicant.

Councillor Tebbutt requested that consideration be given to ensuring that the bin compound areas were sufficient to accommodate a standard size bin so that in future if wheeled bin collections were introduced in the borough refuse could be collected in this way.

The Committee **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and with an additional condition to ensure that the refuse enclosure could accommodate standard sized bins to meet prevailing StreetCare requirements.

It was also agreed to add an informative requiring improvement of the existing dropped kerb and footway crossing as part of the separate highways agreement.

The vote for the resolution was passed by 8 votes to 3. Councillors Eagling, McGeary and Hawthorn voted against the resolution.

289 P1796.10 – 13 FARNHAM ROAD, HAROLD HILL - change of use from A1 (shop) to A3 (café/restaurant) with extract ducting and alterations to shopfront

The report before members detailed an application for a change of use to a restaurant with the installation of extract ducting to the rear.

With its agreement, Councillor Steven Kelly addressed the Committee. Councillor Kelly expressed concern over the restrictive hours of operation that were contained in the report. Councillor Kelly stated that it was important that local restaurants were encouraged to trade in the area but the hours in the report curtailed the evening eating trade.

During discussions members were advised that if the proposed ducting was level with residents properties then this would be a matter for Environmental Health to deal with.

Following discussions Councillor Tebbutt raised a motion for an extension of hours to 8am to 10pm Monday to Saturday and 9am to 5pm on Sundays this motion was seconded by Councillor Brace and the motion was passed.

The Committee **RESOLVED** that planning permission be granted subject to extended opening hours condition (No.2).

290 P0545.11 – LAND TO THE REAR OF 26-32 DEERE AVENUE, RAINHAM - Demolition of garages and the construction of a detached bungalow

This application relates to the construction of a single detached bungalow on a Council owned garage site.

Councillor Tebbutt requested that consideration be given to ensuring that the bin compound areas were sufficient to accommodate a standard size bin so that in future if wheeled bin collections were introduced in the borough refuse could be collected in this way.

The Committee **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and with an additional condition to ensure that the refuse enclosure could accommodate standard sized bins to meet prevailing StreetCare requirements.

291 P0547.11 – LAND BETWEEN 106 & 108 PLUMPTON AVENUE, HORNCHURCH - Demolition of garages and the construction of 1 three bedroom detached house

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was passed by 10 votes to 1. Councillor Logan voted against the proposal.

292 P0293.11: 102 PETERSFIELD AVENUE, HAROLD HILL, ROMFORD - Change of use from Adult Teaching Centre to Beauty Salon

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

293 P0572.11 – GARAGE COURT ADJACENT TO NO. 108 NAVARRE GARDENS, ROMFORD - Demolition of existing 10 garages for the erection of 2 houses with associated parking

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

294 P0337.11 – FORMER RICON SITE, ASHTON ROAD, ROMFORD - Extension of time of planning permission P0266.07 – Outline application for development of site for automotive use (sui generis) to include sales, mechanical and servicing engineers.

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

295 P0473.11 – HAVERING VILLAGE GREEN, ORANGE TREE HILL/NORTH ROAD, HAVERING-ATTE-BOWER, ROMFORD - Installation of new vehicle gate and three pedestrian gates on Havering Village Green

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

296 P0318.11 – PARKLANDS JUNIOR SCHOOL - Creation of an all weather sports pitch on part of existing school field

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

297 P0248.11 – ELMDENE, 15 NORTH ROAD, HAVERING ATTE BOWER - Side extension, increase in roof height, front, side and rear dormer windows and roof lights (resubmission of P0833.04)

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

298 319 RUSH GREEN ROAD ROMFORD - Alleged breach of planning control

The Committee considered the report and without debate, **RESOLVED** that an Enforcement Notice be issued and served to require, that within 3 months:

- i) The use of the property as two self-contained flats cease, and
- ii) all fixtures and fittings that facilitate the unauthorised use of the property as two self-contained flats be removed, including the removal of:
 - a) All internal partitions, walls and doors that facilitate the unauthorised use including the door in the hallway at the foot of the stairs which leads up to the first floor flat; and
 - b) All fixtures and fittings from the kitchen on the first floor that facilitates the use of the first floor that facilitate the use of the first floor as self-contained flat.

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

299 SMALL ACRES, FOLKES LANE, UPMINSTER - Planning Contravention

The Committee considered the report and without debate, **RESOLVED** that an Enforcement Notice be issued and served to require, that within 6 months:

1. All steel containers other than the two closest to the south west corner of the land identified in Plan 1 attached be removed
2. All wooden pallets stored on the land be removed
3. Using the land for all storage purposes other than that ancillary to the agricultural use of the land be stopped

4. All materials and rubbish associated with compliance of 1, 2 and 3 above be removed

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

300 CONFIRMATION OF THE HAVERING TREE PRESERVATION ORDER NO. 4/11

The Committee considered the report and without debate, **RESOLVED** that the Havering Tree Preservation Order (Hurstwood Court, adjacent to 17 Hall lane, Upminster) 4/11 was confirmed without modification.

Chairman
9 June 2011

**REGULATORY
SERVICES
COMMITTEE**

REPORT

9 June 2011

Subject Heading:	P0438.11 5 Farnham Road, Harold Hill Replacement shopfront (Application received 17th March 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The application seeks permission for a replacement shop front.

The application is brought to the committee because the site is within Council ownership.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The bi-folding doors shall be fully closed between 18:00 and 10:00 each day.

Reason: To protect residential amenity in accordance with Policies DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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

INFORMATIVE

1. Reason for Approval

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a commercial unit (A1) located within the retail core of Harold Wood. The surrounding locality is commercial in nature at ground floor. There are residential flats above. Farnham Road has parking for the centre. Beyond the retail core are residential properties in a range of styles including semi-detached dwelling and larger blocks of flats. The site was previously a butcher, but is being renovated into a sandwich shop.

2. Description of proposal

- 2.1 Permission is sought for a replacement shop front. This would have bi fold doors which open to create a large opening.

3. Relevant History

- 3.1 P0885.10 – replacement shop front - withdrawn

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 42 properties. No representations were received at the time of writing the report. The consultation period is due to expire on the 27th May 2011. Members will be updated verbally at the Committee if any representations are received.

5. Staff Comments

- 5.1 The main issues to be considered by Members in this case are the principle of development and the impact the changes to the shop front would have upon the street scene.
- 5.2 Relevant LDF Core Strategy and Development Control Policies DPD Policies to be considered are Policies DC61 (Urban Design) and DC63 (Delivering Safer Places).
- 5.4 Principle of development
- 5.4.1 Policy DC61 states that planning permission will only be given where a development maintains, enhances and improves the character of an area, through its appearance, materials and layout. The site is in an area under

going regeneration, through a programme known as Harold Hill Ambitions, where improvement to shop fronts are encouraged.

5.4.2 A previous application for a shop front was withdrawn due so that the quality of the plans could be improved.

5.5 Design/Impact on Street scene

5.5.1 The retail parade in Harold Hill is characterised by open shop fronts, there have also been several recent shop front and signage replacements, thereby improving the overall character of the centre. It is proposed to insert concertina style doors which would open up during the day if desired. Whilst this does not represent a conventional shop front, it is considered to be an improvement from the existing and would add variety to the street scene and revitalise this prominent plot and reinstate the active edge. The proposals are therefore considered to accord with Policy DC61 and the Harold Hill Ambitions programme.

5.5.2 There is evidence is previous signage and canopy on the building, which has a worn appearance. Replacement signage would require separate advert consent however.

5.6 Impact on Amenity

5.6.1 The alterations to the shop front would not result in a loss of amenity to neighbouring occupiers.

5.6.2 Given the concertina nature of the doors, there is the potential for noise to escape from the premises during the evening hours, if the occupier chooses to trade. To ensure this is minimised, a condition requiring the doors to be fully closed between the hours of 18:00 and 10:00 each day is recommended.

5.7 Highway/Parking/Access

5.7.1 There would be no highways or parking implications.

7. Conclusion:

7.1 Staff consider that the amendments to the shop front would have a positive impact within the retail core by recreating an active edge within a highly prominent unit.

IMPLICATIONS AND RISKS

Financial implications and risks: This application is considered on its own merits and independently from the Council's interest as applicant and owner of the site.

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 Equalities and Diversity. The alterations to the shop front would revitalise this prominent site and complement the existing shopping area in line with the ongoing regeneration of Harold Hill.

BACKGROUND PAPERS

Application forms and plans received 17/03/2011.

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6

REGULATORY SERVICES COMMITTEE

REPORT

9 June 2011

Subject Heading:

**P0420.11 – 227 London Road –
Demolition of the existing buildings,
removal of advertising hoardings and
boundary wall and the construction of
a 70-bed care home with 17 parking
spaces and amenity space, 6, 4-bed
houses with car parking and amenity
space fronting Lessington Avenue and
creation of a lay-by on London Road
with associated realignment of the
pavement (received 18 March 2011)**

Report Author and contact details:

**Helen Oakerbee
Planning Control Manager
(Applications)
helen.oakerbee@havering.gov.uk
01708 432800**

Policy context:

**Local Development Framework
The London Plan
National Planning Policy Statements/
Guidance**

Financial summary:

None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report concerns an application for the demolition of existing buildings including a former two-storey public house and the erection of a 70- bed care home with parking and amenity space and 6 houses in semi-detached pairs with parking and amenity space on land at 227 (227a – 229) London Road, fronting London Road, Esther Avenue and Lessington Avenue. A legal agreement is required due to the limited parking provided for the care home and in respect of the pavement realignment to London Road. Staff consider that the proposal would nonetheless accord with residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

It is recommended that either:

- A** The application is unacceptable as it stands, but would be acceptable subject to the completion of a legal agreement to secure the following:
- To restrict the use to care home only as the parking provision would be insufficient to support general market housing
 - To require the adoption of that part of the application site to replace the public footpath lost to the proposed layby, as part of the public highway
 - Save for those holders of Blue Badges that all future occupiers are restricted from applying for residents parking permits
 - A highways contribution of £10,000 to review and implement the necessary changes to the controlled parking which is affected by the proposed access to the development

- Travel plan implementation and monitoring
- That all legal and Section 106 monitoring fees are paid as required by the Council
- That all contributions are subject to indexation using the retail price index or other such index acceptable to the Council from the date of the agreement to the date of payment

That Staff be authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the following conditions:

1. SC04 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.

2. SC06 Before the building(s) hereby permitted is first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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.

3. SC09 Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

4. SC11 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development and SPD Landscaping.

5. SC32 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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.

6. SC62 No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity.

7. SC63 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) dust management controls
- a) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- b) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
- c) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- d) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- e) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect residential amenity.

8. SC57 Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to 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.

9. SC14 Clear and unobstructed visibility sight lines shall be provided to the satisfaction of the Local Planning Authority in the position and for the distance shown on the approved plan. The approved sight lines shall be kept permanently unobstructed thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

10. SC43 The building shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimal value) against airborne external noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

11. SC59 Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

12. NSC01 No development shall take place (except for works to construct the access required by this condition) until vehicular/pedestrian/cycle access from the public highway has been provided in accordance with the approved plans.

Reason: In the interests of users of the public highway in accordance with Policy DC32 of the LDF Core Strategy and Development Control Policies DPD.

13. NSC02 The necessary agreement, notice or licence to enable the proposed alterations or additions to the Public Highway shall be entered into prior to the commencement of the development.

Reason: To ensure the interests of the travelling public and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

14. NSC03 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 previously submitted and approved 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 (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

15. NSC04 The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

16. SC122 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on this site. Accordingly, the Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in Policy PPS15.

17. SC50 Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

18. SC51 Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

19. NSC05 Before any works 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 permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994

20. NSC06 Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation can be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

21. NSC07 Prior to the first occupation of the development hereby permitted, details of all external lighting to the care home shall be submitted to the Local Planning Authority, once approved in writing the external lighting shall be implemented in accordance with the approved details.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

22. SC13 Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be approved in writing by the Local Planning Authority, 2 metres high shall be erected to the rear boundaries of the residential properties and to the secure garden area of the care home and between the proposed building and the boundary with Crowlands School and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties and in the interests of crime prevention.

23. SC08 Prior to commencement of any works, a piling method statement shall be submitted to and approved in writing by the Local Planning

Authority; once approved the piling works must be undertaken in accordance with the approved details.

Reason: Piling works will be in close proximity to underground water and sewerage utility infrastructure.

24. NSC09 Petrol/oil interceptors shall be fitted to the car parking areas and a fat trap fitted to the kitchen and non-return valves

Reason: To ensure that the development does not result in pollution to local watercourses and to prevent backflow during storm conditions.

25. NSC10 Prior to the first occupation of the development hereby permitted, provision shall be made for the care home's storage of refuse awaiting collection which shall involve no more than 25m pulling distance from storage area to collection point with dropped kerb according to a detailed refuse and recycling collection plan which shall previously have been agreed in writing by the local planning authority.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

26. No development shall be commenced until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline how the development will meet the sustainable design and construction of both the London Plan and Local Planning Authority. The statement shall be required to demonstrate that the development will achieve a BREEAM rating of "Very Good" or better. No occupation of the development shall take place until the developer provides a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves the minimum BREEAM rating required of "Very Good". The development shall be carried out in full accordance with the agreed Sustainability Statement and a BREEAM Post Construction Assessment shall be carried out on all or a sample of the development to ensure that the required rating has been achieved. A copy of the BREEAM Post Construction Assessment must be provided to the Local Planning Authority.

Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Supplementary Planning Document on Sustainable Design and Construction and Policies 4A.7 of the London Plan.

27. No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the

proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document and the London Plan.

28. No development shall be commenced until an Energy Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall incorporate an energy demand assessment and shall detail the energy efficiency design measures and renewable energy technology to be incorporated into the final design of the development. The statement shall demonstrate how the development will displace at least 20% of carbon dioxide emissions through on site renewable energy / low carbon technology above beyond Building Regulation requirements. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. The renewable energy / low carbon technology system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Supplementary Planning Document on Sustainable Design and Construction and Policies 4A.7, 4A.8 and 4A.9 of the London Plan.

INFORMATIVES

1. The Highway Authority requires the Planning Authority to advise the applicant that 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. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
2. The developer, their representatives and contractors are advised that this does not discharge the requirements under 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) required during the construction of the development.
3. The applicant is advised that two dry rising mains are required by the Fire Brigade. Please contact Ken Davies at ken.davies@london-fire.gov.uk for further details.

4. The development of this site is likely to damage archaeological remains. An archaeological field evaluation will establish the extent and significance of any surviving remains and enable the mitigation of the impact of the development to be planned as part of details planning consent.
5. In aiming to satisfy condition 20, the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
6. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP17, DC2, DC3, DC5, DC7, DC33, DC34, DC37, DC55, DC60, DC61, DC62, DC63, DC70 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

7. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (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.

Or

- B** That in the event that no satisfactory conclusion is reached by 17th June 2011 authority to refuse planning permission be delegated to the Head of Development and Building Control for the following reason:

1) The proposal would be likely to have an adverse impact on the functioning of the public highway and the safe passage of pedestrians in the vicinity of the application site, contrary to the provisions of Policy CP10 and DC32, DC34 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a mainly open 0.41 hectare site bounded by London Road, Esther Avenue and Lessington Avenue with Crowlands School to the western boundary. The site currently comprises vacant/derelict buildings including a two-storey former public house and two advertisement hoardings to the London Road frontage and mainly open-sided one-storey structures along the western boundary with the remainder of the site provided as hardstanding. It was most recently used as an additional car park in connection with the Romford Greyhound Stadium nearby but was prior to that used as a milk depot. The site is on relatively level ground.
- 1.2 The area is otherwise mainly residential in character with 2-storey maisonettes and semi-detached housing to Esher Avenue and Lessington Avenue although there is a single-storey building to the south-west used as a residential/Friday Masjid (prayer gathering). Apart from the school to the west there is a more mixed character of development to London Road with upto 3 storey commercial and industrial buildings, a large hardstanding area, a public house and mixed residential of flats, terraces and semi-detached properties. The greyhound stadium is located to the south-east of the application site, behind houses to Lessington Avenue.
- 1.3 Apart from the Design and Access Statement, the applicants have also submitted a written scheme of investigation for archaeological investigation, soil contamination, a transport assessment, travel plan and a Statement of Community Involvement.

2. Description of Proposal

- 2.1 The proposal is for the demolition of the existing buildings/structures, including removal of the advertisement hoardings and hardstanding and the construction of a 70-bed care home and 6, 4-bedroom houses to the Lessington Road frontage. The proposal also includes the provision of 17 parking spaces and amenity space for the care home and parking and amenity space to each residential property.
- 2.2 The care home accommodation would be provided in a single block wrapping around the corner of London Road/Esher Avenue with a front elevation width of 38.5m to London Road and 55m to Esher Avenue with a general depth of around 13.5m. Accommodation would be provided on mainly three storeys to London Road with a three-storey return section to Esher Avenue before dropping down to two-stories. There would be hipped roofs with ridge height being 13m and 10.5m above ground level respectively for the three- and two-storey sections (although it should be

noted that there are crown roofs due to the amount of accommodation at 4th floor level in the roof space). There would be accommodation in the roof spaces with the two-storey section to Esher Avenue having dormer windows provided. A smaller basement area would also be provided.

- 2.3 The 17 parking spaces associated with the care home would be provided to the rear of the building accessed via a new road junction to Esher Avenue and the secure garden area would be located to the north of the car park area. A lay-by would be provided on the highway to London Road for HGV and other delivery vehicles and emergency vehicles which requires a realignment of the footway, part of which would be provided within the application site boundary. 10 staff cycle spaces and a refuse store would be provided.
- 2.4 The Landscaping plan shows that soft landscaping would include a variety of shrubs and trees to the garden and car park as well as the road frontages of the care home.
- 2.5 The 70-bed care home is expected to provide 61 full-time and 18 part-time jobs (70 full time equivalents). Staff would be on 8-hour shifts with 11 staff on duty at night with 30 during the day.
- 2.6 The proposed houses would front onto Lessington Avenue and would be arranged as three, semi-detached pairs, slightly staggered forward away from the junction with Esher Avenue with a separate rear amenity area each. Each house would be two-storey with accommodation in the roofspace with front and rear dormer windows. Each property would be similar in design and be 5.6m wide, 8.5m deep and have a gable-sided roof with a ridge height of 10.2m above ground level, the pair - Houses 1 and 2 - being slightly smaller. External materials would match those of the care home.
- 2.7 Each house would have a private rear garden area. With the exception of House 1 where one parking space would be provided, 2 parking spaces would be provided for each property to the front garden area were there is also a separate footpath. Sheds would be provided to the rear garden areas for cycle/refuse storage.

3. **History**

- 3.1 None relevant

4. **Consultation/Representations**

- 4.1 149 neighbouring occupiers were notified of the proposal. Five pieces of correspondence have been received objecting to the proposal on the following grounds:

- loss of on-street parking resulting in parking problems for existing occupiers
- noise, dust and traffic during construction
- construction traffic and parking in unrestricted parking areas on street
- indiscriminate and un-neighbourly parking
- parking causing obstruction to emergency vehicles
- traffic accidents involving cars parked on-street
- vehicles associated with the school, commercial development to London Road, the dog track and the Friday Masjid all park in Lonsdale Avenue as it is "free"; the development will make this worse
- Romford is being turned into a concrete jungle
- Developers should be required to finish works that they've started and should be required to show the Council that they have enough money to finish each project
- Other developments in Romford cause highway safety concerns
- Loss of light to existing properties
- The Council will only go through the motions and not take any comments into account
- The proposal is the wrong way round and the residential properties should face the back of the care home rather than fronting onto Lessington Avenue as this will result in the loss of existing on-street parking and give them cold north-facing gardens
- Possibly 4 vehicles would be associated with each of the proposed family accommodation, some of which would be parked on street for which there is insufficient space
- The houses will stick out like a sore thumb so they should be turned around to give the illusion of more space
- The population and traffic in Romford is at breaking point and this project won't help
- Romford has become an ugly blot on the map because of the influx of populations resulting in it losing its identity
- Local infrastructure cannot support more residents
- More houses should not be provided in such a confined area

Also raised was that the plans for the care home/amenity garden will be a benefit to the area and are supported

- 4.2 Thames Water have written indicating that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer, that an oil interceptor should be provided to the car park area, that a fat trap should be fitted and waste oils collected by a contractor to prevent pollution of local watercourses, require a piling method statement to be submitted but that they have no objection with regard to sewerage infrastructure.
- 4.3 The London Fire and Emergency Planning Authority have written to indicate that access to the dwellinghouses is considered to be satisfactory. The Fire Brigade have indicated that no additional, or alterations to the existing, fire hydrants are required for the site.

4.4 English Heritage has written requesting an archaeological condition to be attached to any grant of planning permission to secure a programme of archaeological field evaluation and survey.

4.5 The Metropolitan Police Crime Prevention Design Advisor has written to indicate that the local area has a higher than the Havering average of criminal offences. He recommends amendments to the scheme to ensure that occupiers are less likely to be affected by crime. These concerns have been addressed in the current plans.

5. **Staff Comments:**

5.1 The issues in this case are the principle of development, its impact in the streetscene, on residential amenity and parking/highways. Policies CP1, CP10, CP17, DC2, DC3, DC5, DC33, DC49, DC50, DC60, DC61, DC63 and DC33 of the Local Development Framework Core Strategy and Development Control Policies Development Plan and SPD on Residential Design are relevant. Also relevant are London Plan Policies 3A.1, 3A.2, 3A.5, 3A.6, 3A.8, 3A.10, 3C.22, 3D.8, 4B.6, 4B.7, 4C.6 and PPS1 (sustainable development); PPS3 (Housing); PPS13 (Transport).

Principle of development

5.2 The proposal is for a 70-bed care home and 6, 4-bedroom houses. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for housing development in principle in line with Policy DC2, subject to the detailed design of proposals.

Residential Density

5.3 The proposal is for 6 houses on part of the application site measuring approximately 1225 sq.m or 0.12 ha. The density range for this suburban part of Romford Pedshed is 30 – 50 units per hectare. The density proposed would be just under 50 units per hectare which is within this range and is therefore acceptable.

Design/layout/Impact on Streetscene

5.4 There is a mixture of mainly two-storey semi-detached houses and maisonettes to the rear and side of the application site, including onto Lessington Avenue onto which the 6 family homes would front. The proposed residential properties would have higher ridgelines than existing properties and have gables to the side elevations rather than the prevailing hipped roof designs, nonetheless, as this site is somewhat isolated, being at the road junction and having the three-storey school buildings adjoining it to the West, it is considered that the proposed houses would not be out of character with existing development in the vicinity.

- 5.5 The care home would be located with its 3-storey section to the London Road frontage and a return section, also of 3-storey to Esher Avenue before reducing to two-storey with dormers to provide accommodation in the roofspace. To London Road are a mix of commercial development, some with flats above, the higher Crowlands School buildings and the newer 3-storey flatted properties, in particular to the east of the application site nearer the Town Centre and older 2-storey residential properties. Staff consider that the proposed 70-bed care home with its balconied entrance feature would have a clearly more substantial impact than the current lower level buildings and extensive hardstanding to the site. Nonetheless it is recognised that most of the new residential development to London Road has been of flatted blocks on three storeys such that, of itself, there is a changing character to this busy road in which larger/higher development is now part of that mixed character. Staff consider that the 3-storey development to the London Road frontage would therefore be acceptable and in character with this mixed use area.
- 5.6 To Esher Avenue and to the east of the application site to London Road are 2-storey older properties; those to Esher Avenue being maisonettes. The proposed building's 3-storey return frontage would be 28m long, stretching back to the rear fence of No. 225 London Road with the 2-storey, 22m long section beyond the slight bend in the road. Staff consider that it is reasonable that the 3-storey pitched roof element of the proposed development continues around the corner into Esher Road before dropping down to 2-storeys with a pitched roof. The proposed development would be located at least 19m from the facing side elevation of No.225 London Road and the front elevations of Esher Avenue properties on the opposite side of the highway, such that Staff consider the proposed 2- and 3-storey elements fronting onto Esher Road would not be overbearing or overly dominant in relation to the existing development. There is clearly an element of judgement here and Members may place different weight on this issue, nonetheless Staff consider that the proposal would be set well back from existing residential development so as not to result in unacceptable harm to visual amenity in the streetscene.
- 5.7 Within the application site, the care home would be located to the road frontages to London Road and Esher Avenue with its garden located adjacent to the northern end behind the building. The car park is located to the south of this with the access road to its south linking east onto Esher Avenue. Beyond that are the rear garden areas of the residential properties with the residential properties fronting southwards onto Lessington Avenue. The garden for the care home would be approximately 470 sq m and the rear gardens to residential properties vary in size from a depth of 12.5m to 13.2m and sizes from 80 sq.m to just under 85 sq.m.
- 5.8 The proposal would provide a 17- vehicle car park and access to Esher Avenue directly adjacent to the rear garden areas of the proposed new residential properties which would front onto Lessington Avenue. The nearest rear elevation to the access road would be 12m and there is a 1.8m

intervening footpath. A layby is proposed to London Road for emergency vehicles, drop-offs and servicing such that the amount of vehicle activity would be limited generally to staff change-over times. Noise and activity associated with vehicles to the care home would be a pre-existing arrangement of which any new occupiers would be aware before purchasing the property, nonetheless Staff consider that it to be reasonable in terms of the level of amenity afforded to the future residential occupiers.

- 5.9 Staff consider the arrangement of the buildings, access and amenity/parking areas provide a reasonable layout and level of amenity in line with the Supplementary Planning Document on Residential Design.

Impact on Residential Amenity

- 5.10 The nearest residential properties are the houses/maisonettes to London Road, on the opposite side of Esher Road, the maisonettes in Esher Road and the houses to Lessington Avenue. The proposed 2-3 storey care home and the 2-storey houses are located on the opposite side of the public highway with a minimum distance to the care home of 19m and 22m from the front/side elevations of properties in Lessington Avenue. Normal arrangements apply with windows facing across the public highway and Staff consider that at these distances, there would be no undue overlooking, loss of outlook or privacy or visual intrusion from the proposed development.
- 5.11 Staff recognise that there would be a sense of loss of light and sunlight, in particular to the properties in Esher Avenue and to No. 225 London Road, nonetheless, it is considered that the actual loss would be minimal and light levels would be reasonable given the built-up urban nature of the surrounding area.
- 5.12 The proposed access to the parking area would be located directly opposite No. 3 Esher Avenue and given the shift nature of the proposed staff, it is considered that occupiers of the maisonette to the ground floor would, apart from the houses which form part of this application, be likely to be affected most by traffic noise and car headlights. Nonetheless the access is at least 14m from the front windows to that property and not an unusual arrangement in an urban area. The 8-hour shift pattern is normally extended over night and can be as long as 12 hours for those on night duty such that even if there is some noise and disturbance at change-over times, there should be around 8 hours of little activity during the night.
- 5.13 Staff therefore consider that there would be no undue loss of residential amenity to these existing occupiers.

Highway/Parking

- 5.14 Within this area, Policy DC2 indicates that between 1.5 and 2 parking spaces should be provided for each residential property. Due to the difficulties associated with the shape of Plot 1, it is not considered that more

than 1 space could be provided to the front garden area although the other 5 houses would all have 2 spaces. Overall, the requirement would be met as the provision would represent just over 1.8 residential parking spaces, nonetheless as they would be specifically allocated, it is considered that the legal agreement should ensure that occupiers are not able to gain access to existing residential on-street parking provision, in particular as the new access reduces the existing on-street provision.

- 5.15 The care home would be expected to provide, in accordance with Annex 5 of the LDF 1 space per 4 resident bedspaces, i.e., $70/4 = 17.5$ spaces. The car parking area for the car home has 17 parking spaces, two of which are disabled spaces which Staff consider to be acceptable. The applicant has also suggested that the proposed lay-by to London Road would provide short-term parking/dropping off/collection, nonetheless this would be the subject of further discussion with Streetcare regarding loading/waiting restrictions.
- 5.16 While the applicants are willing to provide a travel plan (subject to a legal agreement for implementation), cycle parking provision would need to be made on site and would be subject to a suitable planning condition.
- 5.17 Servicing vehicles and emergency vehicles would be expected to use the proposed new lay-by onto the highway. The provision of this requires separate agreement under the Highways Acts and the footpath realignment would require the adoption of a small linear strip of the application site as footway as part of the public highway. Suitable conditions/legal agreement would need to be attached/entered into in this respect.
- 5.18 There would be separate arrangements for the storage of waste and recycling items for the care home and residential properties. The storage building to the care home is provided with front and rear doors to the London Road frontage. For the residential properties storage will be provided individually. A suitable condition will be attached to ensure that suitable provision is made.

Archaeology

- 5.19 English Heritage have identified the application site as a likely site of archaeological interest and recommend the carrying out of invasive ground investigation works. A suitable condition is to be attached.

Section 106 agreement

- 5.20 A legal agreement is required, in line with Policy DC72 to secure a restriction to the care home as the parking provision would be insufficient to support general market housing; to enable, as necessary, the adoption of that part of the application site to replace the public footpath lost to the proposed lay-by, as part of the public highway; to restrict future occupiers from applying for residents parking permits; and, to require a highways contribution of £10,000 to review and implement the necessary changes to

the controlled parking which is affected by the proposed access to the development and to ensure that the submitted travel plan is implemented.

Other Issues:

- 5.21 Sustainability/Energy Efficiency – the proposal is for a major development which would be expected, in line with LDF Policies to meet sustainable and energy efficient objectives. Suitable conditions would be attached.
- 5.22 Land Contamination – a suitable condition could be added to any grant of permission to require the provision of an assessment and further follow up work if necessary.
- 5.23 Secured by Design – the CPDA has advised that conditions and an informative should be attached to any grant of planning permission.

6. Conclusions

- 6.1 Judgement has been used, in particularly in relation to the impact of the proposed development on visual amenity in Esher Avenue, and Members may place different weight on the issue of whether the 3-storey return element onto Esher Avenue would have an acceptable impact on visual amenity in the street scene. Staff nonetheless consider that the proposal would be acceptable in principle and, would not have any significant adverse impact on visual or residential amenity and that the parking arrangements would be acceptable, subject to the signing of a legal agreement. And, that it would be acceptable on other grounds in accordance with policies contained in the LDF.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 A legal agreement would be needed to secure a restriction to the care home, to enable (as necessary) the adoption of a new section of public highway, to restrict future occupiers from applying for residents parking permits, to require a highways contribution of £10,000 and to ensure that the submitted travel plan is implemented.

9. Human Resource Implications:

- 9.1 None

10. Equalities and Social Inclusion Implications:

10.1 The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

9 June 2011

Subject Heading:	P0379.11 – 1-7 Angel Way, Angel Way, Romford - Change of use of office space in the ground floor of the multi-storey car park in Angel Way to A1 and Auction Sales Room (received 20 April 2011)
Report Author and contact details:	Helen Oakerbee Planning Control Manager (Applications) helen.oakerbee@havering.gov.uk 01708 432800
Policy context:	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
Financial summary:	None

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

- Clean, safe and green borough
- Excellence in education and learning
- Opportunities for all through economic, social and cultural activity
- Value and enhance the life of every individual
- High customer satisfaction and a stable council tax

SUMMARY

The proposal relates to an application for a change of use from office space to a shop within A1 Use Class and a general auction sales room. The site is Council-

owned and lies within Romford Town Centre. Staff consider that the proposal would accord with retail and environmental policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

That the Head of Building and Development Control be authorised, at the end of the consultation period and providing that there are no substantive new objections raised, to grant planning permission subject to the following conditions provided that if further material considerations are raised which have not been considered by the Regulatory Services Committee the matter be remitted to the Regulatory Services Committee for their determination:

1. SC04 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.

2. SC32 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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.

4. NSC01 The premises shall be used only as an Auction Room in association with any A1 Use

Reason: To enable control over development and to ensure that existing and future residential amenity is not unduly affected in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

5. SC27 The premises shall not be used for the purposes hereby permitted as an A1 retail use other than between 09:00 and 17:00 on Mondays to Saturdays for the A1 (shop) Use and not at all on Sundays or Bank/public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control in the interests of amenity

6. NSC02 The premises shall not be used for the purposes hereby permitted as an auction room other than as set out by condition 7 and between 11:00 and 16:00 on the once a week auction day on a weekday and not at all on Saturdays, Sundays or Bank/public holidays without the prior consent in writing of the Local Planning Authority.
7. NSC03 The premises shall not be used for the purposes hereby permitted as an auction room other than a set out by condition 6 between 18:00 and 22:00 on a weekday for a once a month evening auction and not at all on Saturdays, Sundays or Bank/public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To protect residential amenity.

8. SC49 (refuse disposal)

INFORMATIVES

1. Reason for approval:

The proposal accords with Policies DC16, DC33, DC36 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document, Policy ROM11 of the Romford Area Action Plan DPD, Policies 4.7, 4.8 & 4.9 of the London Plan (draft) and PPS6: Town Centres.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a vacant ground floor unit, previously in office use, which forms part of an existing multi-storey car park to the eastern side of Angel Way, Romford. The site is within Romford Strategic Town Centre.
- 1.2 The surrounding area is of 2- and 3-storey properties with a variety of shops and shop supporting uses to the ground floor with residential/ancillary storage/offices above. Trinity Methodist Church lies to the north of the site and the former Secrets Night Club lies opposite.

2. Description of Proposal

- 2.1 The proposal is for the change of use of the vacant office unit to a shop within A1 Use Class and a general auction sales room. The proposal is to use the unit in part as a shop and as a general auction saleroom selling all household goods, i.e, furniture, china, glass, new and old. Auctions would be open to the public who can bring any items they wish to sell and will be held weekly and to include one evening auction sale each month. Light refreshments would be served during the auctions. The same goods would be sold in the shop as during the auctions. It is proposed to ensure that there are window displays and that the proposed use would employ 2 to 5 people.
- 2.2 Some internal partitioning would be removed to allow sufficient space for auctions.
- 2.3 The proposed hours of use are 9am to 5pm on Mondays to Saturdays for the A1 Shop Use and on a “once a week” basis from 11am until 4pm for auctions on a weekday with a “once a month” evening auction from 6pm until 10pm on a weekday. It is understood that on auction days the A1 (retail) use of the unit would not operate as the hours conflict.
- 2.4 No additional parking is proposed as part of the scheme.
- 2.5 A Flood Risk Assessment has been submitted with the application.

3. History

- 3.1 P0733.10 – Change of use from office to Youth Centre with extension to provide replacement office space – granted 19-11-2010, but not implemented.

4. Consultation/Representations:

- 4.1 84 neighbouring and nearby properties were notified of the application. No replies have been received, however the public consultation period had not ended when this report was drafted and any further comments will be reported orally at the Committee meeting.
- 4.2 Thames Water have written to recommended the installation of a properly maintained fat trap if the application is for a catering establishment, and, as appropriate recycling of any fats, oils and grease. The have no objection to the application with regard to sewerage infrastructure.

5. Staff Comments

- 5.1 The issues in this case are the principle of the development, impact on the amenities of nearby residential occupiers and highways/parking. Policies DC16, DC33, DC36 and DC61 of the LDF Core Strategy and Development

Control Policies Development Plan Document, Policy ROM11 of the Romford Area Action Plan DPD, Policies 4.7, 4.8 & 4.9 of the London Plan (draft) and PPS6: Town Centres.

Principle of development

- 5.2 The proposal is for a change of use to A1 Use and Auction Room.
- 5.3 The application site is not within either the core or fringe shopping areas of Romford Town Centre. Policy DC16/ROM11 in their consideration of non-retail uses indicate that they should not be allowed within the core or fringe areas unless they do not adversely impact on the vitality and viability of the town centre's retail function.
- 5.4 The proposed development would be open during shopping hours (as well as one evening a month open during evening hours and Staff consider that the shop/auction room would complement the town centre's existing uses. Staff therefore consider that while the proposal would be for an A1 Use/auction room outside the core/fringe area, the proposal would increase and diversify the current A1 offering and therefore not result in harm to the vitality and viability of the town centre.
- 5.5 Staff therefore consider that the proposed change of use would be acceptable in principle.

Impact on Residential Amenity

- 5.6 There are residential properties above commercial units to High Street and an application has recently been submitted for the redevelopment of land on the opposite side of Angel Way (west) for a residential scheme at Secrets/open air car park. The proposal would introduce a use which would be open during normal opening hours except one evening a month when it would open from 6pm to 10pm. While it is a matter of judgement, occupiers of residential properties within a town centre would not expect the same level of amenity which would be expected in a quiet residential street. Notwithstanding this, a judgement has to be made as to whether later activity, even only on a once a month basis, would result in any significant harm to residential occupiers' amenities.
- 5.7 There are a number of uses within the Town Centre which open later than the proposed auction room, including pubs/restaurants to High Street, Market Place, South Street and the Brewery. In considering the approved scheme for a Youth Centre last year, Members may recall that the hours of use would have been until 10pm any day, such that this current proposal for opening until 10pm once a month is considered by Staff similarly not to result in significant harm to existing or possible future nearby residential occupiers, over and above the general activity levels which can be expected within a Town Centre location during those hours.

Highways

- 5.8 The proposal relates to an existing commercial unit/car park within the town centre. Annex 5 of the LDF Core Strategy and Development Control Policies DPD indicates that in the Town Centre parking for a change of use will only be necessary to provide additional spaces to meet the difference in requirement between the proposed use and existing use. As such the existing use as offices would have a requirement of 1/100 sqm, and the proposal's A1 use 1/75 sq.m. The unit is 309 sq.m, i.e., 3 needed previously and 4 now, the difference of 1 space.
- 5.9 Due to the unit being an integral part of the multi-storey car park it is not proposed to provide any additional or separate parking for the proposed A1 (shop) Use/Auction Room. It is considered that in these circumstances there is sufficient "on site" parking to cover the 1 additional space needed such that there are no highways objections.
- 5.10 Servicing of the unit can be made from Angel Way from the rear of the building.

Other

- 5.11 A Flood Risk Assessment was submitted with the application. The Standing Advice of the Environment Agency is that the proposed use is not vulnerable to flooding and therefore it is an acceptable use.

6. Conclusions

- 6.1 Staff consider that the proposal would be acceptable in principle and, providing the hours are restricted by condition, would not have any adverse impact on residential amenity, highways or streetscene. Staff therefore recommend that planning permission be granted.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 This application is considered on its merits independently of the Council's interest as owner of the site.

9. Human Resource Implications:

9.1 None

10. **Equalities and Social Inclusion Implications:**

10.1 The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

9 June 2011

Subject Heading:

P1135.03 – Stafford Avenue,
Hornchurch – change of use from
industrial to residential and erection of
20, 2-bed flats in 2 blocks - variation of
unilateral undertaking (received - 4th
April 2011)

Report Author and contact details:

Helen Oakerbee
Planning Control Manager
(Applications)
helen.oakerbee@havering.gov.uk
01708 432800

Policy context:

Local Development Framework
The London Plan
National Planning Policy Statements/
Guidance

Financial summary:

None

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

- | | |
|--|--------------------------|
| Clean, safe and green borough | <input type="checkbox"/> |
| Excellence in education and learning | <input type="checkbox"/> |
| Opportunities for all through economic, social and cultural activity | <input type="checkbox"/> |
| Value and enhance the life of every individual | <input type="checkbox"/> |
| High customer satisfaction and a stable council tax | <input type="checkbox"/> |

SUMMARY

The report concerns a proposed variation of a Section 106 Unilateral Undertaking which was completed upon the grant of planning permission P1135.03 for the erection of 20 residential units. The Unilateral Undertaking required at Paragraph 3b) that the owner was “not to renew any Leases after they have expired and for the avoidance of doubt not to renew the lease of the industrial unit shown outlined bold in black on Phase 2 of the Indicative Phasing Plan after 4th May 2005 and not to renew the lease of the industrial unit outlined bold in black on Phase 3 of the Indicative Phasing Plan after 31st October 2009 PROVIDED THAT the leases or tenancies which are comprised in the industrial unit shown outlined bold in black on Phase 4 of the Indicative Phasing Plan may be renewed periodically until 31st December 2009 and not thereafter.”

An application was made, and granted, in 2009 for the variation of the legal agreement to allow the renewal period for Phase 4 for a further two years, until 31st December 2011. This application effectively extends the original period by 4 years, until 31st December 2013. In light of the current economic situation, Staff are willing to allow a further renewal of leases or tenancies given the specific circumstances pertaining here. Staff therefore recommend the approval of the Deed of Variation.

RECOMMENDATIONS

That Staff be authorised to enter into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), with the agreement of the Council as Local Planning Authority and the party or parties providing the original unilateral undertaking or their successors in title to secure the following by Deed of Variation under Section 106A of the Town and Country Planning Act 1990 which relates to Schedule 1 paragraph 3b of the Unilateral Undertaking dated 15th July 2005 (as varied by the deed of variation dated 8th July 2009):

- The Owner “not to renew any Leases after they have expired and for the avoidance of doubt not to renew the lease of the industrial unit shown outlined bold in black on Phase 2 of the Indicative Phasing Plan after 4th May 2005 and not to renew the lease of the industrial unit outlined bold in black on Phase 3 of the Indicative Phasing Plan after 31st October 2009 PROVIDED THAT the leases or tenancies which are comprised in the industrial unit shown outlined bold in black on Phase 4 of the Indicative Phasing Plan may be renewed periodically until 31st December 2013 and not thereafter.”
- Save for the variation of Schedule 1 paragraph 3b of the unilateral undertaking dated 15th July 2005 (as varied by the deed of variation dated 8th July 2009) all recitals, terms, covenants and obligations in the original unilateral undertaking will remain unchanged.

- The above shall be subject to payment of the Council's legal fees for preparation of the deed of variation.

REPORT DETAIL

1. Site Description

- 1.1 The application site is located at the western end of Stafford Avenue on a formerly commercial site. The surrounding area is a mixture of residential and commercial uses with the railway running to the north of the site and a river running to the west.

2. Description of Proposal

- 2.1 The developer, H&F Investments Limited, request permission to vary the terms of the existing unilateral undertaking(as varied by the deed of variation dated 8th July 2009) signed at the time of the grant of full planning permission under reference P1135.03.
- 2.2 The unilateral undertaking at Clause 3 b) requires the following.... That the Owner covenants with the Council "not to renew any Leases after they have expired and for the avoidance of doubt not to renew the lease of the industrial unit shown outlined bold in black on Phase 2 of the Indicative Phasing Plan after 4th May 2005 and not to renew the lease of the industrial unit outlined bold in black on Phase 3 of the Indicative Phasing Plan after 31st October 2009 PROVIDED THAT the leases or tenancies which are comprised in the industrial unit shown outlined bold in black on Phase 4 of the Indicative Phasing Plan may be renewed periodically until 31st December 2009 and not thereafter."
- 2.3 This application for a variation of the legal agreement follows the signing of a deed of variation on 8th July 2009 which varied Clause 3b to the following end wording: "...until 31st December 2011 and not thereafter."
- 2.4 The proposed variation would allow the developer to lease the existing office building in Phase 4 until 31st December 2013.

3. Planning History

- 3.1 P1135.03 – Change of use from industrial to residential and erection of 20, 2-bed flats in 2 blocks – granted following the signing of a S106 legal agreement on 15th July 2005
- 3.2 P1135.03 Application for deed of variation – variation made 8/7/09

- 3.3 P1526.07 - change of use from industrial to residential and erection of 73 flats in 3 blocks - refused 30/10/07; subsequent appeal - approved 9/9/08
- 3.4 P1526.07 – Application for deed of variation under appeal reference APP/B5480/A/07/2049203/NWF (Council ref. P1526.07) – Committee resolved to vary the Unilateral Undertaking at its meeting on 18/11/10; the Deed of Variation is not yet completed. This was to enable delaying payments of the education contribution for Blocks C, D and F by paying in instalments instead of prior to first occupation.

4. Staff Comments

- 4.1 The agent indicates that since concluding the variation to the original unilateral undertaking 2 years ago, the factory building occupied by Supreme O Glaze has been demolished and that work has started on Block D which comprises 18 flats, due for completion at the end of February/beginning of March 2012. They indicate that they would then construct Block C then Block F, the latter is where the office building is currently located. Their programme has slipped and it is unlikely that they would start construction of Block F until 2014. The slippage is due, they indicate, because of difficulty/time taken in raising funding for Block D. They also raise that slippage occurred because of the planning appeals process and the severe recession.
- 4.2 They highlight that the office building is a quiet, commercial activity used almost exclusively Monday to Friday daytime only and that some of the occupiers have been there for over 10 years. Informal discussions with the 10 occupiers has highlighted that they would wish to remain beyond December 2011 as they consider it would be very difficult to find alternative accommodation in the Borough. Their continued occupation would ensure that the building would provide local employment/rates and the uses/parking would not interfere with other building works for Blocks C or D.
- 4.3 Staff are mindful of the Ministerial Statement made on 23rd March 2011 entitled “Planning for Growth” states that “To further ensure that development can go ahead, all local authorities should reconsider, at developers' request, existing section 106 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed; provided this continues to ensure that the development remains acceptable in planning terms.”
- 4.4 The proposed development granted in 2005 (under reference P1135.03) for 20, 2-bed flats has been completed, this is know as Phase 1 of the 4 phase Interwood Site, Stafford Avenue Development. A recent site visit indicates that former industrial buildings occupying the Phase 2 and Phase 3 parts of the development site have been demolished and the only remaining unit is that to the south-east of the whole Interwood Site (Phase 4). The proposed rewording to allow an extension to the industrial lease of the Phase 4

building comes after Phase 1 has been sold and in use as 20 units of residential accommodation.

- 4.5 The proposal seeks to delay the need to curtail the use of the office building by a further 2 years, until the end of December 2013 (in effect for 2 and a half years from now).
- 4.6 Staff consider that this would not materially affect the requirements of the original agreement.
- 4.7 If this deed is not varied, the industrial leases/rent collection would cease at the end of December 2011, i.e., in just over 6 month's time and the building would remain vacant until such time as the Phase 4 development is able to proceed. In this time of recession wider economic considerations are relevant to this consideration and Staff consider that it is more preferable for the existing use to continue rather than for the building to be vacant. Also, the extension would not interfere with the approved development which will not now be begun until 2014, according to the applicant.
- 4.8 Members are invited to consider whether the circumstances outlined in this case are sufficiently robust to accept the variation proposed through a Section 106 Legal Agreement.
- 4.9 Whilst it is recognised that the approval of this variation could give rise to other similar requests for variations on other sites, each request would be considered on its own merits and the approval of this request would not establish a precedent.

5. Conclusion:

- 5.1 Taking into account the current difficulties in the housing market and elsewhere in the economy, Staff consider that the variation allowing a delay to enable the office building would be retained rather than left vacant until development occurs can be permitted. Members are invited to consider whether the circumstances in this instance are sufficiently unique to allow such a variation.

IMPLICATIONS AND RISKS

6. Financial Implications and Risks

- 6.1 None.

7. Legal Implications and Risks

- 7.1 A Deed of Variation would need to be prepared.

8. Human Resource Implications

8.1 None.

9. Equalities and Social Inclusion Implications and risks:

9.1 The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Background Papers

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

9 June 2011

Subject Heading:	P0230.11 – Former Harold Wood Hospital, Gubbins Lane, Harold Wood (Date received 16/02/2011)
Proposal	Construction of Phase B of a Spine Road in relation to site redevelopment for residential use at the former Harold Wood Hospital
Report Author and contact details:	Simon Thelwell (Planning Control Manager) 01708 432685
Policy context	Local Development Framework London Plan National Planning Policy
Financial summary	None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

Members will recall that the Committee granted planning permission for the first phase of the spine road at its meeting on 4th February 2011. This followed from the resolution to grant planning permission for the redevelopment of the former Harold Wood Hospital site at its meeting of 28 October 2010 subject to the prior agreement of a S106 legal undertaking. The legal process is nearing completion but the applicants are keen to ensure that a detailed permission is in place for the whole road to enable the earliest completion of the spine road through the site.

Staff consider that the proposed spine road would accord with the relevant policies in the Local Development Framework and site specific policy SSA1 in the adopted LDF.

It is therefore concluded that the development is acceptable and that planning permission should be granted subject to appropriate planning conditions.

RECOMMENDATIONS

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

1. SC04 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. SC11 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

3. SC12 No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and /or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

4. NSC01 No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity and in order that the development accords with Development Control Policies Development Plan Document policy DC61..

5. SC63 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) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning

Authority;

g) siting and design of temporary buildings;

h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;

i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

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

6. NSC02 Before any of the development hereby permitted is commenced, samples of all surfacing materials to be used in the external construction of the spine road shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the Development Control Policies Development Plan Document Policy DC61.

7. NSC03 Any proposed alterations and additions to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

8. NSC04 The necessary agreement/s, notice/s and/or licence/s to enable the proposed alterations and additions to the Public Highway shall be entered into and completed prior to the commencement of the development.

Reason: To ensure the interests of the travelling public are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

9. NSC05 Save for the specification for the street light columns and lanterns included in Drawing No. D120384-115 Rev P1 and X00333—PL-L12 all works for the development shall be carried out in full accordance with the approved plans, drawings, particulars and specifications 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 or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC32.

10. NSC06 Prior to the commencement of development a scheme for the street lighting of the Spine Road shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be installed in full prior to the first dwelling served from that part of the Spine Road hereby permitted being first occupied. With the exception of any areas that have become adopted highway, the lighting scheme shall be retained and kept fully operational at all times.

Reason: In the interests of highway safety and public amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. The Highway Authority requires the Planning Authority to advise the applicant that 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. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact Streetcare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
2. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under 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) required during the construction of the development.
3. Reason for Approval

The proposal is considered to accord with the aims, and objectives of Policies CP10 of the LDF Core Strategy Development Plan Document, Policy DC32 of the LDF Development Control Policies Development Plan Document and Policy SSA1 of the LDF Site Specific Allocations Development Plan Document.

REPORT DETAIL

1.0 Site Description

- 1.1 The former Harold Wood Hospital is located on the western side of Gubbins Lane approximately 500m (¼ mile) south of the junction with Colchester Road (A12), and opposite Station Road and Harold Wood mainline railway station.
- 1.2 The hospital site is of irregular shape and currently covers an overall area of approximately 14.58 hectares. This application covers an area of 0.62 hectares and is restricted to the linear form of the second phase of the proposed spine road through the site starting from the proposed entrance from Nightingale Avenue and extending 310m into the site.

2.0 Description of Proposal:

- 2.1 The proposal is a detailed planning application for the second phase of the spine road through the site to serve the future residential redevelopment of the site accessed from Nightingale Crescent and extending 310m east into the site where it would join with the first phase.
- 2.2 The site boundary is drawn to include the proposed carriageway, footways and cycleways, junction bellmouths for side roads and an allowance for earthworks.
- 2.3 The width of the road is 6.5m with local widening to enable buses to pass safely on the bend closest to Nightingale Crescent. All side road junction bellmouths for potential future secondary roads are included and are designed for a minimum carriageway width of 5.5m. Tactile paving is proposed for all formal pedestrian crossing points and at identified points on the cycleway. The plans indicate the provision of a bus gate. This would be intended to incorporate a feature or other means of ensuring that only permitted vehicles (buses and emergency vehicles) could travel in both directions. This is required in order to prevent the creation of a through route for all vehicles which would give rise to “rat-running” to avoid the traffic lights on the A12 and A127. The design of such feature or other means of enforcement would be determined at a later stage and is a requirement of the overall planning permission.

2,4 Street lighting is to be provided in the landscape margin or at the back edge of the footway. A specification for the lighting, columns, landscaping and its management is included.

3. **Relevant History**

3.1 Extensive history relating to the function of the site as a Hospital.

Other history relating to the disposal of Hospital land for residential purposes:

P1095.88 - Residential development – Approved (land to the west of current hospital site up to Bryant Avenue and Whitelands Way)

P1541.89 – Revision to accommodate 13 additional units – Approved (as above)

P1963.89 - Revised scheme to above – Approved (as above)

P1183.91 - Revised scheme to above – Approved (as above, one phase)

P0292.92 - Erection of 67 residential units, 1 and 2 bed terraced dwellings, 3 bed terraced and detached houses, roads and ancillary works – Approved (as above. one phase)

P0752.93 - Residential development of 68 houses, 20 flats, associated roads and garages etc – approved (as above, final phase)

P1530.00 - Residential development (outline) – Approved (Lister Avenue/ Nightingale Crescent)

P0704.01 - Residential development (Outline) - Resolved by Committee to be approved subject to the prior completion of a Section 106 Agreement. (10.56ha site similar to the current application site)

P0141.06 - Residential development of up to 480 dwellings (outline) – Refused (appeal withdrawn)

P1232.06 – Residential development of up to 423 dwellings (outline) – Approved

P0702.08 - Outline application for the redevelopment of the site to provide 810 dwellings including submission of full details in relation to the retention, with alterations, of the Grange listed building within the site to provide 11 flats and for a two storey building adjacent to the Grange to provide 4 flats – resolved to approve, S106 in preparation.

P1703.10 - Construction of Spine Road in relation to site redevelopment for residential use at the former Harold Wood Hospital - Approved

P0004.11 – Phase 1A of the development of the former Harold Wood Hospital. To include: Demolition of existing buildings and the construction of 20 residential units and associated infrastructure and landscaping – Under Consideration

4. Consultations and Representations:

- 4.1 Consultees and 105 neighbouring properties have been notified of the application.
- 4.2 Two letters of representation have been received raising concerns about the clarity of the plans, how it would link to Nightingale Crescent and when pedestrian access to the Polyclinic would be provided. Other concerns relate to noise and traffic, loss of view and affect on property prices.

Consultee Responses

English Heritage (GLAAS) – Advise that they are happy with the Written Scheme of Investigation that has been submitted, but its implementation should be secured by condition.

Environment Agency –Confirmed they have no objections

Thames Water – Have no objections to the proposal.

Environmental Health raise no objections subject to suitable conditions.

Highways Officers in Streetcare raise no objection subject to the detailed material selection being conditioned to be technically approved via the Section 38/278 Agreement. It is stressed that bespoke materials will not be accepted and that the standard lamp column must be used. Comments are also offered in relation to the location of bus stops, maintenance of landscaping and the need for the roadway to be constructed such that the surface course will be maintained or replaced during different levels of occupation and usage both during construction of the housing and occupation. Conditions and informatives are suggested.

5 Staff Comments

- 5.1 This application is brought before Members at the request of Cllr Ower in view of the level of public interest that was shown in the applications for the redevelopment of the site.
- 5.2 The issues arising from the application are the impact of the proposed works on the character of the area, the highway network and the amenities of neighbouring properties.
- 5.3 The application follows from the resolution of Committee in relation to planning application P0702.08 that the application for the redevelopment of

the site for residential purposes should be approved subject to the prior completion of a Legal Agreement and no direction from the Mayor for London. Although the necessary legal agreement has yet to be completed the applicants are keen to have detailed permission in place in anticipation of the completion of the legal agreement.

- 5.4 The position, alignment and dimensions of the proposed spine road are the same as those which were illustrated in the master plan for the above outline application. Members will be aware that there is also an extant outline planning permission (P1232.06) for the redevelopment of the site which showed the main spine road in a virtually identical position to that which is now proposed.
- 5.5 Site Specific Policy SSA1 of the Havering Local Development Framework states that residential development of the former Harold Wood Hospital site will be allowed subject to a range of criteria. These include the provision of a bus route, pedestrian and cyclist links through the site. Policy DC32 is also relevant and advises that planning permission for new road schemes will only be granted where they are consistent with the Council's road hierarchy, improve conditions for all users, improve safety and public transport accessibility and have net environmental benefits.
- 5.6 The spine road has been designed to a target speed of 20mph with a 6.5m width to enable two way bus traffic with local widening at the bend closest to Nightingale Crescent together with a footway of minimum width 2m shared with a cycleway of minimum width 3m and a 4m wide verge with tree planting and soft landscaping. Traffic calming would be provided through raised platforms at junctions and crossing points. All pedestrian crossing points would be provided with tactile paving and dropped kerbs to assist those with mobility and eyesight difficulties.
- 5.7 The Spine Road would be part of a controlled parking zone under the terms of the proposed legal agreement for P0702.08 and only visitor parking in bays would be allowed adjacent to the carriageway.
- 5.8 The proposed link to Nightingale Crescent has been designed to enable safe access and egress for buses. The proposed bend in the road closest to the Nightingale Crescent entrance has been demonstrated by vehicle tracking diagrams to be of sufficient width and dimensions for buses to negotiate. The intention would be for the spine road to link directly to Nightingale Crescent.
- 5.9 Pedestrian access to the Polyclinic would be maintained from the existing access from The Drive until such time as either or both elements of the Spine Road became available for public use, when pedestrian use from these points would also become available.
- 5.10 The general layout of the spine road includes a non-standard specification for the street lighting which would be unacceptable to the Council's

Highways Department. It is therefore suggested that the wording of the condition requiring that the development be constructed in accordance with the plans be amended to specifically exclude the specification of the street lighting.

- 5.11 The detailed design of any bus stop/s within the site would be subject to a condition requiring such design to be approved by the Council which would be imposed on the overall outline consent
- 5.12 Staff are satisfied that the design of the proposed spine road would satisfy all the requirements of the applicable policies and it is recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

The construction of the spine road would not trigger any requirements under the S106 agreement proposed for the redevelopment of the site under P0702.08.

Human Resources implications and risks:

There are no human resources and risks directly related to this report.

Equalities implications and risks:

The spine road would be constructed to fully meet the needs of those with mobility difficulties, sight impairment and those pushing prams or wheelchairs.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.

4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
6. The relevant planning history.
7. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
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10

REGULATORY SERVICES COMMITTEE

REPORT

09 June 2011

Subject Heading:

P0350.11 – 19-21 Eastern Road, Romford

Demolition of existing building and erection of six storey mixed-use building comprising Class B1 office space with associated reception area and seven residential apartments (Application received 3rd March 2011)

Report Author and contact details:

Helen Oakerbee (Planning Control Manager) 01708 432800

Policy context:

**Local Development Framework
London Plan
National Planning Policy**

Financial summary:

None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application seeks full planning permission for the construction of a new mixed use building within the Office Quarter of Romford Town Centre. The proposed six storey building would include new office floor space together with seven residential apartments. The planning issues include the principle of development, design and street scene impact, parking and highway matters, amenity issues, sustainability and flood risk. These issues are set out in detail in the report below. Staff consider the proposals to be acceptable, subject to a legal agreement to secure a financial contribution towards public realm improvements and improving town centre accessibility. It is therefore recommended that planning permission be granted.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £20,000 to be used towards cycle track improvements, improvements cycle infrastructure and pedestrian accessibility improvements within the local area..
- A financial contribution of £15,000 to be used towards tree planting and landscaping improvement works within the local area.
- A restriction on residents of the development, save for blue badge holders, applying for parking permits within the local area.
- The provision and implementation of a workplace travel plan for the office floor space in accordance with Transport for London guidelines.
- All contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Car parking - Before the building hereby permitted is first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Landscaping - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing

trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according 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 the LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle storage - Prior to completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. Secure by Design - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

9. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development shall be submitted to

and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

10. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority outlining details of how the proposed ecological report recommendations and associated habitat enhancement measures will be implemented. The development shall thereafter be carried out in accordance with the agreed details.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

11. Hours of construction - No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

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

12. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to 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.

13. Construction methodology - 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) dust management controls
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; 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.

And the development shall be carried out in accordance with the approved scheme and statement.

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

14. Land contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to and approved in writing by the Local Planning Authority):

- a) A Phase II (Site Investigation) Report if 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 site 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 (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site,

contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

15. Sustainability - No development shall be commenced until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline how the development will meet the sustainable design and construction of both the London Plan and Local Planning Authority. No occupation of the development shall take place until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall be carried out in full accordance with the agreed Sustainability Statement. Before the development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved. Also no occupation shall take place until the developer provides a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves the minimum BREEAM rating required of "Very Good". The development shall be carried out in full accordance with the agreed Sustainability Statement and a BREEAM Post Construction Assessment shall be carried out on all or a sample of the development to ensure that the required rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document and the London Plan.

16. Renewable energy - Prior to the commencement of the development hereby approved, details of measures to ensure an energy efficient development, including details of any proposed roof mounted solar panels, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out and completed in accordance with the agreed details to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document and the London Plan.

17. Sound insulation - Prior to the first occupation of the commercial elements of the development shall be insulated in accordance with a scheme which shall previously have been submitted to and approved in writing by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

18. Sound attenuation - The residential apartments hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

19. Assessment of noise from adjacent plant - Prior to the commencement of the development an assessment shall be undertaken of the noise from plant and equipment on adjacent buildings and a scheme for protecting the proposed residential apartments from such noise shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme shall be implemented in accordance with the agreed details before the first occupation of the residential apartments.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

20. Railway noise assessment - Prior to the commencement of any development, an assessment shall be undertaken of the impact of:

a) railways noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995)

b) vibration from the use of the railway lines

Upon the site. Following this, a scheme detailing the measures to protect residents from railway noise and vibration is to be submitted to, approved in writing by the Local Planning Authority and implemented prior to the occupation of the development.

Reason: To protect residents from transportation noise and vibration in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

21. River corridor enhancement - No development shall take place until a scheme for the provision and management of compensatory river corridor habitat enhancement has been submitted to and agreed in writing by the local planning authority and implemented as approved. Thereafter the development shall be implemented in accordance with the approved scheme. The scheme shall include:

- details of the planting scheme (native species only within the buffer zone)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc.

Reason: Development that encroaches on the Black's Brook has a potentially severe impact on its ecological value, and past developments adjacent to the brook have shown this. Government policy in Planning Policy Statement 9 states that where proposed development would cause significant adverse impacts on biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensatory measures should be sought.

22. Opening hours of offices - The office floor space hereby approved shall not be used for the purposes hereby permitted other than between the hours of 0700 and 2000 on any day without the prior consent in writing of the Local Planning Authority

Reason: To enable the Local Planning Authority to retain control in the interests of amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

23. Restriction of use - Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended), the B1 office floor space as indicated on the approved plans shall remain as such unless and until an

application to change the use of the units is permitted by the Local Planning Authority.

Reason: To restrict the use of the building to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application.

24. Accordance with Flood Risk Assessment - The development permitted by this planning permission shall only be carried out in accordance with the approved Rainham Flood Risk Assessment (FRA) revision B compiled by Tully De'Ath consultants dated 7th January 2011 and the mitigation measures detailed within the FRA.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

INFORMATIVES

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering will require a licence and the applicant must contact the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.
2. In aiming to satisfy condition 8 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.
3. Under the Water Resources Act 1991 and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for certain works or structures in, over, under or within 8 metres of the top of the bank of Blacks Brook, designated a 'main river'.
4. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP4, CP9, CP15, CP17, DC2, DC3, DC7, DC12, DC20, DC21, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies ROM13, ROM14, ROM15, ROM17, ROM19, ROM20 and ROM21 of the LDF Romford Area Action Plan Development Plan Document. The proposal is also considered to be in accordance with the provisions of Policies 2A.8,

3A.3, 3A.5, 3A.6, 3B.1, 3B.2, 3B.3, 3C.1, 3C.2, 3C.23, 3C.24, 3D.1, 3D.2, 3D.14, 4A.1, 4A.2, 4A.3, 4A.4, 4A.7, 4A.11, 4A.12, 4A.13, 4A.14, 4B.1, 4B.5, 4B.6, 4B.8, 4B.9 and 4B.10 of the London Plan.

Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (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 on the north west side of Eastern Road within Romford Town Centre. The site is situated 130 metres to the west of Mercury Gardens which forms part of the town's ring road. The site is presently occupied by two inter-linked former residential properties which are presently in office use. There is an area of hard surfacing to the front and rear of the building both of which are presently used for parking. The site is broadly rectangular in shape with a width of 15 metres by 38 metres in depth. The site has an area of 0.06 hectares. To the rear of the site (north) is an open portion of Blacks Brook a small river channel which is culverted for the majority of its length. There is a change in ground levels across the site with the ground gently sloping away from the site frontage towards the rear (north). The change in level is approximately 0.6 metres.
- 1.2 The immediate area along Eastern Road predominantly comprises a collection of office buildings all of around five stories in height. The majority of the buildings are finished in either red facing brickwork with large areas of glazing or white render with horizontal or vertical strip glazing. The only exceptions to this are the buildings presently on the application site, a building on the adjoining site at 21a Eastern Road and the Romford Old Folks Club. 21a Eastern Road comprises a two storey flat roof brick building which appears to be presently vacant. The Romford Memorial Old Folks Club is a single storey brick building with timber cladding with a shallow pitched roof finished in corrugated panels.

2. Description of Proposal

- 3.1 This application seeks planning permission for the demolition of the existing building on site and the construction of a new six storey building. The proposed building would provide 962 square metres of class B1 office space and seven residential apartments (4 no. two bedroom and 3 no. three bedroom). At ground floor would be an undercroft parking area, a reception for the office accommodation and a separate entrance for the residential apartments. The first and second floors of the building would comprise of office space. The third floor of the building would comprise office space and a single three bedroom residential apartment. The fourth floor would comprise 2 no. three bedroom apartments and 1 no. two bedroom apartments. The fifth floor of the building would comprise 3 no. two bedroom apartments.
- 3.2 The proposed building would be 14.3 metres in width by a maximum depth of 28.5 metres. The proposed building would be of flat roof design with a maximum height of 18.2 metres. The building would be finished in a white render with grey aluminium windows and black UPVC rainwater goods. To the front façade the central portion of the building would feature full height glazing separated by a natural coloured weatherboarding. At ground floor level the proposed office and apartment entrances would feature full height glazing and grey blue facing brickwork. The top floor of the building would be recessed and feature full height glazing to the front and rear elevations. To the rear elevation the proposed building would have a staggered façade which would enable the provision of external terrace areas to the fourth, fifth and sixth floors. The external terrace areas would feature dark grey powder coated steel railings.

3. Relevant History

- 3.1 There is no relevant planning history.

4. Consultations/Representations

- 4.1 The application was advertised and neighbour notification letters sent to 59 adjoining addresses with no letter of representation being received.
- 4.2 The Environment Agency raises no objection in principle to the proposed development subject to the imposition of a planning condition.
- 4.3 Thames Water raises no objection with regard to sewerage infrastructure.

5. Relevant Policies

- 5.1 LDF Core Strategy Development Plan Document

CP1 – Housing Supply
CP2 – Sustainable Communities

CP4 – Town Centres
CP9 – Reducing the need to travel
CP15 – Environmental Management
CP17 - Design

5.2 LDF Romford Area Action Plan Development Plan Document

ROM13 – Romford Office Quarter
ROM14 – Housing supply
ROM15 – Family accommodation
ROM17 – Greening Romford
ROM19 – Tall buildings
ROM20 – Urban design
ROM21 – Public spaces

5.3 LDF Development Control Policies Development Plan Document

DC2 – Housing mix and density
DC3 – Housing design and layout
DC7 – Lifetime homes and mobility housing
DC12 – Offices
DC20 – Access to recreation and leisure including open space
DC21 – Major developments and open space
DC32 – The road network
DC33 – Car parking
DC34 – Walking
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
DC59 – Biodiversity in new developments
DC61 – Urban design
DC63 – Delivering safer places
DC72 – Planning Obligations

5.4 The London Plan

2A.8 – Town centres
3A.3 – Maximising the potential of sites
3A.5 – Housing choice
3A.6 – Quality of new housing provision
3B.1 – Developing London's economy

- 3B.2 – Office demand and supply
- 3B.3 – Mixed use development
- 3C.1 – Integrating transport and development
- 3C.2 – Matching development to transport capacity
- 3C.23 – Parking strategy
- 3C.24 – Parking in town centres
- 3D.1 – Supporting town centres
- 3D.2 – Development in town centres
- 3D.14 – Biodiversity and nature conservation
- 4A.1 - Tackling climate change
- 4A.2 - Mitigating climate change
- 4A.3 – Sustainable design and construction
- 4A.4 - Energy Assessment
- 4A.7 - Renewable energy
- 4A.11 – Living roofs and walls
- 4A.12 – Flooding
- 4A.13 – Flood risk management
- 4A.14 – Sustainable drainage
- 4B.1 - Design principles for a compact city
- 4B.6 – Safety, security and fire protection
- 4B.5 – Creating an inclusive environment
- 4B.8 - Respect local context and communities
- 4B.9 – Tall buildings
- 4B.10 – Large scale buildings design and impact

5.5 Government Guidance

- Planning Policy Statement 1 – Delivering Sustainable Development
- Planning Policy Statement 3 – Housing
- Planning Policy Statement 4 – Planning for Sustainable Economic Growth
- Planning Policy Statement 9 – Biodiversity and Geological Conservation
- Planning Policy Guidance Note 13 – Transport
- Planning Policy Statement 22 – Renewable Energy
- Planning Policy Guidance Note 24 – Planning and Noise
- Planning Policy Statement 25 – Development and Flood Risk

6. **Staff Comments**

- 6.1 The issues arising from this application are the principle of development, the layout and density of the development, design and street scene issues, impact on amenity, parking and highway issues, sustainability and community safety.
- 6.2 Principle of Development
 - 6.2.1 The application site is located in part of Romford Town Centre known as the 'Office Quarter' in the Romford Area Action Plan. The Office Quarter is bounded by Western Road to the north, Mercury Gardens to the east, Chandlers Way to the west and the railway line to the south. Whilst the

Office Quarter is regarded by the Council as an important office location in east London it is acknowledged that the existing office stock is becoming dated and may not meet the needs of current and future potential occupiers. In order to replenish the existing stock and help meet the forecast need for new office space, the Council has adopted policy through the Romford Area Action Plan to allow for more intensive forms of development. The Council's aspirations for the Office Quarter are to see the creation of a high quality business district incorporating new public open spaces, cafes and restaurants.

6.2.2 Policy ROM13 of the Romford AAP is seen as the key policy for development proposals in this part of the town centre. Policy ROM13 advises that proposals to increase the office accommodation in the Office Quarter will be encouraged. In order to increase the vitality and viability of the Office Quarter higher densities will be allowed and residential and Class A3 uses encouraged provided that:

- There is no net loss of office space in any redevelopment of existing sites;
- New developments include a significant element of new office space within the scheme; and
- In line with ROM17 and ROM21, new developments incorporate tree planting and green amenity space, and new hard landscaped public spaces

6.2.3 The proposal would result in the demolition of the existing two storey building on the site which provides 437 square metres of class B1 office space. The proposed development would see the construction of a new mixed use building comprising 962 square metres of class B1 office space and seven residential apartments. Staff are of the view that the proposed development would include a significant element of new office space as sought by Policy ROM13. The inclusion of seven residential units is considered to be acceptable in principle and would help to improve the vitality and viability of the Office Quarter.

6.2.4 The Council recognises that there are issues about the quality of the environment in the Office Quarter and the wider town centre. To address these concerns the Council's objectives for the town centre include proposals to increase the quality of public open space and to plant additional trees. One such project is 'Greening the Ring Road', which is one of the Mayor of London's 100 Public Spaces Programme. Given the size of the application site there is limited opportunity to include a new public open space or undertake meaningful tree planting within the site itself. Therefore, in accordance with Policies ROM17 and ROM21 staff have requested that the applicant pay a financial contribution towards improvements to the public realm within the vicinity of the site. A sum of £15k has been requested and at the time this report was written for Committee negotiations were ongoing. Members will be updated verbally on the evening of the Committee of the outcome of these negotiations. In the event that the applicant agrees to a pay the contribution this could be secured via legal agreement.

6.2.5 Government planning policy contained within PPS1 encourages a mixture of uses within town centres, which can assist in creating vitality, diversity and a reduction in the need to travel. PPS1 also seeks to ensure that housing is available where jobs are created and encourages the provision of a mixture and range of housing. PPS3 encourages the efficient use of previously developed land and the provision of residential development in urban areas. Staff are of the view that the proposed mixed use development is acceptable in principle having regard to both local and national planning policies.

6.3 Residential

6.3.1 The proposed mixed use development would incorporate seven residential apartments to the upper floors of the building. Within Romford Town Centre Policy DC2 of the LDF anticipates a residential development density of 240-435 units per hectare. Disregarding the non-residential floor space that is proposed as part of the proposal, this represents a residential density of approximately 116 units per hectare. Having regard to the fact that the proposal is for a mixed used redevelopment of the site staff are of the view that the density of development is acceptable. Staff are of the view that the proposal would make efficient use of previously developed land in accordance within guidance contained in the London Plan and PPS3.

6.3.2 Policies DC2 and DC6 seek to ensure that residential development proposals provide a good mix of unit sizes in accordance with local housing need surveys. This proposal would provide 4 no. two bedroom and 3 no. three bedroom apartments. As recognised by Policy ROM15 there is a need for larger family units within Romford Town Centre therefore staff consider that the mix of apartment types within the scheme is acceptable. The proposed apartments would be arranged across the third, fourth and fifth floors of the building. The proposed apartments would be arranged around an internal stair and lift well. The size of the apartments would be between 64 and 76 square metres for the two bedroom apartments and between 82 and 95 square metres for the three bedroom apartments. The proposed apartments are considered to be adequately sized and are self-contained. The relationship between each of the proposed apartments and their stacking is considered to be acceptable.

6.3.3 The proposed flat to the third floor of the building (labelled plot 1 on the submitted plans) would be sited on the same floor as some of the proposed office space. Whilst it is unusual to have a situation where a residential accommodation is provided immediately adjacent to office space staff are of the view that the relationship would not be harmful to future occupiers. The operation of the proposed office during the daytime would be unlikely to disturb future occupiers of the proposed flat given the existing background ambient noise levels to be expected in a town centre location. In the later evening and overnight period when a future occupier would expect a reduced level of noise the proposed office accommodation is likely to be closed. Future occupiers would however be aware of this relationship prior

to occupying the flat and the attractiveness of the flat as living accommodation would be a matter of choice for the prospective occupiers. Nevertheless a sound proofing condition and a restricting on the opening hours of the offices is recommended to ensure that amenity is safeguarded. Users of the proposed office accommodation would not be materially affected by the residential use.

6.3.4 The design of the proposed apartments is such that they would be fully accessible to those with disabilities, with each of the units being built to meet the Lifetime Homes standard. The proposal is considered to accord with Policy DC7 in this respect and would provide residential accommodation to meet the needs of individuals throughout their lives through changing circumstances.

6.3.5 In respect of amenity space Members will be aware that the Council has adopted a Supplementary Planning Document (SPD) for Residential Design which unlike previous guidance does not prescribe fixed standards for private amenity space. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In the case of flatted schemes the SPD advises that both balconies and communal amenity space will be expected. The proposed development would see the provision of external terrace areas for each flat. The terraces would vary in area between 4 and 14 square metres. Staff are of the view that the proposed terrace areas are acceptable. Given the location of the application site and the mixed use nature of the proposed development no communal amenity space would be provided. Members will be aware that in order to include an element of housing within town centres Government guidance encourages local authorities to take a flexible approach with amenity space standards. Staff are of the view that the absence of communal amenity space from within the development is acceptable and would not be unacceptably harmful to local character of future occupiers of the development. The absence of amenity space from the development is consistent with other recent planning decisions for flatted development within Romford Town Centre.

6.4 Site Layout and Design

6.4.1 The proposed development would cover the majority of the site area however development which is close to site boundaries is common within a built up urban environment such as Romford Town Centre. The Eastern Road street scene is drawn by a variety of office buildings which are for the most part constructed tight to the site boundaries. The extent of site coverage and the position of the proposed building within the site is not therefore materially out of keeping with surrounding development. The existing building on site sits roughly 5-6 metres from the back edge of the footway which is in contrast to the majority of adjacent and newer developments within the street which maintain a front building line of about 4 metres from the back edge of the footway. The proposed building would

therefore be sited closer to the front site boundary than the existing building in order that the building line of adjoining buildings is continued.

- 6.4.2 Romford Town Centre is characterised by a variety of building forms and heights. Within the Romford Office Quarter the scale of development is currently predominantly four storeys however in order to increase the development potential of sites and enable mixed use development Policy ROM13 advises that buildings of between six and eight storeys will be encouraged. Policy ROM19 relating specifically to tall buildings acknowledges that high buildings may be acceptable in principle within the office quarter. For the purposes of the Local Development Framework tall buildings are defined as buildings of 6 storeys or greater or buildings over 18 metres in height above ground level. All tall buildings should be of exemplary high quality and inclusive design and must comply with policy guidance as set out in Policy DC66. This Policy advises that tall buildings should preserve or enhance the natural environment, the historic environment, local amenity and the local character of the area. Policy DC66 also seeks to ensure that new development is suited to the site and to the wider context in terms of proportion, composition and relationship to other buildings.
- 6.4.3 The proposed building would be six storeys in height, although the visual impact of this would be mitigated by the recessed nature of the top floor and the use of full height glazing giving the top floor a lightweight appearance. The proposed building would take a contemporary form, particularly evidenced by the chosen palette of external materials and flat roof design. The bulk and massing of the proposed building would be broken down by the use of a range of external materials. The ground floor of the building would be formed of grey blue facing brickwork with full height glazing to provide an active frontage to the street. The façade of the building would be formed of two vertical rendered bays interspersed by large window openings and weatherboarding. The central section of the building's façade would be formed of full height glazing interspersed by weatherboarding. Staff are of the view that the bulk and massing of the building is acceptable and that the proposal would have an acceptable relationship with the street scene and adjoining buildings. The materials chosen for the proposed development are contemporary and durable and would require minimal maintenance. Staff are of the view that the proposed materials would provide a suitably high quality appearance for the development. The proposed materials would give the development an attractive and distinctive character which staff consider would be complimentary to the local area. Further details of materials including samples can be requested via condition.
- 6.4.4 The proposed building has been designed with the majority of window openings facing the street or towards the rear. The reasoning behind this is to prevent the proposed development from prejudicing the redevelopment of adjoining sites in the future. The limited number of window openings in the flank walls of the proposed building would result in these elevations appearing somewhat unrelieved. In street scene terms the flank wall of the

building facing west would be screened by the adjoining building at nos. 9-17 Eastern Road. To the east of the site however the adjoining site at 21a Eastern Road is presently occupied by a two storey flat roof building. The height of the adjoining building would result in the majority of the proposed building's east facing elevation being visible from within the street scene. Members are therefore invited to exercise their judgement in respect of the appearance of the flank wall within the street scene. The need to ensure that the proposed building does not prejudice the redevelopment of the adjoining site has to be balanced against the impact of the proposal in design terms. As a matter of judgement staff are of the view that the impact of the flank wall would be acceptable in the street scene.

6.4.5 The forecourt area of the proposed development onto Eastern Road would feature two parking spaces, access paths for the building and a central roadway area providing access to an undercroft parking area. The forecourt would be predominantly block paved with planting beds provided against either flank boundary. Members are invited to exercise their judgement in respect of the visual impact of the proposed forecourt layout in the street scene. Although the proposal would result in a fairly large area of hard surfacing the existing forecourt area is entirely hard surfaced with tarmac. The proposal would therefore provide an opportunity to introduce better quality surfacing materials and some areas of landscaping. Staff are of the view that the proposal is acceptable and would not appear out of character with the street scene.

6.5 Impact on Amenity

6.5.1 To the west of the application site is a five storey office building at nos. 9-17 Eastern Road. This building is effectively a T shape and projects towards the rear for almost the entire depth of its plot. Given the configuration of the building on the site there are a number of windows facing towards the application site. The portion of the neighbouring building nearest to Eastern Road and the party boundary with the application site contains only one small window which is understood to serve a stairwell. The rear portion of the neighbouring building is set 9.5 metres from the party boundary with the application site. The proposed building would be set off the boundary by 2.9 metres resulting in a separation distance between the two buildings of 12.4 metres. Although the proposed building may reduce the light received given that the neighbouring building is in office use this is not judged to be harmful.

6.5.2 To the east of the application site is a two storey commercial building at 21a Eastern Road which appears to be presently vacant. The building has a number of flank windows facing the application site however these each contain frosted glass and are understood to serve kitchens and toilets. Although the proposed building would be significantly taller and deeper than the adjoining building this is not judged to be harmful given that it is in commercial use.

6.6 Parking and Highway Issues

- 6.6.1 Access into the application site would continue to be taken from Eastern Road via the existing vehicular crossover which runs across the width of the site. Two frontage parking spaces would be provided necessitating the reversing of vehicles out into the highway. This situation is however no different to the current arrangement and as such is judged to be acceptable. The proposed building would have a gated undercroft parking area which would be accessed via a central drive. The configuration of the proposed front forecourt is such that cars would be able to pull off the highway whilst the gates are opening. Staff are of the view that access to the proposed undercroft parking area is acceptable and that sufficient manoeuvring space would be provided to enable cars to turn within the site and leave in a forward gear.
- 6.6.2 Policy DC33 seeks to ensure that new developments provide sufficient off street car parking to prevent overspill onto the public highway. The proposed development does not propose to provide any car parking for the proposed residential units. Within Romford Town Centre Policy DC2 of the LDF anticipates a low of parking provision of less than one space per residential unit. Members will be aware that Government guidance contained in PPS3 and PPG13 encourages Local Planning Authorities to seek a greater intensity of development at places with good public transport accessibility and to reduce parking in these locations to encourage alternatives means of transport. Government guidance also encourages Local Planning Authorities to allow developments with limited or no off-street car parking in areas where effective on-street parking control is present or can be secured. The application site is considered to be well served by public transport in being located within a short walk of the railway station and bus interchange. In addition the streets adjoining the site are restricted with parking controls with Eastern Road covered on one side by a yellow line restriction Monday to Saturday 0830 till 1830 and a double yellow line no stopping restricting on the other. Having regard to Government guidance staff are of the view that the reliance on no off street car parking within the development for the proposed residential units can be accepted. In order to prevent an overspill of vehicles onto the highway it is recommended that future occupiers of the residential apartments be restricted from applying for parking permits through an obligation within the legal agreement.
- 6.6.3 The proposed development would see the provision of ten parking spaces for use by future occupants of the proposed offices. Annex 5 of the LDF advises that for offices 1 parking space should be provided per 100 square metres of floor space. In this case the proposed building would contain 962 square metres of floor space resulting in a requirement for 10 parking spaces. The proposal would see the provision of two frontage parking spaces and eight undercroft. Three of the parking spaces would be extra wide to enable disabled access.

- 6.6.4 The proposed development would include an internal secure storage area for bicycles with one space per residential unit and four spaces proposed for the office space. Staff are of the view that the proposed development would make adequate provision for bicycles and that this would in turn encourage cycling. The proposal is considered to comply with Policy DC35 of the LDF and Policy 3C.22 of the London Plan in this respect.
- 6.6.5 The likely trip generation from the proposed development would be unlikely to have a significant impact on local traffic conditions. In order to ensure that any traffic impact arising from the development is limited and to encourage alternative means of transport to the site staff recommend that a workplace Travel Plan is secured via legal agreement in accordance with Transport for London guidelines. The proposed development would be likely to increase footfall along Eastern Road and has the potential to result in increased cycling within the vicinity. It is on this basis that a financial contribution has been requested from the applicant towards the cost of improving pedestrian accessibility and cycle tracks within the local area. At the time this report was written for Committee negotiations in respect of the financial contribution were ongoing. Members will be updated verbally on the evening of the Committee of the outcome of these negotiations. In the event that the applicant agrees to a pay the contribution this could be secured via legal agreement.
- 6.6.6 Servicing of the proposed development would take place from the street. At the present time there is a loading bay directly outside the adjoining building at nos. 9-17 Eastern Road which could be utilised for the proposed development. The proposed development would see the provision of a secure refuse and recycling store on the ground floor adjacent to the undercroft car parking entrance. The proposed store area would be divided into two so that commercial and residential waste is separated. On collection days bins would be wheeled out of the site to a waiting refuse vehicle parked on street. Staff are of the view that the proposal makes adequate provision for the storage of waste in accordance with Policy DC40 and that the proposed servicing arrangements are acceptable.
- 6.7 Flood Risk and Drainage
- 6.7.1 Havering's Strategic Flood Risk Assessment (SFRA) identifies that the application site is situated within fluvial flood zone 3 due to its close proximity to Black's Brook. Approximately the rear 75% of the site is designated as being flood zone 3b (functional flood plain) with the remainder of the site being flood zone 3a (high probability). Government guidance contained within PPS25 requires that a risk based sequential test is applied at all stages of the planning process with the aim of steering new development to areas with the lowest possibility of flooding. According to PPS25 table D1 less vulnerable uses of land including offices are acceptable within flood zone 3 however residential development is not normally appropriate.

- 6.7.2 Staff have applied the sequential test process to this application and have concluded that despite the site being within a zone of flood risk, the site is the most suitable within the vicinity for the nature of development proposed. The Environment Agency have been consulted on this application and advise that the sites current flood zone classification is based upon national modelling software rather than detailed modelling of Black's Brook itself. The Environment Agency's national modelling software assumes that a river is in natural channel whereas Black's Brook is a manmade culvert channel. The Environment Agency has advised that in their view, based upon modelling and historic data, the application site is highly unlikely to be at risk of flooding from Black's Brook. Given this the Environment Agency has raised no objection to the proposals subject to the development being constructed in accordance with the mitigation measures outlined in the applicant's Flood Risk Assessment. The submitted Flood Risk Assessment outlines a number of measures to ensure that the proposed building would be safe and would not increase the likelihood of flooding. These measures include the provision of a buffer zone with Black's Brook, raised internal floor levels and the use of flood resistant materials. Staff are of the view that the proposal is acceptable and complies with Policy DC48 of the LDF in respect of flood risk.
- 6.7.3 Policy DC48 of the LDF requires that Sustainable Urban Drainage Systems (SUDS) are considered as part of development proposals. SUDS aim to limit the outflow of run-off water from new development. The submitted Flood Risk Assessment identifies that the proposed parking areas would be constructed using permeable paving and that soakaways could be used if the ground is found to have a reasonable soakage rate.
- 6.8 Biodiversity
- 6.8.1 Policy DC57 of the LDF advises that where a site is located in close proximity to a river, the Council will in appropriate circumstances seek river restoration. Through consultation with the Environment Agency the proposed building has been carefully designed in such a manner as to minimise impact on the adjacent Black's Brook and to enhance the quality of this watercourse. The rear portion of the application site adjacent to Black's Brook presently comprises an area of hard standing and a single storey outbuilding. The proposed development would see the creation of a 5 metre buffer zone between the southern bank of Black's Brook and the rear of the new building. Within the proposed buffer zone the ground level would be reduced in order that a more naturally shaped bank is provided with the Brook. The proposed buffer zone would be left clear of any obstructions and planted with native wild flower and grassland mix. Staff are of the view that the proposed works to the bank of the watercourse are acceptable and complies with the objectives of LDF Policy DC57.
- 6.8.2 The proposed building would be taller and nearer to the Brook than the building it replaces and as such could cause additional shading of the watercourse. This in turn has the potential to be harmful to any aquatic

plants or animals. In order to minimise any possible shading of Black's Brook the proposed building has been designed with a staggered rear elevation so that as the building becomes taller the upper floors are set back further into the site. Staff are of the view that this arrangement is acceptable.

- 6.8.4 Artificial lighting can cause disruption to a range of wildlife using and inhabiting the river and its corridor habitat. In order to prevent light spill into the Brook the proposed building has been designed with minimal exterior lighting to the rear and with brise soleils or louvred sun breakers affixed to the rear façade of the building to reduce light spill from windows on the upper floors. Staff are of the view that it would be reasonable to require further details of the proposed external lighting via planning condition.
- 6.8.5 Policy DC59 of the LDF advises that enhancements to biodiversity will be sought through new development proposals. A portion of the roof area of the proposed building would accommodate a 'brown roof'. The purpose of a brown roof is to introduce many of the characteristics of a typical brownfield site. The proposal would see different substrates provided over the roof area such as gravel, crushed concrete and logs. While no plants would be provided the concept of a brown roof is to allow the roofs to self-colonise. The proposed development would create a new habitat within the town centre for insects and provide a feeding site for birds. A 'green wall' is also proposed on the north facing side of the building. A green wall is a living cladding system which utilises climbing plants, supported on a trellis system attached to a wall. In this case the proposed green wall would support plant species native to Essex and would provide a benefit to wildlife through opportunities such as feeding. The proposed green wall would also assist in reducing surface water run off. Having regard to the quality of the existing site and the biodiversity enhancement measures outlined above staff are of the view that the proposal would result in suitable biodiversity enhancements as advocated by local and national planning policies.

6.9 Sustainability

- 6.9.1 Council policy advises that planning permission for major developments will only be granted where they are built to a high standard of sustainable construction. Furthermore in line with the London Plan and PPS22 Council policy requires that major development proposals incorporate on-site renewable energy equipment to reduce CO₂ emissions by at least 20%. The proposed mixed use building would adopt a number of sustainable construction techniques which would ensure that it meets the required planning standards for a major development. The proposed building would incorporate features designed to maximise CO₂ savings, as well as delivering cost savings to future residents of the development. A 20% improvement on the predicted CO₂ emissions over Building Regulations would be delivered from on-site generation of renewable energy through the provision of solar panels to the roof of the building. The applicant has indicated a commitment to achieving a BREEAM 'Very Good' rating for the

office component and Code for Sustainable Homes 'Level 4' for the residential element which could be secured via planning condition. Having regard to the above staff are of the view that the proposal complies with Policies DC49 and DC50 and the contents of the Supplementary Planning Document for Sustainable Design and Construction.

6.10 Other matters

6.10.1 Policy DC53 requires that development proposals have regard to whether an application site is contaminated and to identify any potential risks to human health, flora or fauna or the water environment. In the event that planning permission is granted a condition is recommended to secure a full investigation of the site.

6.10.2 Policy DC55 advises that planning permission will not be granted if a proposal would result in exposure to noise or vibrations above acceptable levels. The application site is sited on the northern side of Eastern Road and as such is removed from the railway line on the southern side of the street. The proposed development would however be within approximately 40 metres of the railway line. In order to protect the amenity of future residential occupiers the Council's Environmental Health Service recommend that a condition is imposed requiring the submission of an assessment of potential noise and vibration prior to the commencement of the development. This condition would enable any necessary mitigation measures to be built into the detailed design stage of the building.

6.10.3 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect subject to planning conditions recommended by the Borough Crime Prevention Design Advisor, namely conditions in respect of the Secure by Design award scheme and CCTV. Staff are of the view that the mixed use nature of the proposed development would ensure that during periods when the offices are closed the residential element of the scheme would ensure natural surveillance of both the site and the surrounding area.

7. Conclusion

7.1 There is no objection in principle to the redevelopment of the application site with a mixed use building having regard to Policy ROM13. The proposal would provide a contemporary six storey building of flat roof design, finished in white coloured render. The proposal is considered to be acceptable in terms of design, layout and visual impact. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would not prejudice the redevelopment of adjoining sites. Staff are of the view that the proposal is acceptable in respect of flood risk subject to a condition requested by the Environment Agency. The proposal would provide for a range of biodiversity enhancement measures and comply with current policy in respect of sustainability objectives. The proposal would not result in any parking or highways issues. It is concluded that the proposal,

in staff view, complies with local and national planning policy requirements
Staff recommend approval of the application subject to the completion of a
legal agreement and the imposition of planning conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required for the drafting of a legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposed development would provide apartments which meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers. The office element of the proposed development would feature level access and lift access to each floor. The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application form, plans and supporting statements received on 3rd March 2011.

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11

REPORT

REGULATORY SERVICES COMMITTEE

9 June 2011

Subject Heading:

**P0037.11 – Ingrebourne Links,
Rainham, Essex (Application received
5th January 2011)**

**Temporary construction plant and
vehicle learning centre, with site
buildings for classroom, welfare and
car parking.**

Report Author and contact details:

**Simon Thelwell
Planning Control Manager
Telephone: 01708 432685
Simon.thelwell@havering.gov.uk**

Policy context:

**London Plan; Local Development
Framework**

Financial summary:

No financial impact to the Council.

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input checked="" type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The application relates to a 3.4 hectare area within the site that is currently being developed as a new 27 hole golf course (Ingrebourne Links) at Moor Hall Farm.

The application was deferred from the 19th May Committee meeting at the request of staff to enable further review of the applicant's case for very special circumstances. A copy of the previous report is appended.

Staff recommend that temporary planning permission should be granted subject to conditions.

RECOMMENDATIONS

That temporary planning permission be granted subject to the planning conditions below:

CONDITIONS:

1. This permission shall be for a limited period only expiring on 19th May 2016 on or before which date the use hereby permitted shall be discontinued, the buildings and works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority or in accordance with P0319.09.

Reason: The nature of the use would not be acceptable as a permanent use in the Green Belt.

2. SC32 - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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

3. The use hereby permitted shall only be carried out between the hours of 0700 – 1800 Monday to Friday and 0700 – 1300 Saturday and not at all on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To ensure that the minimum harm is caused to the amenities of the area and that of local residents.

4. The development hereby permitted shall only be carried out in accordance with the approved non-mains drainage assessment including the following specific mitigation measures detailed therein:
 - Surface water collection system design to include an oil interceptor prior to entry into pond.

Reason: To ensure the proposed activity does not discharge hazardous substances which would enter groundwater.

5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the Applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Significant archaeological remains may survive on the site. Accordingly the Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPS5.

6. 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 I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if 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 site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

- 7 Prior to the commencement of the use hereby permitted 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 $L_{A90} - 10\text{dB}$ and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendation of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

- 8 The maximum number of trainees on the application site shall not exceed 30 at any one time.

Reason: In the interests of safety.

- 9 Prior to the commencement of the use hereby permitted a scheme for the management and control of dust shall be submitted to, and approved in writing by, the Local Planning Authority to control the adverse impact of the development on the amenity of the public and nearby occupiers and the approved scheme shall be implemented and in place throughout the period of the temporary consent.

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

INFORMATIVES

Archaeology

The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

Community Safety

In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Police Crime Prevention Design Advisor through Havering Development and Building Control or Romford Police. He is able to provide qualified designing against crime advice, taking account of local conditions and risks. You are strongly advised to contact him at the earliest opportunity.

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP3, CP14, CP15, CP16, DC13, DC45, DC52, DC53, DC55, DC58, DC70 of the Core Strategy and Development Control Policies Development Plan Document.

REPORT DETAIL

1.0 Background

- 1.1 This application was deferred from consideration at the meeting of 19th May Regulatory Services Committee at the request of staff. The deferral was requested to enable the applicant's case for very special circumstances to be further investigated and to ensure that the report accurately reflected them. A copy of the previous report is appended

2.0 Reasons for the Deferral

- 2.1 The applicants have been invited to further expand on the very special circumstances that they consider apply to the proposal which make it acceptable as an exception to the normal presumption against inappropriate development in the Green Belt. The following matters have been raised as providing the very special circumstances.
- The development would be temporary for the duration of the golf course construction so does not conflict with any of the five main purposes of the Green Belt (set out in the main report);

- The practical training of operatives in the safe use of a range of construction plant requires a large secure area which are rarely available within built-up areas;
- There are no similar facilities within the North and East London catchment demonstrating a strong demand/need for the project;
- The site is accessible for potential trainees as it is easily accessed by car and there will shortly be a new bus stop as part of the golf course scheme;
- The location well within the overall golf course development site means that a potentially noisy and disruptive use can be accommodated with little or no risk of disturbance to neighbouring properties;
- Construction Skills Learning is encouraged and supported by Government and will help ensure a supply of properly trained personnel to the construction industry;
- A large part of the training will use the same plant that is being used to construct the golf course so the temporary training activities will be far less noticeable than they would otherwise be and will only marginally increase the impact of the overall golf course construction.
- The site would be recontoured and landscaped during the final phase of the golf course development and incorporated into the course. The use would not be acceptable as a permanent facility nor would it be an acceptable neighbour for the golf course.

3. Conclusion

- 3.1 Staff consider that the particular circumstances of this application are quite unique. The overall golf course development site is large enough for the proposed site and its use to be well contained such that would be remote from residential properties. At the same time position of the main entrance to the site on the A1306, the availability of adequate parking and the prospect of a new bus stop offer good accessibility for potential trainees. This accumulation of factors are unlikely to be repeated elsewhere in the foreseeable future and offer the opportunity to provide a necessary training facility without causing significant harm to the Green Belt or other acknowledged interests.
- 3.2 Staff are satisfied that there is no significant conflict with Green Belt Policy and that the above constitute sufficient very special circumstances to justify the grant of a temporary planning permission. The recommendation for approval remains unchanged.

IMPLICATIONS AND RISKS

Financial implications and risks:

No financial implications or risks.

Legal implications and risks:

None.

Human Resources implications and risks:

There would be no human resource implications or risks.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equalities and diversity.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
6. The relevant planning history.

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REGULATORY SERVICES COMMITTEE

9th June 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P0405.11	
WARD :	Havering Park	Date Received: 14th March 2011
ADDRESS:	Doric 16 North Road Havering-atte-Bower, Romford	
PROPOSAL:	Raising of the roof, single/ two storey rear extension, front , side and rear dormers, single storey front extension	
DRAWING NO(S):	2622.01 2622.02 2622.03A 2622.04A	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

RECOMMENDATION

That planning permission should be granted.

SITE DESCRIPTION

The site comprises of a single storey detached bungalow, which is located on the north western side of North Road. North Road slopes downhill from south to north. The land is situated within the Metropolitan Green Belt and the Havering Ridge Area of Special Character.

DESCRIPTION OF PROPOSAL

The proposal is for a single/two storey rear extension, increase in roof height, front, side and rear dormer windows and a roof light.

The proposed two storey rear element would be to the side of an existing rear projection and would not extend beyond the existing rear building line. This addition would measure 4.45m in depth, 3.7m in width and 6.85m in height to the top of the hipped roof. It should be noted that the existing hipped roof would be extended over this addition.

An additional rear extension is also proposed to the rear of the existing rear projection measuring 4m in depth, 5.1m in width and 3.3m in height to the top of the flat roof. The additional space would be utilised for an extension to the kitchen.

The proposal features one front, side and rear dormer window. All the dormer windows measure 2.2 metres in width, 1.9 metres in depth and 2.6 metres in height to the top of the hipped roofs. The space created would be utilised for two bedrooms and a bathroom.

The roof height of the dwelling would be increased from 5.8 metres to 6.8 metres.

The proposal also features a roof light on the north western flank of the dwelling.

RELEVANT HISTORY

P0110.11 - Raising of the roof, the addition of two flank dormers, and single/two storey extensions to the rear - Withdrawn.

REGULATORY SERVICES COMMITTEE

9th June 2011

OUTSIDE STATUTORY PERIOD

CONSULTATIONS/REPRESENTATIONS

The application has been advertised in 'Living' magazine and by way of a site notice as a departure from Green Belt policies. A total of 4 neighbouring occupiers were notified of the proposal. No letters of representation have been received.

RELEVANT POLICIES

Residential Extensions and Alterations Supplementary Planning Document CP14, CP17, DC33, DC45, DC61 and DC69 of the LDF Core Strategy and Development Control Policies DPD. PPG2 (Green Belt) is also relevant.

STAFF COMMENTS

The issues arising from this application are the impact of the proposal on the Metropolitan Green Belt, the impact on the Havering Ridge Area of Special Character, impact on the streetscene, amenity implications and any highway or parking issues.

GREEN BELT IMPLICATIONS

The application site falls within the Metropolitan Green Belt however, this does not preclude extensions to residential properties in principle. National and local policies refer to a presumption against inappropriate development in Green Belt areas. Paragraph 3.4 of PPG2 states that "limited extension, alteration or replacement of existing dwellings" is not inappropriate providing the advice in Paragraph 3.6 is heeded. Paragraph 3.6 states that extensions should "not result in disproportionate additions over and above the size of the original building."

The original dwelling was built in the 1930's and had a volume of some 380 cubic metres. The property has been extended over the years and the current proposal together with previous extensions would result in a overall volume of 620 cubic metres. The extensions therefore result in a volume of 240 cubic metres or 63% greater than the volume of the original dwelling. From this it can be seen that the proposed volume is greater than the 50% normally regarded as acceptable by Policy DC45. Staff do however recognise that the property was fairly small when first built which is taken into account in policy. Also the proposed footprint is not significantly greater than that of the existing structure. However, as the combined volume of all the extensions fails to comply with policy, this would be a matter of judgement for members.

In Staff's view, it is considered that the proposal would not have a detrimental impact on the openness and character of the Green Belt, as the majority of the extensions would be contained within the roof space of the dwelling and the proposed footprint would not be that much different than the existing structure.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposed rear additions are not considered to result in an unacceptable impact on the rear garden environment as they would relate well to the existing dwelling and would be similar to that of neighbouring extensions.

The Residential Extensions and Alterations SPD states that dormers should be contained well within the body of the roof, by being set well back from the eaves, and by setting the sides well in from any gables or party walls. Dormers must never extend above the ridge line of the roof and should be located well below it. All windows at roof level, particularly dormers, should relate to the windows of the original house in proportion, design and position. Dormers with pitched roofs set at right angles to the main roof are preferred. If the Council considers that a dormer facing the highway will not cause harm to the original house or street scene, its width should be no greater than 1.2 metres. The width should also not exceed the height.

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All the dormers have pitched roofs, are set below the roof ridge and the width would not exceed the height. The width of the front dormer is contrary to guidance, however it is deemed to be acceptable as it would appear in proportion with the existing dwelling. During a site visit, it was noted that neighbouring properties in North Street have front dormers that are of a similar or larger size to the proposal. It is considered that the front dormer window would therefore not appear out of character in the streetscene.

The Residential Extensions and Alterations SPD states that dormer windows in a hipped roof end will not normally be acceptable due to overlooking and design considerations, particularly if it is also proposed to construct dormers on front or rear elevations. When considering the merits of this application, it is noted that there are similar side dormer windows to dwellings in the immediate vicinity in North Road. Also, Staff are of the view that the side dormer would be sufficiently set back within the side roof space not to have a detrimental impact on the streetscene or the special character of Havering Ridge.

It is noted that the streetscene has a varied character with single and two storey detached properties of different styles. As such, it is considered that increasing the height of the dwelling would not adversely affect the streetscene, particularly as North Road slopes downhill from south to north.

The proposal would also not have an unacceptable impact on the Havering Ridge Area of Special Character as there are similar roof extensions to properties within the immediate vicinity. Any potential impact is considered acceptable.

It should also be noted that similar extensions were recently approved by the Regulatory Services Committee at the immediate neighbouring property, No. 15 North Road.

IMPACT ON AMENITY

It is considered that the hipped roofed rear addition (two storey) would not result in an unacceptable impact to neighbouring occupiers as the proposal would be in line with the rear building line of the property at No. 15 North Road and only slightly in excess of the rear building line at No.18. Any potential impact is considered acceptable. Mention should also be made of recently approved extensions at No. 15 North Road which are similar to that proposed to the subject property. These extensions further mitigate any potential neighbouring impact to No. 15.

The single storey rear component would only extend 4m in depth and 3.3m in height and is well set off the flank boundaries. No harmful impact would result.

Only one flank window and a flank rooflight are proposed in the roof space. A condition will be placed to obscure glaze and fix shut the side dormer window serving the the landing. A condition would also be placed to obscure glaze the flank rooflight.

It is considered that the flank windows proposed to the flat roofed rear addition would not result in any overlooking or loss of privacy, as there are sufficient boundary careening and they are well set of the flank boundaries.

HIGHWAY/PARKING

Sufficient space would remain on-site for vehicle parking, in line with policy guidelines. It is considered that the proposal would not create any highway or parking issues.

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KEY ISSUES/CONCLUSIONS

The proposal will have a volume that results in development to the property being greater than the 50% normally permitted by Policy DC45 and its acceptability is a matter of judgement. Based upon the size of the original property and on merit, Staff consider the proposal would not harm the openness of the Green Belt, as the majority of the extensions would be contained within the roof and the proposed footprint is not that much different from the existing footprint. It is considered that the proposal would not be harmful to the streetscene, the Havering Ridge Area of Special Character or the amenity of neighbouring properties. The proposal would not create any highway or parking issues. It is recommended that planning permission be granted.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. S SC10 (Matching materials)
3. S SC32 (Accordance with plans)
4. SC34A (Obscure and fixed glazing)

The proposed window to the side dormer and rooflight serving a landing and bathroom respectively shall be permanently glazed with obscure glass and thereafter be maintained and permanently fixed shut to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. SC46 (Standard flank window condition)

1 INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33, DC45, DC61 and DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

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APPLICATION NO:	P0498.11	
WARD :	Harold Wood	Date Received: 29th March 2011
ADDRESS:	McDonald's Restaurant Bryant Avenue / A127 Harold Wood Romford	
PROPOSAL:	Variation of Condition 1 of Planning Application P1499.09 to enable extended drive through trading hours.	
DRAWING NO(S):		
RECOMMENDATION :	It is recommended that planning permission be REFUSED for the reasons: given at the end of the report.	

CALL-IN

The application has been called in by Councillor Barry Tebbutt for the following reasons:

- to encourage local businesses
- no enforcement notices have been received from either Environmental Health or Trading Standards.

RECOMMENDATION

That planning permission is refused for the reasons given in this report.

SITE DESCRIPTION

The application site is located on the north-eastern side of the Southend Arterial Road (A127), immediately west of its junction with Bryant Avenue. The site itself is triangular in shape, having a frontage width of about 75m to the A127 and a maximum depth of about 45m. The site is currently occupied by McDonnald's Restaurant.

Adjoining the site to the north-west are offices and a yard and a mixture of commercial and industrial activities falling within the Bryant Avenue Commercial Area. To the north-east, there is a highway verge and hammerhead adjacent to Bryant Avenue and the rear garden of residential properties which front Bennison Drive. To the south-west, and on the opposite side of the A127, are flats and terraced houses.

DESCRIPTION OF PROPOSAL

The Council is in receipt of an application seeking planning permission for extended opening hours. The proposal is to vary condition 1 of planning permission P1499.09 to enable drive through trading hours between 06:00 until 03:00 from Sundays to Thursdays and 24 hours on Fridays and Saturdays.

Planning permission P1499.09 allowed for opening hours between 06:00 and 01:00 on Sundays to Thursdays and between 06:00 and 04:00 on Fridays and Saturdays.

RELEVANT HISTORY

Extensive history, most relevant:

P0633.99 - Demolition of existing buildings and erection of a drive through restaurant with

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provision for 25 parking spaces - Approved.

P2102.04 - Change of hours of operation (Variation of condition to P0633.99) - Approved.

A0034.08 - 2 No. rotating illuminated double, triple sided menu units. 2 No rotating illuminated single, triple sided menu units. 1 No order unit - Approved.

P1650.07 - Variation of hours of operation to 06:00 - 01:00 (Sun-Thurs) and 06:00 - 02:00 (Fri-Sat) - Approved, for a temporary period to 26th November 2008.

P1732.08 - Variation of condition 1 of planning permission P1650.07 to enable trading between 06:00 - 01:00 hours Sunday to Thursday and 06:00 to 04:00 hours Friday and Saturday - Approved, for a temporary period to 14th January 2010.

P1499.09 - Permanent permission to operate in accordance with opening hours as granted temporarily under P1732.08 (between 06:00 - 01:00 hours Sunday to Thursday and 06:00 to 04:00 hours Friday and Saturday) - Approved.

CONSULTATIONS/REPRESENTATIONS

Neighbour notifications were sent to 78 neighbouring occupiers with 6 letters of representation raising objections in respect of the following:

- At the previous Committee meeting the applicant stated that no further opening hours would be required
- Noise as a result of the drive through operating hours, car doors slamming, loud music, people shouting, car horns
- Due to noise, light pollution and smells nearby residents can't open windows at night
- Deliveries during early morning hours (i.e. 05:30 to 06:00)
- Litter and general rubbish
- Anti-social behaviour problems

Confirmation has been received from Environmental Health that no formal complaints have been received over the past year regarding noise or disturbance as a result of the extended opening hours.

The Council's Crime Prevention Design Advisor was consulted who in addition, consulted the Havering Police Harold Wood Safer Neighbourhood Team (SNT) that covers the area. The following information was provided by the SNT:

- on average, 2 calls are received per month relating to disturbances late at night by young people in cars, either immediately outside McDonalds or in the surrounding residential streets. The activities in the surrounding street can often be linked directly to McDonalds by the litter left after they have gone.

- Of the six crimes reported at McDonalds over the last six months (1 November 2010 to 24 May 2011), four occurred between midnight and 2:30am.

The Crime Prevention Design Advisor objects to the proposed opening hours for the reasons summarised above and more detailed comments set out within a formal response.

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RELEVANT POLICIES

DC23, DC55 and DC61 of the LDF Development Control Policies Development Plan Document

STAFF COMMENTS

The main issue for Members to consider in relation to the proposal is the potential impact the change of hours will have on the amenity of the surrounding area.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal is for changes to the opening hours only and does not involve any changes to the external appearance of the building which would have an impact on the character and appearance of the street scene.

IMPACT ON AMENITY

The existing permission allows for opening hours between between 06:00 - 01:00 hours Sunday to Thursday and 06:00 to 04:00 hours Fridays and Saturdays. The opening hours were approved on 18th December 2009 and the premises has been operating in accordance with these opening hours over the past year.

An assessment therefore has to be made as to whether the additional opening hours will have a detrimental impact on the amenities of surrounding neighbouring occupiers and whether these opening hours can be accepted as a permanent arrangement.

Staff considered the current operating hours to be acceptable (Planning Ref: P1499.09). There is a separation distance of approximately 45 to 55 metres between the drive through area and the rear wall of properties along Bryant Avenue. In this instance however, Staff are of the opinion that the proposed opening hours are excessive as it would be for a 24hour service on Saturdays and Fridays and between 06:00 until 03:00 on Sundays to Thursdays. Notice is given to the fact that there is a level of background noise as a result of the adjacent A127 (Southend Arterial) and the through route to the 24-hour Tesco's. Notwithstanding, it would not be unreasonable to conclude that the amount of vehicle movements during the late evening and early morning hours would drop significantly compared to day-time and early evening traffic. Staff are therefore of the opinion that as noise levels as a result of traffic movement reduces significantly during the proposed extended opening hours, that background noise as a result of traffic in the vicinity would not be justification in itself to allow further noise and activity at the McDonalds drive through.

Objections raised in representations are in respect of noise and disturbance as a result of late night opening hours, anti-social behaviour and early morning deliveries taking place. Confirmation was received from Environmental Health that no formal complaints have been made in respect of noise and disturbance. Notwithstanding, Staff are of the opinion that the proposed opening hours are unreasonable due to the application site's proximity to residential properties. There is a large area comprising residential development on the opposite side of Bryant Avenue (north and east of the application site) and on the opposite side of the A127 (south of the application site). Members may agree that noise and sound levels as a result of customers arriving at the site by car, car doors slamming and early deliveries, would be more audible when background traffic noise levels are reduced during late night and early morning hours.

With regards to resident's concerns relating to anti-social behaviour, it is acknowledged that late night uses could potentially encourage such activities. The Crime Prevention Design Advisor (CPDA) raised objections in respect of the proposed opening hours. According to the CPDA,

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experience both locally and across the country shows that late night food take-away establishments can attract crime and disorder. They often have a "honey pot" effect and become a meeting place and focal point for those causing problems. In addition, as mentioned previously in this report, the SNT highlighted that there are often complaints regarding noise and disturbances late at night by young people and within the last 6 months, of the six crimes reported at McDonalds, 4 occurred between midnight and 2:30am. Although it is recognised that the opening times of the premises already extend beyond midnight, Staff are of the opinion that in light of the concerns raised by the CPDA, any later opening hours would exacerbate the problems experienced at the McDonald's and would cause further harm to nearby residents. Staff do not consider that this application can be supported in this instance.

For the reasons given above, Staff are of the opinion that the proposed opening hours is unreasonable given the site's proximity to residential development and anti-social behaviour complaints received by the SNT. It is therefore considered that this application for extended opening hours would be harmful to those nearby neighbouring residents, contrary to the aims and objectives of policy DC61.

HIGHWAY/PARKING

Highway and parking issues were addressed under the original application ref. no. P0633.99. The current application relates only to the amendment of the hours of operation and would not adversely affect the existing highway or parking arrangements and/or generate a material increase in users of the facility to an unacceptable level.

KEY ISSUES/CONCLUSIONS

It is considered that the proposed extended opening hours will be excessive given the site's proximity to residential development. Confirmation has been received from the SNT that there are on average two calls per month relating to noise and disturbance by young people in cars at the McDonalds. In addition, 4 of the 6 crimes reported at McDonalds over the last 6 months occurred between midnight and 2:30am. The Council's CPDA objects against the proposed opening hours. It is therefore recommended that planning permission be refused for the reasons set out in this report.

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the reasons:

1. Refusal non standard Condition

The proposed extension of opening hours would by reason of noise and disturbance caused by customers entering and leaving the premises together with any associated vehicle movement, reported anti-social behaviour complaints and its location close to a residential area, be unacceptably detrimental to the amenities of the occupiers of neighbouring residential properties, contrary to Policies DC23, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.