



## REGULATORY SERVICES COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 30 June 2011</b>	<b>Havering Town Hall, Main Road, Romford</b>
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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:**

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**E-mail: [richard.cursons@havering.gov.uk](mailto: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 9 June 2011 and to authorise the Chairman to sign them.

### **5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS WITHIN STATUTORY LIMITS (Pages 7 - 38)**

- 6 **P0631.11 - ST EDWARDS C OF E PRIMARY SCHOOL, HAVERING DRIVE, ROMFORD** (Pages 39 - 46)
- 7 **P0368.09 - PELL COURT, 165 - 171 HORNCHURCH ROAD** (Pages 47 - 52)
- 8 **P0652.11 - LAND BETWEEN 2 & 174 DAVENTRY ROAD, HAROLD HILL, ROMFORD** (Pages 53 - 72)
- 9 **P1184.10 - UPPER FLOORS OF QUADRANT ARCADE, MARKET PLACE, ROMFORD** (Pages 73 - 92)
- 10 **P0578.11 - RIVERSIDE SEWAGE TREATMENT WORKS, FERRY LANE NORTH OFF LAMSON ROAD, RAINHAM** (Pages 93 - 140)
- 11 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS OUTSIDE STATUTORY LIMITS** (Pages 141 - 180)
- 12 **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 9 June 2011 (7.30pm – 9:00pm)**

**Present:**

**COUNCILLORS:** 10

**Conservative Group** Barry Oddy (in the Chair), Sandra Binion, Jeff Brace, + Steven Kelly, Robby Misir, Fred Osborne, and Barry Tebbutt

**Residents' Group** Linda Hawthorn  
+ Clarence Barrett

**Labour Group** Paul McGeary

**Independent  
Residents' Group**

Apologies for absence were received from Councillors Garry Pain and Ron Ower

+ Substitute members: Councillor Steven Kelly (for Garry Pain) and Councillor Clarence Barrett (for Ron Ower).

15 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.

Councillor Tebbutt declared a personal but not prejudicial interest as a Local Authority appointed Governor of Crowlands School.

**1 MINUTES**

The minutes of the meeting of the Committee held on 19 May 2011 were agreed as a correct record and signed by the Chairman.

**2 P0438.11 - 5 FARNHAM ROAD, HAROLD HILL - Replacement shopfront**

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

**3 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**

The report before members detailed an application for a proposed 70 bed care home.

During discussions Members raised concerns regarding the height, mass and bulk of the proposed building.

There were also concerns regarding the amount of parking spaces and possible traffic movements within the site.

Members were also concerned that deliveries to the site were to be made via a loading bay situated in London Road which appeared to emphasise the fact that the servicing arrangements were not adequate for purpose.

Mention was also made of the fact that the building's design was out of keeping with the adjacent school which was of a Victorian heritage.

The report recommended that planning permission be granted but following a motion to refuse which was supported with 9 votes in favour and one vote. Councillor Oddy voted against the proposal. It was **RESOLVED** that planning permission be refused on grounds related to excessive mass of the care home, coupled with its design, which would result in an excessively bulky and oppressive building harmful to the character of the surroundings including streetscene and the character, amenities and setting of the adjacent school which was of Victorian heritage.

Furthermore the proposal would result in a cramped development in which a building of considerable height, bulk and continuous frontage would sit unreasonably close to site boundaries and servicing needs are unable to be accommodated within the site.

Taking account of prevailing land uses, parking and traffic conditions in the immediate vicinity of the site, the traffic and parking movements associated with the development which would exacerbate on-street parking and congestion to the detriment of highway safety and local amenity.

**4 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**

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

**5 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**

The Committee considered the report and without debate, **RESOLVED** 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 15<sup>th</sup> July 2005 (as varied by the deed of variation dated 8<sup>th</sup> 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 4<sup>th</sup> 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 31<sup>st</sup> 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 31<sup>st</sup> December 2013 and not thereafter.”

Save for the variation of Schedule 1 paragraph 3b of the unilateral undertaking dated 15<sup>th</sup> July 2005 (as varied by the deed of variation dated 8<sup>th</sup> July 2009) all recitals, terms, covenants and obligations in the original unilateral undertaking would remain unchanged.

The above would be subject to payment of the Council’s legal fees for preparation of the deed of variation.

**6 P0230.11 – FORMER HAROLD WOOD HOSPITAL, GUBBINS LANE, HAROLD WOOD – Construction of Phase B of a Spine Road in relation to site redevelopment for residential use at the former Harold Wood Hospital**

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

**7 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**

The report before the Committee sought full planning permission for the construction of a new mixed use building within the Office Quarter of Romford Town Centre.

During the debate, members queried whether the financial contributions contained in the report as part of the Section 106 Legal Agreement were sufficient for a scheme of its size.

The report recommended that planning permission be granted but following a motion it was **RESOLVED** that planning permission be deferred to allow staff to negotiate an improved Section 106 package with the applicants by 7 votes to 1 with 2 abstentions. Councillor Oddy voted against the proposal. Councillors Hawthorn and Barrett abstained from voting.

The vote for the resolution was passed by 7 votes to 1 with 2 abstentions. Councillor Oddy voted against the proposal. Councillors Hawthorn and Barrett abstained from voting.

**8 P0037.11 – INGREBOURNE LINKS, RAINHAM, ESSEX - Temporary construction plant and vehicle learning centre, with site buildings for classroom, welfare and car 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 and subject to the following amendments:

- Alter Condition 1 (temporary) to expiry of 9 June 2016.
- Add additional condition to prevent recreational use of the training facility

**9 P0405.11 – DORIC 16 NORTH ROAD, HAVERING -ATTE-BOWER - Raising of the roof, single/ two storey rear extension, front , side and rear dormers, single storey front extension**

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



**10 McDONALDS RESTAURANT , BRYANT AVENUE/A127, HAROLD WOOD - Variation of Condition 1 of Planning Application P1499.09 to enable extended drive through trading hours.**

The report before members sought planning permission for extended opening hours. The proposal was 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.

The application had been called-in by Councillor Tebbutt for the reasons that the proposal would promote local businesses and that no enforcement action had been taken by either Environmental Health or Trading Standards over the preceding year.

Members noted that no formal complaints had been received by Environmental Health during the past year regarding noise or disturbance as a result of the previously agreed extended opening hours.

Despite the Council's Crime Prevention Design Advisor's reservations on extending trading hours some Members stated that they were unaware of any anti-social behaviour associated with the premises during the extended opening hours and agreed that to extend the hours further was not to the detriment of the surrounding area.

The report recommended that planning permission be refused but following a motion which was passed by 6 votes for to 4 against, Councillors McGeary, Hawthorn, Barrett and Oddy voted against the motion, it was **RESOLVED** that planning permission be granted with 7 votes for and 3 against Councillors McGeary, Hawthorn and Barrett voted against the substantive motion.

- (i) Condition 1 of planning permission reference P1499.09 being varied to allow drive through trading hours between 06.00 until 03.00 from Sundays to Thursdays and 24 hours on Fridays and Saturdays.
- (ii) an additional condition prohibiting any deliveries during the extended hours covered by the approval, ie no deliveries between 3am-6am on Sunday-Thursdays nights and between 4am-6am on Friday and Saturday nights; and
- (iii) all other planning conditions save for Condition 1 of planning permission reference P1499.09 applying to this planning permission under reference P0498.11.

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Chairman  
30 June 2011

## REGULATORY SERVICES COMMITTEE

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### WITHIN STATUTORY PERIOD

<b>APPLICATION NO:</b>	<b>P0485.11</b>	
<b>WARD :</b>	Harold Wood	<b>Date Received:</b> 10th May 2011
<b>ADDRESS:</b>	Land at corner of Camborne Avenue and Faringdon Avenue Harold Hill Romford	
<b>PROPOSAL:</b>	Construction of 7 No. dwellings with associated hard and soft landscaping.	
<b>DRAWING NO(S):</b>		
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

#### **CALL-IN**

No.

#### **RECOMMENDATION**

That planning permission is granted for the reasons given in the report.

#### **SITE DESCRIPTION**

The application site relates to a rectangular shaped plot on the junction of Camborne and Faringdon Avenue, Harold Hill. The site measures 1166sq metres (0.1ha) with a width (facing Camborne Avenue) of 38m and a depth of approximately 30m.

The site comprises public open space and children's play area. The site is covered by mature Ash trees none of which are covered by a Tree Preservation Order. Access to the site is via Camborne Avenue.

The site is surrounded on its eastern side by recently developed three storey housing, a 3-storey parade opposite (to the north) comprising commercial units at ground floor level and residential flats above at first and second storey. The rear of the site comprises the industrial and commercial units of Harold Hill Industrial Estate. The application site is slightly elevated above the Industrial Estate.

#### **DESCRIPTION OF PROPOSAL**

The Council is in receipt of a planning application seeking permission for the construction of 2 blocks of residential terraced dwellings.

The block towards the east would comprise of 4 terraced dwellings, measuring approximately 21m in width (facing Camborne Avenue) with a depth of 9.5m. The block closest to the junction would comprise of 3 terrace dwellings, measuring 16.5m in width and 9.5m in depth. Both blocks would have an overall height of 8.3m.

Windows and doors would generally be arranged towards the front and rear. On ground floor level each dwelling would have an entrance lobby, garage and kitchen. On first floor level would be a master bedroom with en-suite and a lounge. There would also be development within the loft space on 2nd floor level incorporating 2 additional bedrooms and a bathroom.

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Access to the proposed dwellings would be from Camborne Avenue. Each dwelling would have parking for 1 vehicle towards the front on hardstanding and 1 vehicle in the integrated garage.

Amenity would be towards the rear of each dwelling, measuring between 64 and 107sq metres each. The amenity space would be enclosed by means of a 2m high brick wall. Garden depths would be approximately 12.3m.

#### **RELEVANT HISTORY**

P1122.08 - Outline application - construction of 6 No. 3 bed terraced houses.

The above application was similar to the current proposal with the exception of being for 6 dwellings instead of 7. The proposal was also an outline application with access, layout and scale for determination. Appearance and landscaping were reserved matters.

The application was reported to the Council's Regulatory Services Committee and Members agreed with Staff's recommendation to approve the application. Outline permission was granted on 8th August 2008.

#### **CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to 79 neighbouring properties with 1 letter of objection received. At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received. Objections were raised in respect of the following:

- Increase in rubbish
- Excessive congestion
- Construction disruptions
- Parking problems

#### **RELEVANT POLICIES**

Policies CP17 (design), DC3 (Housing Design and Layout), DC18 (Protection of Public Open Space), DC20 (Access to Recreation and Leisure), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policy 3A.4 (Housing Choice) of the London Plan, PPS1 (Delivering Sustainable Development) and PPS 3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

#### **STAFF COMMENTS**

The issues raised before Members are the principle of the development, its impact on the streetscene and character of the surroundings; the effect on amenity; impact on the mature trees and parking/highway implications.

#### **PRINCIPLE OF DEVELOPMENT**

By way of background information, the site was previously within Council ownership and identified in the Council's Unitary Development Plan as a park / open space. The site was also identified within the Havering Open Space and Sports Assessment as being of below average quality and value. As a Public Open Space the site was considered to be under utilised and to be in excess of Council requirements. The first phase of its residential redevelopment has

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recently been completed, under Planning Permission P1184.07.

Members considered the previous application for outline permission (P1122.08) on this site against Policy DC18 of the LDF which indicates that where it is shown that public open space is surplus to requirements because other facilities exist in the locality, alternative uses will be allowed.

Permission was granted for residential development on this site in 2008 and the principle of residential development was considered acceptable in light of the lack of an identified requirement for the site in recreation terms.

Government guidance indicates that unless there are significant changes in Policy of local circumstances, the principle of development should still be acceptable. As the application was previously considered against the current LDF Policies, Staff are of the opinion that the loss of this site is still acceptable in policy terms as there has been no material change in policy or site circumstances since the earlier outline approval. This approach is supported by Policies CP1 and DC11.

#### **DENSITY/SITE LAYOUT**

The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

The westernmost and the easternmost houses would have approximately 100sqm of useable amenity space comprising a partly terraced garden area. The remaining five houses would have usable amenity spaces ranging between 63-81sqm. The garden lengths proposed are 12.3m. The average garden length in the immediate vicinity of the site is 14m and the garden length of the houses currently under construction are approximately 13m. The amenity areas would further be screened by means of a proposed 2m high brick wall.

Assessing the previous submission for outline permission, Staff considered the surrounding area to generally have substandard amenity areas and garden depths comparable to that proposed here. It was considered that the amenities of the future occupants of the dwellings and the character of the area would not be compromised by the proposal.

The current proposal is for 7 dwellings, instead of 6 as granted for in 2008. The impact of the additional dwelling is not significant in terms of the amenity space provision. The current Residential Design SPD does not specify size requirements for amenity areas. Although the proposal for 7 dwellings would result in amenity areas slightly smaller compared to those approved as part of the outline permission, it is still considered that the amenity areas would be sufficient for future occupiers and in character with the surrounding area.

Overall, Staff are of the opinion that the proposed amenity space would be adequate as it would be of an acceptable size, located towards the rear of the dwelling and available for private use by the occupants. The amenity space provision is therefore considered to be consistent with the provisions of the Residential Design SPD.

With regards to density and general site layout, the site is located within a locality predominantly

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characterised by terraced dwellings. Within this area, housing density of between 30-50 dwellings per hectare is anticipated. The proposal would produce a density of 60 dwellings per hectare. This is above the recommended density range however, density is only one measure of the scheme's acceptability. The scheme will further be assessed in terms of its general layout, impact on street scene and character, impact on amenity and highway / parking impact.

In order to achieve space for an additional dwelling on the site, the current proposal represents dwellings which are slightly narrower compared to those approved as part of the outline permission (approximately 500mm less per dwelling). As a result, no changes have been made to the general site layout in terms of distances to the side, rear or front boundaries. Overall the layout is similar to that which was approved as part of the outline permission and Staff are of the opinion that the current layout is acceptable. There is sufficient spacing between side boundaries and particularly towards the western boundary (1.7m). The building line would be set back from the site frontage by approximately 6.1m and would be in line with those dwellings towards the east.

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

Turning to the impact on the character and appearance of the surrounding area the site falls within an area of predominantly two /three storey semi detached and terrace residential properties. Harold Hill Industrial Estate lies to the rear of the application site.

Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The proposed terrace dwellings have been designed as 2-storey in height with development in the loft space which incorporates a mansard gabled pitched roof design and a number of small flat roof front and rear dormer windows. The proportions are considered to be acceptable, and would in Staff's opinion integrate successfully with existing development within the locality.

In relation to ridge height the maximum height of the proposed development is 8.3m which is comparable with the residential properties immediately surrounding the site and in particular those which have recently been completed towards the east.

Staff consider the proposed blocks to be well articulated, set back from the front boundaries of the site, following the building lines of existing properties in the street. The development is similar in height, design and character to those directly east of the application site. The proposal is therefore not considered to be overbearing or visually intrusive in the street scene and would be compatible with the character of the surrounding area.

Should Members be minded to grant permission, materials to be used for external construction can be controlled by means of appropriate conditions.

The building utilises roof forms and materials which are considered to add visual interest to the development and complements the existing street scene. Overall the proposal is considered to represent a high quality design which complement the local area in accordance with the objectives of Policy DC61 of the LDF as well as PPS1.

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#### **IMPACT ON AMENITY**

Policy DC61 states that planning permission will be granted for developments if they do not harm the amenities of the adjoining occupiers by reason of massing, loss of light, overlooking or other impacts. Staff are of the view that the proposed development is unlikely to cause any loss of light or privacy or give rise to unacceptable noise and disturbance to local residents.

In terms of its relationship with neighbouring residential property, the proposed development would have a flank to flank separation of approximately 4m with the neighbouring dwellings towards the east; no windows are proposed on first floor level within the flank elevations. The proposal would have buildings of a similar depth and height compared to those towards the east and would not project beyond any of their building lines. As such, there would be no potential for overshadowing. Staff are satisfied that this relationship is acceptable.

With regard to the industrial buildings to the rear of the site within the Harold Hill Estate the building separation would be approximately 16m. This is considered to be within acceptable tolerances. As such Staff consider that the proposed scheme would not cause any significant loss of light or overshadowing to warrant refusal of planning permission.

#### **HIGHWAY/PARKING**

The site falls within a suburban part of the Borough with a PTAL (Public Transport Accessibility Zones) rating of 1-2 (suburban low). As a result of the site's location in relation to other retail, services and public transport, the proposal to construct 7 No. dwellings would require the provision of 2 - 1.5 No. off-street car parking spaces per dwelling as per the density matrix in Policy DC2 of the Local Development Framework. The proposal indicates that each dwelling would have 1 parking space on hardstanding towards the front and 1 within the integrated garage. This results in the provision of 2 parking spaces per dwelling and 14 in total for the development. This arrangement would be sufficient to comply with the off-street parking requirements.

#### **OTHER ISSUES**

With regards to refuse collection, although areas for wheelie bins are indicated towards the front, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days.

Comments from the Council's Crime Prevention Design Advisor indicates that the proposal in general complies with Secured by Design aims and objectives. Although cycle spaces are not indicated, this can be required by means of conditions. It would also not be unreasonable to assume that bicycles will be stored in the integrated garages.

#### **TREES**

Whilst trees were previously present on the larger site, the current application site was judged previously not to have trees of significant amenity value. As part of the development of the larger site, all trees were cleared and the application site at present has no trees which would be affected as a result of the proposal. Replacement soft landscaping is however recommended.

Those trees towards the rear of the site (south) will be retained and are far enough from the proposed dwellings to be unaffected.

It was also noted that there are several highway trees towards the front of the site. Street Care have confirmed that these trees should not be removed and an informative is proposed to ensure that developers are aware of this and the need to protect these trees during construction

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works.

**KEY ISSUES/CONCLUSIONS**

Overall, it is considered that the proposed dwellings by reason of its design, scale and siting, would result in an acceptable development within the street scene. The principle of development on this site has previously been accepted and this has not changed. It is not considered that the proposal would give rise to any overlooking or invasion of privacy and would further, due to its orientation in relation to other neighbouring properties, not result in any overshadowing. It is not considered that any highway or parking issues would arise as a result of the proposal. The proposal meets Secured by Design standards. The loss of trees on the site is considered acceptable in this instance, subject to appropriate replacement landscaping.

Staff therefore consider the development to integrate acceptably with the surrounding area, complying with Policy DC33 and DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly, subject to conditions.

**RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs

2. SC05A (Number of parking spaces)

Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 7 car parking spaces on hardstanding towards the front of each dwelling and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To ensure that adequate car parking provision is made off street in the interests of highway safety.

3. S SC08 (Garage) - restriction of use

4. M SC09 (Materials)

5. M SC11 (Landscaping)

6. M SC13 (Screen fencing)

Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be submitted to and approved in writing by the Local Planning Authority, 2 metres high shall be erected to the boundaries of the site and to those boundaries of the proposed properties in order to separate amenity areas as indicated on Drawing No. 04 (Soft and Hard Landscaping), 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 prevent undue overlooking of adjoining property, and that the development accords with the Development Control



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7. S SC32 (Accordance with plans)
8. SC46 (Standard flank window condition)
9. S SC58 (Storage of refuse)
10. M SC59 (Cycle Storage)
11. M SC62 (Hours of construction)
12. M SC63 (Construction Methodology)
13. Non standard condition  
The semi-detached houses shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne 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" 1994.
14. Non standard condition  
The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.  
  
Reason:  
  
In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.
15. Non standard condition  
The necessary agreement, notice or licence to enable the proposed alterations 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.
16. Non standard condition  
The buildings shall not be occupied until a means of vehicular / pedestrian / cycle access has been constructed in accordance with the approved plans.

Reason:

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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.

**17. Non standard condition**

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

a) A Phase II (Site Investigation) Report 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 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 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.

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.

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**18.** Non standard condition

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 might 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

**1** INFORMATIVE:

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

2. The applicant is advised 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. 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. The developer, their representatives and contractors are advised that planning permission 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.

4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

6. In aiming to satisfy Condition 18 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

7. There are highway trees in proximity to the site which shall not be removed. Should any works be carried out in the proximity of the Highway Trees, then National Joint Utilities Group (NJUG)(2007), "Guidelines for The Planning, Installation and

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Maintenance of Utility Services in proximity to trees" should be followed and adhered to.

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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<b>APPLICATION NO:</b>	<b>P0688.11</b>	
<b>WARD :</b>	Rainham & Wennington	<b>Date Received:</b> 10th May 2011
<b>ADDRESS:</b>	Land Adj 13-15 Parkway Rainham	
<b>PROPOSAL:</b>	4 No. 1 bedroom flats and 2 No. two bedroom houses together with underground parking for 10 cars and 2 disabled spaces at street level together with refuse store and recycling area	
<b>DRAWING NO(S):</b>	511/1737-00; -01; -02; -03; -04; -05; -06; -07	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

### **SITE DESCRIPTION**

The application site is roughly square and lies to the northern side of Parkway at the end of a small cul-de-sac turning off Upminster Road South within the town centre of Rainham. It is currently used (and is marked out) as a car park area although there is no specific signage indicating ownership at the application site. The site is within the Rainham Village Conservation Area and within a flood zone. The site area is 0.05 hectares. There is a slight slope down to the west of the application site.

The surrounding area is to Parkway itself residential with flatted development to the east of the application site and a mix of commercial and residential to the properties fronting onto Upminster Road South to the opposite side of Parkway. There has been some recent development of residential dwellings to the rear of commercial properties to the south west of the application site.

To the rear of the site is Viking Way which currently serves as access to Tesco and a public car park. Proposals have been made to make Viking Way a through road linking with Upminster Road South to the east of the application site which would take traffic away from the narrow road junction at the historic core of Rainham Village to the south west of the application site. However, this has not been implemented.

### **DESCRIPTION OF PROPOSAL**

The proposal is for the erection of a single, 2-storey building to contain 4, 1-bed flats and two, 2-bed houses linked by a 1-storey entrance lobby (for the flats). The flats would be provided to the east of the site with the two-houses provided to the west with the vehicular access ramp to the proposed underground parking area adjacent to the western boundary of the site/flank wall of the house.

The building would have a total width of 23.5m.

The houses would each be 5m wide and 10m deep with a pitched roof with side gables with a ridge height of 9m above ground level. Each would have a rear garden area.

The flatted section would be staggered slightly back from the front elevation of the houses, with provision for two flats on each floor. This would have a depth of 10.65m, width of 11.5m with a pitched roof with side gables and a maximum ridge height of 9.5m above ground level. There would be two separate garden areas provided with access for the ground floor flats only. The

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easternmost flat has its own separate entrance to the side of the building.

The single-storey link section would be 2.25m wide, 4m deep with a flat roof 3.6m above ground level which provides access to 3 of the flats and the underground parking area.

A disabled access ramp would be provided upto the level of the flat entrance link across the front of the flats. There would be a separate ramp upto the front doors of the houses. There would also be a ramp to Viking Way to the rear.

Two disabled parking spaces would be provided at ground level in front of the flats. The proposed basement would provide an additional 20 parking spaces together with storage, servicing and cycle parking. There would be exit controls at the bottom of the ramp.

#### **RELEVANT HISTORY**

P0532.08 7, 2-bed flats - withdrawn

P1684.08 7 flats: 4 x 2-bed and 3 x 1-bed - refused; subsequent appeal dismissed 29/4/09

P0244.10 Building to contain 4, 1-bed flats and 2, 2-bed houses linked by a 1-storey entrance lobby with underground parking - withdrawn

#### **CONSULTATIONS/REPRESENTATIONS**

46 neighbouring occupiers were notified of the proposal, a press notice was placed in a local newspaper and a site notice was posted. At the time of drafting, only the neighbour consultation period had ended. There were no replies. Any further responses will be reported orally at the Committee meeting, nonetheless the following responses have been received:

Metropolitan Police Crime Prevention Design Advisor has written indicating that historically, the area has suffered disproportionate amounts of crime and in particular youth disorder, in part caused by people cutting through the existing parking area. The CPDA suggests that parking for the houses should be separate from that for the flats and that the link section is only accessible to residents (to prevent continuing cut throughs) and recommends the need for several conditions and an informative.

The Environment Agency have written to advise that the site is within a flood plain but that it is isolated and there is no flow route to allow flood waters to reach the site during a 1 in 100 year possible flooding event. They nonetheless request a number of conditions to be attached to any approval.

English Heritage have previously indicated that proposals for this site should be determined in accordance with national and local policy guidance. The Heritage Officer has commented that given the location of the application site to the rear of the main heritage interest properties to Broadway/Upminster Road South, and the existing form of residential development in Parkway, that the proposal would be acceptable in respect of its impact on the character and appearance of this part of Rainham Conservation Area.

#### **RELEVANT POLICIES**

LDF: CP1, DC2, DC55, DC60, DC61, DC68 and SPD on Residential Design

The London Plan: 3A.1, 3A.2, 3A.3, 3A.5, 3C.23, 4B.8, 4B.12

Other: PPS3 (Housing); PPS5 (Heritage); PPS25 (Flood risk)

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#### **STAFF COMMENTS**

The main issues are the acceptability of the proposal in principle, the impact on the character and appearance of the Conservation Area, impact in the streetscene, impact on residential amenity, flood risk and highways/parking.

#### **PRINCIPLE OF DEVELOPMENT**

Policy CP1 indicates that where sites which are suitable for housing become available outside the Green Belt, the employment areas, the commercial areas, Romford town centre and the district and local centres, the Council will not normally permit their use for other purposes.

The applicant indicates that the car park is currently unused, nonetheless at each site visit, cars have been parked in the car park. It is understood that the car park has been used in connection with a bank or other commercial use fronting onto Upminster Road and that it is surplus. In any event, there is parking directly to the rear of the units fronting onto Upminster Road which would meet the current parking requirements within the District Centre. There is, in addition, a public car park to the rear of the application site (adjoining the large Tesco customer car park). Loss of the parking area is therefore considered to be acceptable.

Residential redevelopment of the site is acceptable, in principle, in land use terms.

#### **CONSERVATION AREA**

The proposed development lies within the Rainham Conservation Area, the core area of which comprises the buildings fronting onto Upminster Road South and Broadway including a number of Listed Buildings: St Helen and St Giles's Church and Rainham Hall and Stable Block. It is considered that existing residential development in this back access road (Parkway) location is of more modern design, although the existing residential development and recently constructed development in the vicinity is in traditional brick and tile external materials. This road, Parkway, is otherwise used for the servicing of commercial development fronting onto Upminster Road South.

Each development within the Conservation Area must be tested to consider whether it would either enhance the Conservation Area Status or at least preserve its Status. The site is a back-land site. Recent development in the Conservation Area, including the two new properties to the rear of No.s 13 and 15 Upminster Road South, within a short distance of the application site are of traditional design and materials and are of conventional two-storey scale such that they are in character in the Conservation Area as a result.

That this site would not be seen from the main historic core does not diminish its value in terms of, if not enhancing, then ensuring that it at least preserves the special character and appearance of the Conservation Area. The proposed development would be very similar in character to the existing residential development in Parkway and, in line with comments from the Heritage Officer, it is considered that the proposal would at least preserve, if not enhance, the special character and appearance of the Rainham Conservation Area in which it would be located, in line with Policy DC68.

#### **DENSITY/SITE LAYOUT**

The site is located within a low ranked Public Transport Accessibility Level Zone (PTAL 1-2). Within this zone, housing density of between 30-50 dwellings per hectare is anticipated. The site comprises 0.05 hectares and the proposal would produce a density of 120 dwellings per hectare. This is significantly above the density range identified. Whilst high density development is not necessarily unacceptable and it is acknowledged that flatted development is generally of

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higher density, Staff consider that the proposal would need to be of particularly high quality design and layout to justify the density proposed.

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

Due to the location of the application site, it is visible in both the streetscene view from Parkway and from public views of the site in Viking Way at the rear.

The proposed development would be two-storey with pitched roofs with side gables. Although there would be a single-storey link section, the overall size and appearance of the development would be of a similar design to that of the adjoining flats to the east of the application site.

The ridge height of the proposed flatted section closest to the existing residential properties to the east of the application site would, at a maximum of 9.5m above ground level, marginally exceed (by 0.7m) the adjoining ridge height. Staff consider that, given that it would be located over 3.5m from the side elevation of the adjoining property, of itself this additional height would not have an unacceptable impact on visual amenities in the streetscene.

The building would be located a minimum of 2m to the east and (excluding the vehicular access ramp) a minimum of 2m from its western boundary with a set back of between 4.8m and 7m from the public highway and 3.2m and 7.4m from its rear boundary. Two disabled parking spaces would be provided to the front of the building with a small grassed area in front of the westernmost house.

The SPD on Residential Design indicates that separate gardens of a usable size should be provided for each house and that there should be access to an outside area for flatted development. The proposal would provide limited depth but usable gardens for the 2 houses and gardens to the ground floor flats. Neither of the 2 first floor 1-bed flats would have access to an outdoor area. There is a nearby local park which would be accessed from the rear via Viking Way. Staff consider, as a matter of judgement, that the proposed amenity would be acceptable.

Staff therefore consider that the proposal would have an acceptable design and layout and would have an acceptable impact in the streetscene.

**IMPACT ON AMENITY**

The proposed development would be located 3.5m from the flank boundary with the flatted block to the east of the application site but not extend beyond the rear of the adjoining property at 13/15 Parkway.

There are two windows in the side elevation of the existing flats adjoining the application site, one at ground level and the other at first floor. They are both small and appear to be either to kitchens or more likely, bathrooms or hallways. The principle windows of these flats are to the front and rear of these units and these windows are either not to habitable rooms or provide secondary light. The proposed building would not therefore, in Staff's view, have any significant impact on the outlook of these occupiers; nor result in visual intrusion or any significant loss of light.

There would be no windows to the flank elevations nor would there be balconies to the proposed development which could enable overlooking into adjoining gardens/properties.

Staff therefore consider that the proposal would have an acceptable impact on the amenity of adjoining occupiers.



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#### **HIGHWAY/PARKING**

In this location and given a PTAL of 1.5-2, it is normally expected that 1.5-2 parking spaces would be provided per unit. In this case, a range of 10.5 to 14 parking spaces. 12 parking spaces are proposed which is within the identified range. It is further recognised that the proposal would have 4 one-bedroom flats and that the location is within the Rainham District Centre where services and facilities are provided and bus routes are also concentrated on the Broadwalk and along Upminster Road South. A railway station is also located within 500m of the application site.

The proposed vehicular access ramp and underground parking area, together with the two ground level disabled parking spaces, are acceptable subject to the imposition of suitable pedestrian visibility splays

In terms of servicing the development, bin storage is located adjacent to the highway to the eastern end of the site adjacent to the footpath. Details of the bin store will be the subject of an attached condition as it is located in a visually prominent location in the streetscene.

It is considered that the proposal is acceptable in terms of highway/parking and servicing.

#### **OTHER ISSUES**

A suitable condition would need to be attached to any grant of planning permission in respect of land contamination.

A suitable condition will would need to be attached to any grant of planning permission in respect of matters relating to community safety.

#### **FLOOD RISK**

A Flood Risk Assessment was submitted with the application. The Environment Agency indicate that the site falls within an isolated area of floodplain. Nonetheless it is known that there are surface water flooding issues at the site and suitable conditions are requested to ensure that the development is acceptable from a flood risk perspective.

#### **KEY ISSUES/CONCLUSIONS**

The proposed residential development would be acceptable in principle and would have an acceptable impact on visual amenity in the streetscene and on the character and appearance of Rainham Conservation Area and in parking and highways terms. Staff consider, as a matter of judgement, that the proposed amenity space would be acceptable, however Members may place different weight on this issue.

#### **RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs
2. S SC06 (Parking provision)
3. SC05B (Provision of disabled spaces)

Before the building hereby permitted is first occupied provision shall be made within the site for 2 disabled car parking spaces in accordance with the approved plans. Thereafter this provision shall be made permanently available for use, unless otherwise

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4. M SC09 (Materials)

5. M SC11 (Landscaping)

6. M SC13A (Screen walls)

Before any of the buildings hereby permitted is first occupied screen walling of a type to be approved in writing by the Local Planning Authority 2 metres (6ft. 7ins.) high shall be erected along the western boundary adjoining the vehicular access ramp and 2m high screen fencing shall be erected to the proposed rear garden areas 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 prevent undue overlooking of the adjoining property, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. S SC14 (Sight lines)

Clear and unobstructed pedestrian visibility splays shall be provided to the satisfaction of the Local Planning Authority 2.1m wide and 2.1m deep to either side of the disabled parking spaces and the vehicular access ramp. The approved splays shall be kept permanently unobstructed thereafter to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

8. S SC32 (Accordance with plans)

10. SC46 (Standard flank window condition)

11. M SC59 (Cycle Storage)

12. S SC58 (Storage of refuse)

13. M SC62 (Hours of construction)

14. M SC63 (Construction Methodology)

9. Non standard condition

Prior to the first occupation of the development hereby permitted, details of all external lighting shall be submitted and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details prior to the first occupation of the development and shall be retained permanently thereafter.

Reason:-

In the interests of amenity and safety of occupiers of the development and also the visual amenity of the development, and in order that the development accords with the LDF Core Strategy and Development Control Policies Development Plan Document

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Policies DC61 and DC63.

**15. Non standard condition**

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 including details that show how the car parking will comply with Secured by Design standards, 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 LDF Core Strategy and Development Control Policies DPD.

**16. Non standard condition**

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) for Land adjacent to 13-15 Parkway, Upminster Road, Rainham, Reference: w992-t5-110209-FRA Scoping Study, February 2011 and the following mitigation measure detailed within the FRA: Finished floor levels and basement car park thresholds are set no lower than 3.46m above Ordnance Datum (AOD).

Reason To minimise the effects of flooding on the development and its users.

**17. Non standard condition**

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any

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requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason A Preliminary Risk Assessment (PRA) is required as per point 1 above to identify any potentially unacceptable risks arising from contamination at the site. Additional work as per points 2 to 4 above may be required depending on the outcomes of the PRA. This work is required to protect the groundwater below the site from pollution.

This condition has been recommended as the Environment Agency is satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing.

**18. Non standard condition**

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason To confirm that any remediation (if required) is completed to an acceptable standard. This is to protect the groundwater below the site from pollution.

**19. Non standard condition**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that any previously unidentified contamination is dealt with appropriately if encountered. This is to protect the groundwater below the site from pollution.

**20. Non standard condition**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason Disposal of surface water via soakaways can result in groundwater pollution if

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the surface water is infiltrating through contaminated ground. Therefore, in order to protect the groundwater below the site from pollution it must be demonstrated that the site is not contaminated.

**21. Non standard condition**

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

a) A Phase II (Site Investigation) Report 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 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 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.

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.

**22. Non standard condition**

The houses shall be so constructed as to provide sound insulation of 45 DnT,w +Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning

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Authority.

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

**23.** Non standard condition

The flats shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum values) 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 PPG Note 24 'Planning Noise' 1994.

**2** INFORMATIVES:

1. The applicant is advised that a stopping up order would be required under S278 of the Highways Act.

2. In aiming to satisfy condition 15, 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).

3. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, DC2, DC3, DC32, DC33, DC36, DC55, DC61 and DC68 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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<b>APPLICATION NO:</b>	<b>P0700.11</b>	
<b>WARD :</b>	Squirrels Heath	<b>Date Received:</b> 9th May 2011
<b>ADDRESS:</b>	land r/o 45-59 Salisbury Road Romford	
<b>PROPOSAL:</b>	Erection of 5 houses following demolition of former commercial buildings	
<b>DRAWING NO(S):</b>	Location Plan Proposed Development: Salisbury Road Design Sheet Plot5 Design Sheet Plots 1-4	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**CALL-IN**

No.

**RECOMMENDATION**

That planning permission is granted for the reasons set out in the report.

**SITE DESCRIPTION**

The application site is located towards the western side of Salisbury Road, to the rear of Nos. 45 to 59 and occupies land measuring approximately 0.17ha. The site is currently occupied by a number of buildings which were previously used for valeting and storage of motor vehicles. Directly north of the site is Squirrels Heath Primary School. The site is surrounded on 3 sides (west, south and east) by 2-storey residential family dwellings.

Access to the site is from Salisbury Road, between Nos. 55 and 57. Ground levels on the site are generally level and there is a degree of screening in the form of established vegetation to the rear boundaries of residential properties.

**DESCRIPTION OF PROPOSAL**

The Council is in receipt of a planning application seeking permission to demolish the existing buildings on the site and construct 5 dwellings on the site.

There would be 4 No. semi-detached dwellings towards the north of the site. All 4 semi-detached buildings would be similar in character, design, height and dimensions however dwellings on Plot 1 and 2 would be staggered and dwellings on Plot 3 and 4 would similarly be staggered.

Each of the semi-detached dwellings would measure 4.25m in width by 7.6m in depth on ground and first floor level. The dwellings would have a maximum height of 8.1m to the top of a pitched roof with gabled ends. On ground floor level each dwelling would have an entrance hall, W.C., kitchen and living room and on 1st floor level would be 3 No. bedrooms and a bathroom.

Windows and doors would generally be arranged towards the north and south whilst flank wall

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windows are proposed serving the landing areas and bathroom on 1st floor level.

Dwellings on plots 1 to 4 would generally be orientated in a north-south direction. Amenity areas would be provided towards the rear, measuring 54 to 74sq metres respectively.

Plot 5 would be to the south of the site and would be for a part-single, part 2-storey dwelling. The dwelling would have a maximum height of 7.25m with the single storey element having a maximum height of 5.1m. There would be no flank wall windows on 1st floor level with windows and doors mainly arranged to the front (north) and rear (south). On ground floor level would be an entrance hall, 2 bedrooms, a bathroom, kitchen and living area. On 1st floor level would be a 3rd bedroom with en-suite.

Amenity to plot 5 would mainly be towards the side (west), measuring approximately 46sq metres.

The site would be accessed from Salisbury Road between Nos. 55 and 57. The private drive would be 4.1m in width with a turning area to the front of Plot 5, extending to the front of Plots 1 to 4 to give access to parking. The proposal provides a total of 10 parking spaces, which is 2 per dwelling.

#### **RELEVANT HISTORY**

None relevant to this application.

#### **CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to 44 neighbouring properties with 4 letters of objection received. At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received. Objections raised were in respect of the following:

- 2-storey development replacing single storey garages would be overbearing
- Security would be at risk
- Privacy and overlooking
- Noise and disturbance
- Security of children at adjacent school will be compromised
- Decrease in property values
- Harmful to outlook

#### **RELEVANT POLICIES**

Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policy 3A.4 (Housing Choice) of the London Plan, PPS1 (Delivering Sustainable Development) and PPS 3 (Housing) are relevant.

#### **STAFF COMMENTS**

The issues to be considered in this case are the principle of the development, the design and scale of the proposal, its impact in the street scene and upon the residential amenities of neighbouring properties, impact on parking/highways.



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#### **PRINCIPLE OF DEVELOPMENT**

The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The site is currently occupied by various buildings and is used for valeting and storage of motor vehicles within the existing buildings and yard area. The principle of residential development is considered acceptable in land-use terms and the provision of additional housing acceptable as the application site is within an established urban area. If the site is to be redeveloped, the Council's preference would be for residential development.

Policy 3A.5 of the London Plan states that DPD policies should ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1.

#### **DENSITY/SITE LAYOUT**

The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

The application site currently has a number of buildings and a large amount of hardstanding covering the site. The proposal would see the demolition of the existing buildings and the erection of 5 x dwellings with associated rear gardens. The proposed amenity areas would range between 46 and 74sq metres. Amenity to Plots 1 to 4 would be towards the rear whilst amenity of Plot 5 would be towards the side (west). Although no indication has been given in terms of boundary treatment, such details can be required by means of appropriate planning conditions.

Staff do have concerns regarding the location of the amenity area for Plot 5 as this area may potentially be overlooked by the existing dwellings at Nos. 57 and 59 Salisbury Road which are approximately 10m towards the west and have windows on 1st floor level. Notwithstanding, privacy can be secured by means of screen fencing and appropriate planting in the form of trees and hedges which will improve privacy to future occupiers. In addition, choosing to occupy this particular dwelling on Plot 5 would be a matter of choice for future occupiers. Staff are of the opinion that the proposal makes best use of the awkward layout of this southern part of the site and the potential for overlooking to this future amenity area should not be reason in itself to refuse an application which provides new housing to the Borough.

Overall, Staff are of the opinion that the proposed amenity space would be adequate as it would be of an acceptable size, located towards the rear of the dwellings and available for private use by the occupants. The amenity space provision is therefore considered to be consistent with the provisions of the Residential Design SPD.

The subject site covers an area of approximately 0.12 ha and the preferred density range for this area is 30 to 50 units per hectare. The proposal would result in a density on the site of

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approximately 40.8 units per hectare which is within the recommended density range and therefore acceptable in principle.

In terms of the general site layout, the proposed semi-detached dwellings would be relatively close to the site's eastern and western boundaries. Notwithstanding objections raised in representations in respect of 2-storey dwellings close to the boundary, these dwellings would be set away from dwellings along Salisbury Road and Brentwood Road by at least 27 metres which is considered to be a reasonable separation distance. Although only single storey in height, it should be noted that the site currently has a number of buildings which would be replaced by the proposed dwellings. In light of this and the separation distance between buildings, Staff are of the opinion that the 2-storey dwellings close to the site boundaries would not give rise to any harm and this relationship is considered to be acceptable.

Similarly, in respect of the detached dwelling towards the southern end of the site, at its pinch point (on ground floor level), this dwelling would be 10.2m from the neighbouring dwelling at No. 57 Salisbury Road and on 1st floor level, approximately 14.3m. It is considered that the distance from these neighbouring dwellings would be acceptable, especially in light of the fact that there is an existing single storey building in a very similar location where the detached dwelling is proposed. Given the lower roof ridge of the 2-storey element (7.25m as opposed to 8.1m for the semi-detached dwellings) and the fact that this dwelling would be part single storey, part 2-storey with the single storey element orientated to the closer neighbour, the proximity to neighbouring properties would be acceptable in this instance.

Staff are however concerned with regards to the amount of hardsurfacing to accommodate parking spaces. Whilst Staff recognise the current use and condition of the site, the Council would aim to encourage high quality developments where the opportunity arise. It is acknowledged that access and hardstanding on the site can not be avoided, however, Staff are concerned in respect of the quality of outlook this layout provides to future occupiers, in particular the semi-detached dwellings. Whilst the outlook towards the front would not be of any particular high quality, Staff acknowledge that this is towards the front of the dwellings and therefore similar to other dwellings in the Borough which looks onto the highway and on-street parking. A good level of outlook is still provided within the rear gardens. Members are however invited to apply their judgement to this aspect of the proposal. Should Members find this arrangement acceptable, Staff would recommend a condition to require the applicant to submit details of the type of hardsurfacing to be provided as the use of different materials can help to soften the overall appearance of parking and access roads.

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

Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The subject site is towards the rear of dwellings along Salisbury Road and Brentwood Road and would therefore not be visible within the existing street scene. Although the development would not form part of the surrounding street scene character, the proposed dwellings would still be visible within the rear garden environment and in line with PPS3, the Council would encourage high quality design in order to create attractive, safe and secure, high-quality living environments which are sustainable and where people will choose to live. The character of the surrounding

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area is mainly drawn from 2-storey semi-detached dwellings with some detached bungalows further south along Brentwood Road. The proposal to develop 2-storey semi-detached and detached dwellings on the site would therefore be acceptable in terms of their scale and design as it would be consistent with the prevailing character of the surrounding area.

As mentioned previously, although the development would be close to the rear boundaries of neighbouring properties, there is a sufficient separation distance between dwellings and the proposals so that they would therefore not appear visually intrusive or dominant in this rear garden environment. It was noted upon site inspection and on aerial photographs that the site is occupied by a number of outbuildings close to the boundaries of the site. The detached dwelling would replace a large single storey building and being part-single, part 2-storey in height, it is not considered to appear out of character as seen from the neighbouring properties. Similarly, along the majority of the eastern boundary, the site currently has garages which would be replaced by the proposed dwellings with screen fencing and appropriate vegetation. The character of the surrounding area is therefore not considered to be adversely affected by the proposed development.

Staff acknowledge the constraints of the site as a result of its shape and do not consider that the staggered layout of the semi-detached dwellings to be harmful in terms of its visual appearance to a degree which would justify refusal of this application.

The semi-detached dwellings have all been designed with decent size accommodation and good outlook which is considered acceptable.

The detached house towards the south of the site would be approximately 14m from the 2-storey rear wall elevation of the dwellings at No. 57 and 59 Salisbury Road. Separating these dwellings from the proposed detached dwelling would be their rear gardens and the proposed garden area to Plot 5. Staff are of the opinion that this separation distance is sufficient and would not result in the dwelling appearing as an incongruous feature in the rear garden environment. Similarly, although the dwelling is close to its eastern boundary, the separation distance between dwellings would be approximately 25m. In addition, the dwelling has been designed to have its single storey element to the eastern side, therefore reducing its visual impact. Staff are of the opinion that the dwelling would have an acceptable appearance as seen from the rear gardens of dwellings along Brentwood Road.

Overall, the proposals are considered to be acceptable in terms of their design, scale, character and visual impact of the area and therefore consistent with the aims and objectives of Policy DC61 of the LDF Development Control Policies Development Plan Document.

#### **IMPACT ON AMENITY**

Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

The proposed semi-detached dwellings would have one flank wall window each on 1st floor level serving the landing area towards the west and the bathroom towards the east. Appropriate conditions can be imposed for these windows to be fixed shut and obscure glazed, preventing any potential for overlooking to neighbouring occupiers. The detached dwelling would have no flank wall windows on 1st floor level.

The Squirrels Heath Primary school is towards the north of the subject site. The semi-detached

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dwellings would have windows on 1st floor level serving the master bedroom and looking out towards the north. It is not considered that these dwellings would result in additional overlooking towards the school over and above that which is currently experienced as a result of existing dwellings backing on to the school grounds. Staff are of the opinion that the proposed semi-detached dwellings would not have a detrimental impact on the activities of the school. Notwithstanding the above, given the close relationship of dwellings to the site's boundaries in particular that of the semi-detached dwellings to the eastern and western boundaries, Staff recommend appropriate planning conditions to secure a degree of landscaping in order to soften the appearance of the 2-storey developments as seen from the neighbouring dwellings.

Due to the development being west of properties along Brentwood Road and east of properties along Salisbury Road, it is not considered to result in any potential for unreasonable levels of overshadowing.

Staff acknowledge that concerns are raised in respect of noise and disturbance as a result of increased activity. It is however not considered that the development of 5 new family dwellings would give rise to unreasonable levels of noise and disturbance which would justify refusal of this application.

It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the resultant limited plot space, any additions, extensions or alterations to the dwellings may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.

#### **HIGHWAY/PARKING**

The site falls within a suburban part of the Borough with a PTAL Zone (Public Transport Accessibility Level) rating of 1-2 (suburban low). As a result of the site's location in relation to other retail, services and public transport, the proposal to construct 5 No. dwellings would require the provision of 2 to 1.5 No. off-street car parking spaces per dwelling as per the density matrix in Policy DC2 of the Local Development Framework. The proposal indicates the provision 10 parking spaces which would be 2 spaces to each unit.

Although the number of parking spaces is considered acceptable to comply with the off-street parking requirements, Staff recommends that a condition is imposed to ensure that the parking spaces are allocated to each dwelling as indicated on the layout plan to ensure the location and level of provision is easily accessibly to future occupiers.

The Highways Authority confirmed that the width of the proposed access road at 4.1m wide is sufficient. It is recommended that low level lighting is installed along the access road. This can be required by means of an appropriate condition.

The provision of visibility splays were raised during the pre-application meeting. Whilst the Highways Authority is not objecting against the application, it is recommended that a condition is imposed, requiring visibility splays to be provided to the entrance of the site.

#### **OTHER ISSUES**

With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days.

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Concerns were raised in representations regarding security which will be compromised as a result of the development. The Council's Crime Prevention Design Advisor (CPDA) advised that the proposal is acceptable and a condition is recommended, requiring the applicants to submit further details showing how Secure by Design standards will be met. In addition, as mentioned above, a condition for low level lighting is recommended along the access road.

#### **KEY ISSUES/CONCLUSIONS**

Overall, it is considered that the proposed dwelling by reason of its design, scale and siting, would result in an acceptable development within the street scene. It is not considered that the proposal would give rise to any overlooking or invasion of privacy and would further, due to its orientation in relation to other neighbouring properties, not result in any overshadowing. It is not considered that any highway or parking issues would arise as a result of the proposal. Staff therefore consider the development to integrate acceptably with the surrounding area, complying with Policy DC33 and DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly, subject to conditions.

#### **RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs

2. SC05A (Number of parking spaces)

Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 10 car parking spaces. The parking spaces shall be provided in accordance with the layout as provided on the site layout plan labelled "B layout Revised Dec 2010; REV A Plots 1 & 2 Amended Aug 2010" to ensure that each dwelling is allocated the parking spaces as indicated on this drawing. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To ensure that adequate car parking provision is made off street in the interests of highway safety.

3. M SC09 (Materials)

4. M SC11 (Landscaping)

5. M SC13 (Screen fencing)

Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be submitted to and approved in writing by the Local Planning Authority, 2 metres high shall be erected to the boundaries of the site and to those boundaries of the proposed properties in order to separate amenity areas as indicated on the drawing labelled: Proposed Development: Salisbury Road, Romford, 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 prevent undue overlooking of

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6. S SC32 (Accordance with plans)
7. SC46 (Standard flank window condition)
8. S SC58 (Storage of refuse)
9. M SC59 (Cycle Storage)
10. M SC62 (Hours of construction)
11. M SC63 (Construction Methodology)
12. Non standard condition  
The semi-detached houses shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne 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" 1994.
13. Non standard condition  
The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.  
  
Reason:  
  
In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.
14. Non standard condition  
The necessary agreement, notice or licence to enable the proposed alterations 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.
15. Non standard condition  
Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;  
  
a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent

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incorporating a Site Conceptual Model.

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 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 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.

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.

**16. Non standard condition**

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 might 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

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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

**17. Non standard condition**

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 might 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

**18. Non standard condition**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall be constructed unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61

**19. Non standard condition**

Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.



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**3**      **INFORMATIVE:**

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

2. The applicant is advised 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. 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. The developer, their representatives and contractors are advised that planning permission 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.

4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

6. In aiming to satisfy Condition 17 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

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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**6**

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

30 June 2011

**Subject Heading:**

**P0631.11 – St Edwards C of E Primary School, Havering Drive, Romford**

**Extension to existing school building to provide enlarged classrooms.**

(Received 11<sup>th</sup> May 2011)

**Report Author and contact details:**

**Helen Oakerbee, 01708 432800  
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 [ ]
- Excellence in education and learning [X]
- 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**

This application relates to a Council owned school. The application proposes the erection of a single-storey extension to the existing music and arts classrooms which are to the north-western elevation of the school building.

The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

**RECOMMENDATIONS**

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

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 Development Control Policies Development Plan Document Policy DC61.

3) Matching materials: 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 and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4) 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;

a) A Phase II (Site Investigation) Report as the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (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 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.

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.

## **INFORMATIVES**

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC29, DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

<b>REPORT DETAIL</b>
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### **1. Site Description**

1.1 The application site is the St Edwards Church of England Primary School. There are residential properties towards the north, east and south although towards the south, a pond separates the school from the rear of residential properties. The St Peter's Primary school is directly west of the application site. The application site measures 1.2ha with school buildings mainly 2-storey in height. Access to the site is from Havering Drive.

1.2 The surrounding residential development consist of mainly two storey residential dwellings with associated rear gardens.

### **2. Description of Proposal**

2.1 The application seeks permission for a single-storey extension to the north-western side of the existing music and arts building. The extension would have a depth of 16.6m and a width of 5.1m, stepping out to have a maximum width of 6.9m. The extension would have a maximum height of 3.9m to the top of its flat roof.

2.2 The proposal would enable the school to have larger classrooms as current facilities are exceptionally small. The proposed extension would allow the existing classrooms to be enlarged and provide additional classrooms, all measuring approximately 60sq metres.

2.3 Windows and doors would be provided to all elevations. The proposal would be rendered in a "warm yellow", to be agreed, should permission be granted.

2.4 The proposal would not involve the removal of any trees, shrubs or hedging and would also not involve any changes to the existing parking arrangements. It would not result in an increase of pupils or staff.

**3. Relevant History**

- 3.1 P0892.05 - Extension and alterations to year 6 classrooms and new platform lift and access way to swimming pool – Approved.

**4. Consultations/Representations**

- 4.1 Notification letters were sent to 22 neighbouring properties with no letters of objection being received. At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received.

**5. Relevant Policies**

- 5.1 Policy CP17 of the LDF Core Strategy Development Plan Document and Policies DC29, DC33 and DC61 of the LDF Development Control Policies Development Plan Document are relevant. Also relevant is Policy PPS1 (Delivering Sustainable Development) and Policy 3A.24 of the London Plan.

**6. Staff Comments**

- 6.1 This proposal is put before the Committee owing to the application being submitted by and the land being owned by the Council. The main issues to be considered by Members in this case are the principle of development, design/street scene issues, amenity implications, and parking and highways issues.

6.2 Principle of Development

- 6.2.1 Policy 3A.24 of the London Plan aims to ensure that Boroughs provide a criteria based approach to the provision of different types of educational facilities and the expansion of existing facilities by taking into account:

- the need for new facilities.
- the potential for expansion of existing provision.

As such, Policy 3A.24 encourages Councils to maximise usage and reduce the need for more alternative land to be sought for educational facilities.

- 6.2.2 Policy DC29 seeks to ensure that the most efficient use is made of land and buildings in the education service in order that a full range of educational opportunities can be maintained.

- 6.2.3 Given the existing use of the site and the criteria of the above mentioned policies, it is considered by Staff that the principle of development would be acceptable in this instance.

6.3 Design/Impact on Street scene

- 6.3.1 Policy DC61 seeks to ensure that new developments/alterations are satisfactorily located and are of a high standard of design and layout. Furthermore, it seeks that the appearance of new developments/alterations is compatible with the character of the surrounding area, and does not prejudice the environment of the occupiers and adjacent properties.
- 6.3.2 It is considered that the proposed extension would be consistent with the above policy, with no detrimental impact on visual amenity. The extension would be towards the north-western elevation of the school buildings with the St Peter's Primary school towards the west and the nearest flank wall of a residential dwelling approximately 50m towards the south. The proposal would not be visible from street scene and visibility from neighbouring properties would be negligible.
- 6.3.3 The extension would not continue the existing red brick of this part of the school building, nor would it have a similar pitched roof design. Instead, the extension has been designed with a more modern approach having a flat roof and rendered finish. The majority of buildings on the school site do however have flat roofs. As such, Staff are of the opinion that the design would not detract from the character of the main school building and would appear as a sympathetic addition.
- 6.3.4 Staff are of the opinion that given the context of the existing built form on this site, the proposed development would not represent a significant addition or a major increase in the developed proportion of the site. It is therefore considered to be observant of the bulk and massing of the existing built form and would not significantly increase the developed proportion of the site.
- 6.3.5 The proposed extension is considered to be acceptable in terms of design and appearance, in accordance with Policy DC61 of the LDF Development Control Policies Development Plan Document.
- 6.4 Impact on amenity
- 6.4.1 The nearest residential dwellings would be approximately 50 metres towards the south with its flank wall facing the school buildings. It was noted upon site inspection that the boundaries of the site has dense vegetation in the form of mature trees, screening any views towards the school. Given the distance of the proposal from neighbouring properties and the level of screening to the school's boundaries, Staff are of the opinion that no neighbours would be materially affected by the scheme.
- 6.4.2 No changes are proposed to the existing opening hours of the school.
- 6.5 Highway/parking issues
- 6.5.1 The proposal would not result in an increase in the number of children or teaching staff. Therefore, the parking requirement would not be altered as a



result of this proposal. It is considered that the proposal would have no adverse effects on the function of the highway and no parking issues are raised.

**7. Conclusion**

7.1 The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

None

**Legal implications and risks:**

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

**Human Resources implications and risks:**

None.

**Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity. The proposal would provide an improved educational facility, appropriate to the needs of pupils.

**BACKGROUND PAPERS**

Application forms and plans received on 11<sup>th</sup> May 2011.

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

30 June 2011

**Subject Heading:**

**P0368.09 - Pell court, 165 – 171  
Hornchurch Road.**

**Variation of completed Section 106  
Agreement following the grant of  
planning permission under reference  
P0368.09 for 23 sheltered residential  
apartments.**

**Report Author and contact details:**

**Helen Oakerbee, 01708 432800  
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 report concerns a proposed variation of a Section 106 Legal Agreement which was completed following the grant of full planning permission under application

reference P0368.09 for the erection of 23 sheltered housing apartments. The Section 106 Agreement restricts the occupancy of units to persons of sixty (60) years of age or older and the spouse and cohabiting partner of such person irrespective of age. The proposed variation seeks to allow a prospective purchaser who suffers from a number of medical conditions and nearing the required age (57) to be given the opportunity to purchase one of the units. In light of the specific circumstances pertaining here, Staff consider that the original legal agreement can be amended through 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) (the 1990 Act), with the agreement of all parties to the original agreement or their successors in title to secure the following Deed of Variation pursuant to Section 106A of the 1990 Act relating to clause 3.3 of the Section 106 Legal Agreement dated 10<sup>th</sup> June 2009 (the original agreement):

- The lease tenancy agreement licenses or other occupancy agreement relating to the dwelling unit known as Plot 18, shown hatched in red on the Second Floor Plan, shall be amended to enable the prospective occupant to reside here.
- Save for the variation of clause 3.3 of the Section 106 Agreement dated 10<sup>th</sup> June 2009 all recitals, terms, covenants and obligations in the original agreement will remain unchanged.

## **REPORT DETAIL**

### **1. Site Description**

- 1.1 The site is located on the corner of the junction between Hornchurch Road and Babington Road, Hornchurch. Permission was granted in 2009 (Planning Ref: P0368.09) for the erection of 23 sheltered apartments. Construction works are currently taking place on the site. Access to the site remains from Hornchurch Road.
- 1.2 The general surroundings are predominantly suburban in character and consist of a mix of residential and commercial properties. The site is located in an area of predominantly two storey development. Opposite the site, however, is a parade of shops arranged in a terrace extending to two and a half storeys with residential accommodation above.

1.3 The site does not form part of any designated policy area as identified within the Local Development Framework Proposals Map.

**2. Description of Proposal**

2.1 The prospective purchaser of plot 18 has requested permission to vary the terms of the Section 106 Agreement dated 10<sup>th</sup> June 2009. which was completed on the grant of full planning permission under reference P0368.09.

2.2 The Section 106 Agreement restricts the occupancy of the units by persons of sixty years of age or older and the spouse or cohabiting partner of such person irrespective of age.

2.3 The proposed variation would allow the prospective purchaser, Mrs Pam Gane to occupy a unit within the sheltered scheme, having access to a much needed community support system, 24 hours emergency call system and other facilities which will help her overcome issues in relation to osteoarthritis and arthritis. Mrs Gane does not satisfy the qualifying occupancy criteria set out above.

**3. Relevant History**

3.1 P1218.07 Erection of 27 sheltered residential apartments - Withdrawn.

3.2 P2458.07 Erection of 26 sheltered residential apartments - Refused and appeal dismissed.

3.3 P0368.09 - Erection of 23 sheltered residential apartments – Approved.

**4. Staff Comments**

4.1 It is understood that Mrs Gane was born on 21<sup>st</sup> February 1955, making her 57 on her next birthday and therefore close to the required age restriction (60 years). It is also indicated that Mrs Gane is a single lady currently living in a 2-storey house. Mrs Gane has a number of severe health problems, and has no immediate relatives living in the UK. Mrs Gane is concerned about her continued long term health issues and combined with her lack of family support, she now wishes to move to Pell Court to take advantage of the 24 hour care-line call system, the lift, community support system and safety features which is achieved by living in a sheltered scheme and which she does not presently have at her current home.

4.2 Members are invited to consider whether the personal circumstances outlined in this case are sufficiently robust to accept the Deed of Variation proposed. In granting planning permission originally, a clause was inserted into the Section 106 Agreement to restrict occupation of the apartments to those 60 years and above, together with the spouse or cohabiting partner of such a person irrespective of age. As identified above, whilst Mrs Gane

does not meet the requirements of this clause, Staff are of the opinion that exceptional circumstances existing in this instance.

4.3 Whilst the proposed variation would not strictly adhere to the objectives of this clause to provide accommodation for this particular housing group, on balance, its acceptance in this instance would not, in Staff's view, be unduly prejudicial. The remaining units within Pell Court would still be subject to the original clause and the principal use of the block for sheltered housing accommodation would continue. Furthermore, the variation would enable Mrs Gane to be cared for in her own home. This approach is very much supported by the 'personalisation' agenda within Adult Social Services which seeks to tailor care provision to the needs of the individual.

4.4 Whilst it is recognised that the approval of this variation could give rise to additional requests for variations within the block, 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 personal circumstances outlined and the benefits arising to Mrs Gane, Staff consider that an exception to the occupancy criteria can be permitted. Members are invited to consider however whether the circumstances in this instance are sufficiently unique to allow an exception.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

None.

**Legal implications and risks:**

A variation of the existing Section 106 Legal Agreement.

**Human Resources implications and risks:**

None.

**Equalities implications and risks:**

By allowing flexibility on the existing Legal Agreement, the Council is committed to provide equal and fair opportunities to its residents.

**BACKGROUND PAPERS**

Request for variation of Legal Agreement received on 17<sup>th</sup> May 2011.

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

30 June 2011

**Subject Heading:**

**P0652.11 – Land between 2 & 174  
Daventry Road, Harold Hill, Romford**

**Two No. three bedroom semi-detached houses with provision of a parking area for local resident use (Application received 16<sup>th</sup> May 2011, revised plans received 27<sup>th</sup> May 2011 and additional plan received 21<sup>st</sup> June 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 relates to the construction of a pair of semi-detached houses on a Council owned site. Members may recall that planning permission has previously been refused for the construction of two houses on this site. Planning permission was refused at the Regulatory Services Committee meeting on 24<sup>th</sup> March owing to Members concerns in respect of the creation of an enclosed alleyway and displacement car parking. This current application seeks to address the previous reasons for refusal. The planning issues are set out in the report below and cover the principle of the development, impact on street scene, residential amenity and highways/parking. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

**RECOMMENDATIONS**

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

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 for dwellings - Before the dwellings hereby permitted are first occupied, two parking spaces per property shall be laid out and surfaced in accordance with the submitted plans 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. Local resident's car parking area within the application site - Before the dwellings hereby permitted are first occupied, the area set aside for local resident's car parking within the application site as shown on plan number 10.6861.10 revision E shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking area shall be retained permanently thereafter for the accommodation of resident/visitor vehicles 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.

5. Local resident's car parking area outside of the application site – Prior to the commencement of the development hereby permitted, the garages within the adjacent garage court (outlined in blue on the approved plans) shall be demolished and the site surfaced and laid out for local resident's car parking to the satisfaction of the Local Planning Authority. The parking area shall be retained permanently thereafter for the accommodation of resident/visitor vehicles 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.

6. 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.

7. 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.

8. 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.

9. Cycle storage - 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 and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

10. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, including details of all boundary treatment to be retained and that to be provided, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details and the boundary treatment retained thereafter.

Reason: In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

11. Secure by Design - 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 might 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 Local Planning Authority.

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.

12. External lighting of the development - 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 occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

13. External lighting of the nearby garage court - Prior to the commencement of the development a scheme for the lighting of the adjacent garage court (as outlined in blue on the approved plans) 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 occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

14. 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.

15. 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.

16. 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;

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 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.

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 of 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. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

17. Sound attenuation - The dwellings 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'.

18. Obscure glazing - The proposed first floor flank windows serving bathrooms shall be permanently glazed with obscure glass 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.

19. No additional flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as

amended), no window or other opening (other than those shown on the approved plans), shall be formed in the flank walls of the dwellings hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

20. Removal of Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008, Article 3, Schedule 2, Part 1, Classes A to E, no enlargements, improvements or other alteration shall take place to the dwellinghouses and no outbuildings or other means of enclosures shall be erected within the rear garden areas of the dwellinghouses unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

21. Stopping up of Highway Land: The development shall not be commenced prior to six weeks after the publication of confirmation of the Stopping Up Order for that part of the application site which is highway land.

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 and to comply with statutory requirements under the Town and Country Planning Act 1990.

## **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 conditions 9, 10 and 11 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. The applicant is advised that part of the application site is adopted public highway and as such the necessary application to make a stopping-up order under Section 247(A) of the Town and Country Planning Act 1990 (as amended) will need to be sought prior to the commencement of the development to extinguish the highway rights that currently exist.
4. The developer, their representatives and contractors are advised that planning permission 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.
5. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
6. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
7. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP15, CP17, DC2, DC3, DC11, DC32, DC33, DC34, DC35, DC36, DC40, DC53, DC56, DC58, DC59, DC60, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3C.1, 3C.2, 3C.3, 3C.21, 3C.22, 3C.23, 3D.14, 3D.15, 4B.1, 4B.6 and 4B.8 of the London Plan.

**REPORT DETAIL**

**1. Site Description**

- 1.1 The application site is situated on the western side of Daventry Road to the north of no. 2 and to the south of no. 174. The site is presently open and occupied by a parking area for 14 to 16 cars and bordered by grass. The site has an area of 0.074 hectares. The site is bounded to the north, east and south by a footway which is adopted highway land. The footways connect Daventry Road with Straight Road. The application site is located within a predominantly residential area with two storey housing being the predominant housing type in the locality.

**2. Description of Proposal**

- 2.1 The application seeks full planning permission for the erection of a pair of semi-detached houses each containing three bedrooms.
- 2.2 The proposed semi-detached houses would be positioned fronting onto Daventry Road with their front elevations facing east. The proposed houses would each be of a pitched roof design with gabled ends and measure 10 metres in depth by 10.3 metres in width. The dwellings would be 4.7 metres in height to the eaves and 8.9 metres to the ridge. To the front elevation of each dwelling would be a porch canopy. Each canopy would measure 1 metre in depth by 2.5 metres in width and have a flat roof 2.3 metres in height. The exterior of the dwellings would be finished in coloured render with concrete roof tiles and UVPC windows.
- 2.3 The dwellings would be arranged internally to meet the Lifetime Homes standard and would achieve Code for Sustainable Homes Level 4. The proposed dwellings would be constructed using a timber frame system which would make the construction process faster than conventional brick developments. Conventional garden areas would be provided to the rear of the dwellings. Two parking spaces would be provided to the front of each house with cycle storage provided via sheds within the rear garden areas.
- 2.4 The proposed houses would be constructed on the site of an existing parking area which is utilised by local residents. The proposal would see six parking spaces retained for local residents use. The applicant has also indicated that an existing garage court opposite the application site containing a further seven spaces would also be made available for resident use.

**3. Background Information**

- 3.1 This application follows a previous refusal of planning permission (ref P0085.11) on the site which was also for the construction of a pair of semi-

detached houses. Members will recall that the Committee refused planning permission at the meeting on 24<sup>th</sup> March for the following reasons;

*The proposed development would result in the displacement of car parking onto surrounding roads which would be harmful to residential amenity contrary to the provisions of Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.*

*The layout of the proposed development would result in the undue enclosure of the adjacent public footpath creating an oppressive environment for users of the footpath and neighbouring occupiers contrary to the provisions of Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.*

- 3.2 This current application seeks to address the above reasons for refusal through the proposed stopping up of the alleyway to the northern boundary of the site adjacent to no. 174 Daventry Road. This application also differs from that previously refused in that an existing garage court on the eastern side of Daventry Road would be made available for local resident use. In all other respects this proposal remains the same as previously submitted.

#### **4. Relevant History**

- 4.1 P1731.10 - Four No. 3 bed terraced houses – Withdrawn
- 4.2 P0085.11 - Construction of 2No. 3 bed semi-detached houses with the provision of a parking area for local residents - Refused

#### **5. Consultations/Representations**

- 5.1 Neighbour notification letters have been sent to 41 adjoining addresses with four letters of representation being received and a petition with 139 signatures. The letters of representation received raise objection to the application on the grounds that the proposed gated alleyway would result in the dumping of rubbish, likelihood of lock to alleyway being broken, lack of car parking, difficulty for refuse to be collected, physical appearance of fencing, the proposal being an encroachment of civil liberties, being unable to park close to own property resulting in a vulnerability of personal attack.
- 5.2 The Borough Crime Prevention Design Advisor advises that the proposed stopping up of the alleyway would remove many of the potential vulnerabilities to crime of the development and pedestrians using the footpaths. In the event that planning permission is granted conditions are requested in respect of external lighting, boundary treatment, cycle storage and landscaping.
- 5.3 The London Fire and Emergency Planning Authority is satisfied with the proposals.

**6. Relevant Policies**

- 6.1 Policies CP1 (housing supply), CP2 (sustainable communities), CP9 (reducing the need to travel), CP10 (sustainable transport), CP15 (environmental management), CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC11 (non-designated sites), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC53 (contaminated land), DC56 (light), DC58 (biodiversity and geodiversity), DC59 (biodiversity in new developments), DC61 (urban design) and DC63 (crime) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations.
- 6.2 The Supplementary Planning Document for Residential Design is a material consideration as is the Supplementary Planning Documents for Sustainable Design and Construction.
- 6.3 Policies 3A.1 (increasing London's supply of housing), 3A.2 (Borough housing targets), 3A.3 (maximising the potential of sites), 3A.5 (housing choice), 3A.6 (quality of new housing provision), 3C.1 (integrating transport and development), 3C.2 (matching development to transport capacity), 3C.3 (sustainable transport), 3C.21 (walking), 3C.22 (cycling), 3C.23 (parking strategy), 3D.14 (biodiversity), 4B.1 (design principles), 4B.6 (safety, security and fire prevention and protection) and 4B.8 (respect local context and communities) of the London Plan are relevant.
- 6.4 National policy guidance set out in Planning Policy Statement 1 'Delivering Sustainable Development', Planning Policy Statement 3 'Housing', Planning Policy Statement 9 'Biodiversity and Geological Conservation' and Planning Policy Guidance Note 13 'Transport' are also relevant.

**7. Staff Comments**

- 7.1 This proposal is put before the Committee due to the application site being in Council ownership. 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.
- 7.2 Principle of Development
- 7.2.1 The application site is presently formed by a parking area with a wedge of amenity grassland between the car park and Daventry Road. The partial loss of the parking area is discussed in further detail in the parking and highways section of this report. In principle however there are no policies which would advise against its loss. The proposal would also result in the loss of a wedge of green space (of 168 square metres in area) between the car park and Daventry Road. The land is not designated as public open space and as such no objection is raised to its loss. The application site is

located within a predominantly residential area and is considered to be suitable in principle for residential development in accordance with Policy CP1, subject to the detailed design of the proposals. The proposed residential redevelopment would contribute to the London Plan objective of increasing the overall supply of housing, specifically relevant are Policies 3A.1 and 3A.2.

- 7.2.2 Government guidance relating to sustainable development is contained within PPS1. This document refers in particular to the need to locate new development on land within existing urban areas. With reference to housing and sustainability local planning authorities are encouraged to make effective use of land within urban areas. Members may agree therefore that the redevelopment of the site would contribute to the principles of urban regeneration and sustainability. Furthermore staff are of the view that the proposal would contribute to the Council's vision namely the Living Ambition agenda.
- 7.2.3 In the event that Members are minded to grant planning permission staff recommend that a condition be imposed requiring an investigation of any potential contamination of the site.

### 7.3 Density and Site Layout

- 7.3.1 Policy DC2 seeks to guide a higher density of development to those parts of the Borough having good access to public transport. In this instance, the application site falls within a PTAL zone where a density of 30-50 units per hectare is anticipated. The proposed development would provide a pair of semi-detached houses. This would result in a density of 27 units per hectare, which is slightly below the anticipated density range. Notwithstanding this, staff are of the view that the density of development is acceptable as it would be commensurate with local character and would make an efficient use of urban land in accordance with PPS3.
- 7.3.2 The proposed houses would be arranged on the site so as to allow the provision of some landscaped areas to the front of the building with private amenity areas being located to the rear. Staff are of the view that the proposed site layout and plot sizes would be compatible with the existing street scene and local character.
- 7.3.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In this instance each of the proposed dwellings would benefit from private rear garden areas of approximately 45 square metres. Staff are of the view that the proposed rear garden areas would provide each dwelling with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

7.3.4 The proposed dwellings would have rear garden depths of 9 metres. Garden depths for surrounding properties generally achieve a depth of between 13 and 15 metres. Staff are of the view that the proposed rear garden depths, whilst of a lesser depth than those to be found in the local area, would not be harmful to local character. The proposal shows a scheme of hard and soft landscaping to the front and rear of the proposed building which staff consider to be acceptable subject to the submission of further details via condition.

7.3.5 Policy DC63 requires new development to address safety and security in the design of new development. Members will recall that the previous application would have resulted in the existing footpath which runs adjacent to the northern site boundary being enclosed on either side whereas at the moment the site affords open views towards this path. The previous application was refused by Members partly on the basis that the creation of an enclosed footpath would have been harmful to footpath users. In order to address this reason for refusal the applicant has entered into discussions with the Council with a view to closing off the footpath which is currently adopted public highway. Through this application it is proposed to stop up the existing footpath with lockable gates to be installed at either end. The stopping up of the footpath would prevent its use which staff consider would address the second reason for refusal of the previous application. In the event that Members were to grant planning permission for this development then the applicant would need to apply to the Council separately for a stopping-up order under Section 247(A) of the Town and Country Planning Act 1990 (as amended) which would then formally extinguish the highway rights that currently exist. Once the stopping up of the footpath has been established it is anticipated that the land would be disposed of by the Council's Housing Department to the applicant so that it can be included into the garden area of the proposed house to plot 1. Until such time as the land can be transferred to the applicant the maintenance of the closed off footpath would be undertaken by Homes in Havering on behalf of the Council.

#### 7.4 Design/Impact on Street scene

7.4.1 The character of the area is typified by two storey semi-detached and terraced housing of a similar architectural style. The proposed dwellings would be of traditional design which staff consider would be in keeping with the general character of the area. The proposed pair of semi-detached houses would be comparable with surrounding dwellings in terms of general proportions and detailing. The eaves height of the proposed houses would sit lower than that of the adjoining properties to either side of the site however the ridge line would be 1 metre greater than the adjoining properties. This aspect of the proposals was put to Members as a judgement at the time of the previous application and the Committee did not refuse permission on this ground. Staff are of the view that the proposed difference in roof height is acceptable and that the variety in building height would provide visual interest to the existing street scene. Given the siting of

the proposed houses the rear elevation of the building would be visible from Straight Road. Staff are of the view that whilst the houses would create a more developed feel to the street scene, this would not be harmful.

7.4.2 It is considered that the design and appearance of the proposed dwellings is of an acceptable quality, in accordance with relevant guidance. The proposed dwellings would utilise a mixture of materials including coloured render, concrete roof tiles and UPVC windows. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring dwellings. In any event full details and samples of materials can be controlled by condition should Members be minded to grant planning permission.

7.4.3 The design of the proposed dwellings is such that they would be fully accessible to those with disabilities, with each of the dwellings 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.

7.4.4 Through the policies of the Local Development Framework the Council is seeking to address climate change by encouraging the highest standards of sustainable construction and design in new development proposals. The proposed development would make use of modern sustainable design techniques, materials and construction methods. The proposed development aims to gain Code for Sustainable Homes Level 4, which is beyond the current requirements given in Policy DC49. Staff are of the view that the proposal would act as a showcase development for the Council's sustainability agenda and contribute positively to the regeneration of Harold Hill.

## 7.5 Impact on Amenity

7.5.1 The proposed dwellings would front onto Daventry Road and as such would result in a back to flank relationship with nos. 176 and 182 Daventry Road to the rear (fronting the green space). The proposed dwellings would be separated by a distance of 13 metres which staff consider would be acceptable to prevent a material impact in terms of overshadowing or loss of light. Given the siting of the adjoining properties the rear of the proposed houses would overlook the area to the green and front gardens of the adjoining properties. Staff are of the view that the proposed relationship is acceptable and would not result in a loss of privacy to adjoining properties.

7.5.2 The proposed dwellings would be largely contained within the existing building line of properties fronting onto Daventry Road. The proposed dwellings however would be slightly deeper than the existing neighbouring properties to either side of the site. The proposed dwellings would project approximately 2 metres beyond the existing rear building lines formed by nos. 164 to 174 Daventry Road. The proposed dwellings would be

separated from the flank site boundary to the north by a metre and would be further removed from the boundary with adjoining property at no. 174 Daventry Road by the existing right of way. A separation distance of 5.4 metres would be achieved between the flank of the proposed houses and the flank wall of no. 174 Daventry Road. The proposed houses would be separated from the southern site boundary by a distance of 13.6 metres. Staff are of the view that this distance would be acceptable to prevent the proposed houses having a harmful impact in terms of a loss of light or overshadowing.

- 7.5.3 In the flank walls of the proposed dwellings two windows are proposed, one at ground floor to serve a WC and one at first floor to serve a bathroom. The ground floor window to the north facing elevation would be capable of being screened by a boundary fence with the first floor windows capable of being conditioned with obscure glazing. Staff are of the view that these arrangements would suitably maintain the privacy of adjoining occupiers.

## 7.6 Parking and Highway Issues

- 7.6.1 The application site is presently open and occupied by a parking area for 14 to 16 cars and bordered by grass. The parking area is understood to have been provided as part of the estates original layout. The site is one of a number of parcels of land within the area which are being sold by the Council to Housing Associations in order to provide new affordable housing. The Council's Housing Department has advised that despite the site presently being a parking area, local residents have no legal entitlement to park on the land. Furthermore the applicant has no obligation to provide parking for local resident use. Notwithstanding this the applicant, in an effort to appease local residents concerns, has previously reduced the amount of development proposed for this site (from an initial proposal of four houses) in order to retain a reduced parking area for local resident use.

- 7.6.2 The majority of houses within Daventry Road presently have off street parking provided to the front garden area and as such the road is not judged to be overly congested by parked vehicles. The presence of a number of vehicular crossovers means that any displacement parking as a result of this proposal is likely to be pushed into the wider area. The roads surrounding the application site are not presently subject to any parking controls. There are however marked bays on the pavement along Daventry Road. The Council's Highway Engineers have advised that they would be unlikely to pursue parking restrictions, such as a Controlled Parking Zone, in this location given that an on street parking problem does not currently exist. If in the future such a problem did develop then parking controls could be explored and adopted separately through the Council's Highway Advisory Committee.

- 7.6.3 At the time of staff's visit on a weekday morning the existing car park was occupied by eight vehicles. Photographs submitted by local residents (in connection with the previous application) indicate that during the late



afternoon and evening period the car park is often almost full. In deciding to refuse planning permission for the previous application Members considered the loss of the existing parking area and the potential for displacement car parking onto the highway. This current proposal would see the retention of a smaller parking area for eight cars adjacent to the proposed houses as per the previous application. In addition the applicant has outlined that the existing garage court on the eastern side of Daventry Road which is accessed by a single track road between nos. 7 and 9 would be made available for local resident use. The existing garages within the garage court would be demolished to provide a new open parking area for up to eight cars. The retained parking area next to the proposed houses together with the parking made available within the garage court would therefore make provision for a total of 16 cars. Members will note that this is a comparable number of spaces to the existing situation. Staff are of the view that the amount of resident parking to be made available would be sufficient to prevent displacement parking onto the highway and into the wider area.

- 6.7.4 Members will note from the recommendation section of this report that separate planning conditions are recommended for the retained portion of car park adjacent to the proposed houses and the adjacent garage court. Condition 4 is suggested in order to ensure that the adjacent garage court is made available for local resident use prior to the commencement of the development. Condition 5 is suggested in order to ensure that following construction of the houses but prior to their first occupation the retained portion of car park would be made available for local resident use. Staff are of the view that this phased approach would ensure that adequate parking is made available throughout the construction period.
- 6.7.5 Access for each of the proposed dwellings would be taken from Daventry Road via new vehicular crossovers. The retained spaces for residents use would continue to be accessed from Daventry Road. The proposed access arrangements are considered to be acceptable and would not result in any adverse highways issues.
- 6.7.6 In respect of parking issues Policy DC33 seeks to ensure that the proposal provides adequate car parking on site for the proposed houses. The Council's adopted car parking standard recommends the provision of 1.5-2 spaces per unit in this location. The proposal would see the provision of two spaces per dwelling which is considered to be acceptable.
- 6.7.7 The submitted plans indicate that cycle storage would be provided via sheds within the rear gardens of each property. Should Members be minded to grant planning permission for this proposal then staff consider that a condition requiring further details would be reasonable.
- 6.7.8 The proposed stopping up or closure of the existing footpath adjacent to the northern site boundary would not have an adverse impact on pedestrian movement through the site as it would still be possible to use the existing footpath adjacent to the southern site boundary.

6.7.9 Policy DC40 advises that planning permission will only be granted for developments where suitable waste and recycling storage facilities are provided. In this case it is envisaged that refuse and recycling would be stored within the rear garden area of each property using the black and orange sack method. On collection day the sacks would then be placed at the property boundary for roadside collection. In the event that Members are minded to grant planning permission a condition requiring further details in this respect could be imposed.

## **7. Conclusion**

7.1 Members will be aware that this planning application follows a previous application for two semi-detached houses, which was refused on the basis of the potential for overspill car parking from the partial loss of the existing parking area and the creation of an enclosed footpath. Residential development on the site is considered to be acceptable in principle having regard to Policy CP1 of the LDF. Whilst in principle there are no objections to the partial loss of the existing parking area Members have previously refused planning permission on the grounds that the proposal would result in displacement car parking onto the public highway. In addition to the retention of eight parking spaces use within the application site this revised proposal would see a nearby garage court made available for local resident use. Staff are of the view that the availability of the nearby garage court together with the retained parking spaces within the site itself would be sufficient to prevent the overspill of cars onto the highway. Staff recognise however that this is a matter of judgement for Members.

7.2 The proposed houses are considered to be acceptable in terms of scale, form, massing and visual impact. In order to address the second reason for refusal of the previous application this proposal would see the existing footpath adjacent to the northern site boundary closed off through the stopping up order process. Staff are of the view that this arrangement would satisfactorily address the reason for refusal of the previous application. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of highway issues. It is therefore recommended that planning permission be granted subject to conditions.

### **IMPLICATIONS AND RISKS**

#### **Financial implications and risks:**

This report concerns only material planning issues. Any land transaction between the applicant and the Council is dealt with independently.

**Legal implications and risks:**

This application is considered on merits and independently from the Council's interest as owner of the site.

**Human Resources implications and risks:**

None.

**Equalities implications and risks:**

The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

**BACKGROUND PAPERS**

Application form, plans and supporting statements received on 16<sup>th</sup> May 2011 and 27<sup>th</sup> May 2011.

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# 9

# REGULATORY SERVICES COMMITTEE

# REPORT

30 June 2011

**Subject Heading:**

**P1184.10 – Upper floors of Quadrant Arcade, Market Place, Romford**

**Extension to third floor, alteration to window openings and conversion of first, second and third floor from retail and office use to form shared residential accommodation comprising 85 no. ensuite bedrooms with shared kitchen facilities. (Application received 23<sup>rd</sup> August 2010)**

**Report Author and contact details:**

**Helen Oakerbee (Planning Control Manager) 01708 432800**

**Policy context:**

**Local Development Framework  
London Plan  
National Planning Policy  
None**

**Financial summary:**

**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**

This application relates to the upper floors of the Quadrant Arcade which fronts onto the Market Place, Romford and is a locally listed building. This application seeks full planning permission for an extension to the third floor of the building and the conversion of the first, second and third floors of the building from retail and office use to form shared residential accommodation comprising 85 no. ensuite bedrooms with shared kitchen facilities. The planning issues are set out in the report below and include issues relating to the principle of development, the impact of the proposed development on the special character and appearance of the Romford Conservation Area, the impact on the character and setting of nearby listed buildings, the impact of the proposal on the character of the street scene and local environment generally, amenity issues, highways/parking issues and designing out crime issues. Staff consider the proposals to be acceptable, subject to a legal agreement to secure a restriction on the occupation of the residential accommodation, a financial contribution towards town centre improvements and a restriction to prevent future occupants from obtaining residents parking permits together with conditions. 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 restriction to ensure that the development is only occupied by those in employment.
- A financial contribution of £30,000 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.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council reasonable legal costs associated with the agreement and the obligation monitoring fees.

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. 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 and DC68.

4. Details of new windows - Full details of the new windows to be used in the conversion of the building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the work. The windows shall be fitted in accordance with the agreed details.

Reason: To safeguard the appearance of the building and the character of the Romford Conservation Area and to ensure that the development accords with the LDF Development Control Policies Development Plan Document Policy DC68.

5. 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.

6. Cycle storage - Prior to occupation 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.

7. 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.

8. Details of CCTV - No development shall take place until such time as precise details of CCTV cameras, including details to control the extent of their area of vision, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the occupation of the development hereby approved and maintained in accordance with the agreed details.

Reason: In the interests of security and in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC63.

9. 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.



10. 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.

11. 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'.

12. Sound attenuation - The building shall be so constructed as to provide sound insulation of 43 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'.

13. Assessment of noise from adjacent plant – Before any development is commenced a scheme for protecting the proposed rooms from noise from adjacent commercial activities and associated plant shall be submitted to and approved in writing by the Local Planning Authority. The applicant shall include specific consideration of existing air-conditioning and refrigeration units, deliveries and collections from adjacent commercial premises. Any works which form part of the approved scheme shall be completed before any room within the development is occupied.

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

## **INFORMATIVES**

1. In aiming to satisfy condition 7 and 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.

2. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP4, CP9, CP15, CP17, DC2, DC3, DC4, DC5, DC21, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC51, DC52, DC55, DC61, DC63, DC67, DC68 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies ROM6, ROM7, ROM10, ROM14, ROM17, 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.5, 3A.6, 3C.1, 3C.2, 3C.23, 3C.24, 3D.1, 3D.2, 4B.1, 4B.5, 4B.6, 4B.8 and 4B.12 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 within the retail core area of Romford Town Centre on the southern side of the Market Place approximately 20 metres east of the Golden Lion crossroads. The site comprises the second and third floors of the Quadrant Chambers which is located above the Quadrant Arcade. The upper floors are presently largely vacant with some small scale office use. Retail uses are currently located at ground floor level with the upper floors being accessed by a staircase from within the rear of no. 20 Market Place. The building of which the application site forms part is of a flat roof design with the frontage being of 'Art Deco' style. The rear elevation of the building faces onto an open area formed by the roof tops of the Quadrant Arcade and adjacent buildings. A fire escape presently leads from the rear elevation of the building across the roof tops and down to ground level.
- 1.2 The Market Place frontage of the building is flanked on both sides and opposite by buildings of similar or lower storey heights. Adjacent buildings predominantly have retail or service uses at ground floor with storage or office uses on the upper floors. The frontage of the building onto the Market Place is located within the Romford Conservation Area. In close proximity to the application site are the listed buildings of Church House, Wykeham Hall and St. Edward's Church. The Quadrant Arcade itself is identified at a local level as being a building of local historical and architectural interest.
- 1.3 Given the location of the site there is no dedicated service yard for vehicular traffic. The ground floor retail units can however be accessed by an alleyway from the Market Place which passes adjacent to the western flank of the building. The site presently has no off street car parking.

**2. Description of Proposal**

- 2.1 The application seeks planning permission for an extension to the third floor of the building, alteration to window openings and the conversion of first, second and third floor from retail and office use to form shared residential accommodation comprising 85 no. ensuite bedrooms with shared kitchen facilities.
- 2.2 The proposal would see the existing third floor of the building extended forward by 7 metres and a new infill extension provided the entire width of the building some 32 metres. The proposed extension would not increase the overall height of the building. The extension would be finished with matching facing brickwork to the flanks and have a glazed frontage to the Market Place elevation.

- 2.3 To the west facing flank wall of the building it is proposed that a number of new window openings are formed together with the alteration of several existing openings to enable larger windows to be installed. To the east facing elevation of the building five new window openings are proposed.
- 2.4 The application proposes the conversion of the first, second and third floors of the building to form shared residential accommodation. The upper floors of the Quadrant Arcade fronting onto the Market Place are currently largely vacant. The upper floors were most recently in use for a mixture of retail and office purposes. The proposal would see the provision of 85 no. rooms with ensembles over the three floors with shared kitchen facilities. 50 no. of the proposed rooms are indicated as being intended for single occupation and vary in size between 11.4 square metres and 14.6 square metres. The remaining 34 rooms are intended for two person occupation and vary in size between 15.5 square metres and 21.4 square metres. It is proposed that 31 no. rooms are provided to the first floor, 31 no rooms to the second floor and 22 no. rooms to the third floor. To the first and second floors would be two shared kitchen areas with a single shared kitchen area to the third floor.
- 2.5 Access to the building would be via a dedicated staircase leading out onto the front elevation fronting the Market Place. The applicant has advised that each floor of the building would have restricted access (by key fob) to ensure that tenants are only able to access their own specific floor and kitchen facilities. CCTV is to be provided to cover the entrance to the building, corridors and kitchen areas. It is proposed that each room would have its own audio and video access system linked to the ground floor entrance.
- 2.6 The applicant is a letting and management company who intend to let the proposed rooms on a short term tenancies. The applicant has advised that the accommodation it hopes to provide would be aimed at working professionals and that those on Housing Benefit would not be eligible for a room. The applicant's supporting information advises that the proposal would not provide any form of hostel accommodation for vulnerable groups or provide any level of care. All prospective tenants would be required to provide references together with copies of a passport or driving licence. Tenancies would be in the form of Assured Short Hold Tenancy Agreements and would be for a period of six months to one year.
- 2.7 Given the number of rooms to be provided within the proposed scheme the applicant has advised that it is their intention to provide a full time manager on site. The manager would be responsible for dealing with day to day management issues within the building and for ensuring that facilities are kept in good working order.

### **3. Relevant History**

- 3.1 P1500.08 - New access to first floor. Extension to third floor and conversion of second and third floors to nine flats – Withdrawn

P1139.09 - Third floor roof extension, new external staircase and conversion of second and third floors to form 7 No. 2 bedroom flats and 1 No. 1 bedroom flat – Approved

P1579.09 - Conversion and extension to form five 2 bedroom flats, one 1 bedroom flat and one 3 bedroom flats - Approved

#### **4. Consultations/Representations**

- 4.1 The application was advertised and 230 neighbouring addresses notified by letter. No representations have been received.
- 4.2 The London Fire and Emergency Planning Authority is not satisfied with the proposals as they advise that all parts of the building should be within 45 metres of a fire appliance. Given the travel distances involved within the building a dry rising water main would need to be installed within stair core 1. The LFEPA also consider that stair core 2 is not acceptable as a means of escape in the event of a fire. Both of these issues can be dealt with through Building Regulations.
- 4.3 The London Fire Brigade advises that no additional or alteration of existing fire hydrants is required.
- 4.4 English Heritage raises no comments and recommends that the application should be determined in accordance with adopted policy and guidance.
- 4.5 The Borough Crime Prevention Design Advisor raises no objection subject to the imposition of planning conditions covering CCTV, the submission of a Secure by Design application and a management statement.

#### **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**

ROM6 – Respecting the historic environment  
ROM7 – Market Place  
ROM10 – Retail core  
ROM14 – Housing supply  
ROM17 – Greening Romford  
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  
DC4 – Conversions to residential and subdivision of residential uses  
DC5 - Specialist accommodation  
DC21 – Major developments and open space  
DC32 – The road network  
DC33 – Car parking  
DC34 – Walking  
DC35 – Cycling  
DC36 – Servicing  
DC40 – Waste recycling  
DC51 – Water supply, drainage and quality  
DC52 – Air quality  
DC55 – Noise  
DC61 – Urban design  
DC63 – Delivering safer places  
DC67 – Buildings of heritage interest  
DC68 – Conservation areas  
DC72 – Planning Obligations

5.4 The London Plan

2A.8 – Town centres  
3A.5 – Housing choice  
3A.6 – Quality of new housing provision  
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  
4B.1 – Design principles for a compact city  
4B.5 – Creating an inclusive environment  
4B.6 – Safety, security and fire protection  
4B.8 – Respect local context and communities  
4B.12 – Heritage conservation

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 5 – Planning for the Historic Environment  
Planning Policy Guidance Note 13 – Transport  
Planning Policy Guidance Note 24 – Planning and Noise

**6. Staff Comments**

6.1 The issues arising from this application are: the principle of development, the impact of the proposed development on the special character and appearance of the Romford Conservation Area, the impact on the character and setting of nearby listed buildings, the impact of the proposal on the character of the street scene and local environment generally, amenity issues, highways/parking issues and designing out crime issues.

6.1.1 This application follows a previous planning application (reference P1579.09) for the conversion and extension of the subject building to form five 2 bedroom flats, one 1 bedroom flat and one 3 bedroom flats which was approved in January 2010. This application is identical to the previous approval in that the proposed third floor extension would be the same. This current application differs however in that internally part of the building would be converted to form shared residential accommodation rather than individual self contained flats.

6.2 Principle of Development

6.2.1 The application proposes the conversion of the first, second and third floors of the building to form shared residential accommodation. For the most part the upper floors of the building are currently vacant having most recently been in retail use in connection with the ground floor unit. A portion of the first and second floors are currently in office use. The proposal would result in the loss of the retail and office floor space. It should be noted that the loss of the existing commercial floor space has previously been accepted through the approval of the previous application.

6.2.2 The application site is located within the retail core area of Romford Town Centre where Policy ROM10 seeks to encourage the provision of retail and service uses at ground floor level. The policy does not specifically refer to the provision or retention of retail floor space on upper floors. The proposal would see the existing ground floor retail unit retained. In view of this staff are of the view that the loss of the upper floor retail floor space is acceptable and that it would not have a harmful impact on the retailing function of the town centre. Members will also wish to give consideration to the fact that the upper floor retail floor space has been vacant for at least three years and that this proposal would see the whole building brought back into use.

6.2.3 The proposal would see the loss of the existing upper floor office accommodation. Policy DC12 seeks to encourage new office development within Romford Town Centre however there are no policies which seek the retention of existing office floor space within this part of the town centre. The Council's strategy in respect of office development is to focus it within the Romford Office Quarter. Staff are of the view that the loss of the existing office accommodation is acceptable.

- 6.2.4 The proposal would see the introduction of a residential use to the upper floors of the building. The policy presumption outlined by Policy CP1 is such that new forms of residential development are normally directed outside of allocated areas such as town centres. However, the Romford Area Action Plan generally supports the principle of residential development above existing ground floor commercial development. Members will also be aware that the provision of residential development, albeit in a different form, has previously been accepted on this site.
- 6.2.5 In terms of Government guidance 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. PPS6 encourages diversification within town centres and acknowledges that the occupation of flats above shops can increase activity in town centres during the evening and night, thereby contributing to personal safety. There is, therefore, general support for the principle of providing residential forms of development within the town centre.
- 6.2.6 The proposal would see the conversion of the upper floors of the building to form residential accommodation in the form of 85 individual rooms with shared kitchen facilities. The proposal would display a number of characteristics which are similar to a house in multiple occupation (HMO). The Council's Environmental Health Service is responsible for the licensing of such premises and has advised that there is a growing need for the type of accommodation proposed within the private sector to meet the need of those who would find it difficult to afford the rent of a conventional flat. In view of this growing need the Council has seen an increase in the number of shared houses in the Borough within the past five years. Most of these tend to be located in predominantly residential areas often in constrained terrace or semi-detached houses. The location and nature of these type of properties often results in complaints to the Council from adjoining residents in respect of noise nuisance. Given that shared accommodation of the nature proposed requires
- 6.3 Layout and amenity space provision
- 6.3.1 Policy DC4 advises that planning permission will only be granted for proposals involving conversions to residential provided the certain criteria are satisfied. These criteria state that proposals should provide adequate parking, not result in a conflict with adjoining uses, not result in an unacceptable loss of privacy, provide adequate amenity space and ensure that the living rooms of new units do not abut the bedrooms of adjoining dwellings. Policy DC4 advises that proposals for residential communal uses will only be granted where the use would be within a detached property and well separated from neighbouring dwellings. Policy DC4 also advises that proposals for communal uses must not give rise to significantly greater levels of noise and disturbance. The provisions of Policy DC4 will be applied throughout this report.



- 6.3.2 This proposal would see the creation of a fairly large number of individual rooms with shared kitchen facilities provided in one concentrated location. Having regard to the issues outlined above staff are of the view that the siting of accommodation of the nature proposed is better suited within the town centre rather than a predominantly residential area. Staff are of the view that the proposed use of the building would not adversely conflict with adjoining uses.
- 6.3.3 Access to the upper floors of the building would be taken from a dedicated entrance door to the front elevation of the building. Access to each floor of the building would be controlled by way of key fob to ensure that occupiers are not able to move about freely between floors. Internally the layout of each floor would comprise of a central corridor with individual rooms to either side. Two shared kitchen areas would be provided per floor.
- 6.3.4 The Council does not have set room size standards contained within its LDF and as such a judgement needs to be made in this case concerning the size of the proposed rooms and the quality of the living environment which would be created. The proposal would see the creation of 50 one person rooms and 34 two person rooms. In order to assess whether the size of the proposed rooms is adequate staff have given consideration to the East London Guidance on HMO Standards. This document is used by the Environmental Health service of seven Council's is applied in the licensing of HMOs. The document provides guidance on minimum room sizes for bedrooms and kitchen areas based on the number of intended occupants/users. In the case of this proposal the proposed bedrooms and kitchen areas would meet or exceed the minimum recommended room sizes. Staff are of the view that the proposed rooms are of a suitable size and that the relationship between each of the rooms and their stacking is acceptable.
- 6.3.5 Each of the proposed rooms would benefit from natural light either from an external window or from light wells running through the inside of the building. The outlook from the proposed rooms would vary with those rooms to the front of the building having an outlook over the Market Place. Those rooms to the rear of the building would have an outlook over the roof tops of the Quadrant Arcade and adjoining buildings. 25 of the proposed rooms have sole external windows in west facing flank wall of the building. These rooms would have an outlook across the alleyway at the side of the building towards the rear of nos. 1 to 15 South Street. Towards the core of the building a total of 16 rooms would solely have from windows facing into a proposed internal light well.
- 6.3.6 Members are invited to exercise their judgement in respect of the quality of the living environment which would be created for future occupiers. A previous planning application for the conversion of the upper floors of the building to form self-contained residential flats was partly refused on the basis that the sole reliance on windows in the west facing flank wall of the building for some of the units failed to create a suitably high quality of living

environment for future occupiers. The close proximity of the rear of the adjoining buildings to the west fronting South Street means that the proposed flank windows would be separated by a distance of between 5 and 6.2 metres. As mentioned above a total of 16 rooms towards the centre of the building would only benefit from light and outlook via a proposed internal light well. Members may recall that the use of internal light wells was previously accepted

6.3.7 In reaching a view as to whether the quality of the living environment proposed is of a suitable quality Members will wish to consider the nature of the accommodation to be provided. The applicant has advised that it is their intention to offer the proposed rooms on short term tenancies of six months to a year. Staff are of the view that it is unlikely therefore that the proposed rooms would be occupied on a long term basis in the same way that a main residence would. The attractiveness of the rooms as living accommodation even for a relatively short period of time would essentially be a matter of choice for a prospective occupier. Members will also wish to give weight to the fact that the application site is situated within a town centre location where a lower of amenity is generally afforded for residential forms of accommodation than that of a predominantly residential area. Given the nature of the proposed accommodation, for short term let, staff are of the view that the quality of the living environment is acceptable.

6.3.8 Amenity space provides many benefits in terms of opportunities for recreation and leisure and enhancing quality of life through improved health. Members will be aware that the Council has adopted a Supplementary Planning Document for Residential Design. This document does not specifically refer to the need to provide amenity space within a development of the nature proposed. Members will be aware that in recent years, following Government guidance, the Council has approved a number of residential schemes within the town centre with limited or no amenity space provision. The development does not propose the provision of any amenity space nor any communal lounge space as you often find in shared residential accommodation. The nature of the proposed accommodation is such that when occupiers are within the building they would either spend time in their individual room or within the shared kitchen areas. In view of this it is likely that future occupiers would make use of external spaces within the town centre such as the church yard of St. Edward's Church and Ludwigshafen Place. The Council is presently working on several programmes within Romford Town Centre to improve the quality of the public realm. These include the creation of a new public open space within the Market Place and the greening of the town centre. The applicant has agreed to contribute a sum of £30k towards town centre improvements which could be secured via legal agreement in the event that Members are minded to grant planning permission. Staff are of the view that subject to this sum being secured the proposal is considered to make acceptable provision for future occupiers to benefit from a form of external space.

6.4 Community Safety issues

6.4.1 Policy DC63 of the LDF requires new development to address safety and security in the design of new development. Following discussions with the Borough Crime Prevention Design Advisor the applicant has submitted a statement to address the community safety issues arising from the proposed development. The applicant has advised that a full time on site manager will be provided with a room set aside on the first floor to act as a site office. In order to control entry into the building the applicant has advised that an access control system would be installed. Each room would have its own audio and video access system linked to the ground floor entrance. Access to each floor of the building would be controlled by way of key fob to ensure that occupiers are not able to move about freely between floors. The doorways to each room would also be lockable with self-closing devices fitted. CCTV is to be provided to cover the entrance to the building, corridors and kitchen areas. Staff are of the view that the proposal is acceptable in respect of community safety issues, subject to the imposition of conditions requested by the Borough Crime Prevention Design Advisor.

6.4.2 As mentioned above the nature of the proposed use is such that were planning permission granted a separate licence would need to be obtained from the Council's Environmental Health service. Staff from this service area have advised that the accommodation would be subject to an annual inspection as part of the licensing procedure and that the Council has significantly greater powers to take action against any management issues which arise than it does for any other form of residential property. Staff are of the view that there are sufficient mechanisms in place outside of the scope of the planning system to ensure that the accommodation is operated and maintained in a suitable manner.

6.4.3 The proposed residential accommodation would display some characteristics which are similar to that of a hostel. Hostels are typically, but not always, occupied by vulnerable persons whose housing needs differ either through the need for some level of on site support or care. In making this application, the applicant has given a clear statement of intent which indicates that the rooms are to be let to those in employment only. In light of these circumstances and to ensure that the accommodation provided remains for the persons identified by the applicant, an obligation within a Section 106 Legal Agreement is recommended. This will define the persons to whom the accommodation will be available for.

6.5 Conservation Area implications

6.5.1 The subject building is located in the Romford Conservation Area. Policy DC68 advises that planning permission for development within a Conservation Area will only be granted where it preserves or enhances the character or appearance of the Conservation Area and is well designed. Council policy and guidance also seeks to ensure that all works are sympathetic in design and materials to the character of the area and will not

detract from the architectural and environmental quality of the Conservation Area. Government policy contained within PPS 5 advises that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be.

- 6.5.2 The application site comprises part of the Quadrant Arcade which opened in September 1935 and is built in 'Art Deco' style. The Quadrant Arcade is not a Listed Building but is identified in the Council's Heritage Strategy for Romford and Hornchurch as a building of local historical and architectural interest. The subject building retains 1930s architectural features and reflects the growing prosperity and expansion of Romford in the inter-war period. The characteristic architectural features of the building are identified in the Romford Conservation Character Appraisal as being an important quality.
- 6.5.3 The aims of the original designation of the Romford Conservation Area were to protect the group of historic buildings at the west end of Market Place around the crossroads. The subject building is considered to form part of this historic group of buildings and its presence currently makes a positive contribution to the Conservation Area. In view of this any extension or alteration of the building needs to be carefully considered.
- 6.5.4 No objections are raised in principle in conservation terms to the partial conversion of the building which would ensure a long term future for the building. The proposed extension of the upper floor would see the fourth floor brought forward by 7 metres and extended across the entire width of the building. The extension would be set back from the front elevation of the building by 5 metres and as such would not adversely affect the principle façade. The extension has been designed with lightweight materials to the front elevation which staff consider would reduce its visual impact and provide a clear distinction between the extension and the original fabric of the building. The applicant's heritage statement demonstrates that the extension's visual impact of the upper floor extension from within the Market Place and wider Conservation Area would be limited. Given the subservient nature of the extension and the chosen materials staff are of the view that it would have an acceptable impact on the building. The existing parapet wall to the façade of the building, an important and distinctive feature, would remain unaffected by this proposal. A glass balustrade would be applied to the rear face of the parapet however this would not be visible from ground level.
- 6.5.5 The proposal would see the formation of a number of additional window openings in the east and west facing flank walls of the building. Some of the existing windows would also be replaced. Staff raise no objection to the new/replacement windows subject to their appearance matching as closely as possible the building's original critical windows. The proposed plans indicate that the windows would follow the original style and proportions however a condition is recommended to secure further details.

6.5.6 Staff are of the view that the proposed roof extension and other alterations would have an acceptable impact on the street scene and the character of the original building. Staff are of the view that the proposal would suitably preserve the character and appearance of the Conservation Area subject to conditions in respect of materials. In this respect it is not therefore considered that there is a conflict with the provisions of Policy DC68 or Government guidance contained within PPS5.

6.6 Listed Building implications

6.6.1 The proposed fourth floor extension would be separated from the adjacent listed buildings of Church House, Wykeham Hall and St. Edward's Church by in excess of 50 metres. It is not considered therefore that the proposed extension would be visually dominant or intrusive in relation to the nearby listed buildings. Staff are of the view that the distance of the proposed extension from the listed buildings, would prevent any adverse effect on their setting.

6.7 Impact on amenity

6.7.1 Adjacent buildings predominantly have retail or service uses at ground floor with storage or office uses on the upper floors. Given that the offices are closed at night it is not considered that they would disturb occupiers of the proposed accommodation. Nevertheless a sound proofing condition is recommended, in the event Members are minded to grant planning permission, to ensure that amenity is safeguarded. Similarly, users of the office accommodation would not be materially affected by the proposed residential use.

6.7.2 The proposed residential accommodation would be located in a part of the town centre where there are several public houses which have late night opening hours. Given the town centre location of the site a certain degree of activity and associated noise is to be expected in comparison to a predominantly residential area. Staff are of the view that this is something prospective occupiers would take this into account before deciding whether to occupy a room in this location

6.7.3 Staff are of the view that the proposed roof extension, external canopy and window alterations would not result in an adverse impact on amenity.

6.8 Highway/parking issues

6.8.1 The site lies within the Romford PTAL zone and in accordance with guidance in PPG13, the London Plan and Policy DC2 staff consider it would be acceptable for no parking provision to be made for the proposed residential accommodation. The site is located in close proximity to the railway station, several main bus stops and public car parks. However, Policy DC2 requires that the applicant enter into a S106 planning obligation to prevent future occupiers applying for resident parking permits. In the

event that Members are minded to grant planning permission this could be secured by legal agreement. The applicant has also indicated that secure cycle parking could be provided at ground floor in order to promote alternatives means of transport. A condition requiring the submission of further details is recommended.

6.8.2 Servicing of the proposed residential accommodation would take place from the Market Place on non market days. Given the location of the site this arrangement is considered to be acceptable. Refuse and recycling would be stored, as presently, in the alleyway adjacent to the west facing flank wall of the building. Staff are of the view that suitable refuse collection and storage arrangements could be dealt with via condition.

6.9 Other matters

6.9.1 Members will be aware Policy DC6 of the LDF advises that the Council will seek 50% of new homes built in the Borough to be affordable housing. In the case of this application the proposal relates to the conversion of the upper floors of the building to form individual rooms which would be for short term let rather than forming self contained residential accommodation. Given the nature of the accommodation the proposal is not considered to trigger an affordable housing contribution in this case. Similarly an education contribution is not being sought in this case as the development would not result in an educational need in the same manner as a conventional housing development would.

## **7. Conclusion**

7.1 Staff consider that the proposed conversion of the upper floors of the building to residential use is acceptable in principle. The proposal would create 85 individual rooms with ensuite bathrooms and shared kitchen facilities. Members are invited to exercise their judgement in respect of the quality of the living environment which would be created for prospective occupiers. Staff are of the view that the proposal is acceptable given that the rooms would be for short term let and would be sold as permanent self contained accommodation. The proposed development would not make any provision for amenity space within the scheme however the applicant has agreed to a financial contribution of £30k towards tree planting and landscaping improvement works within the local area. The proposed extensions and alterations to the building are considered to be acceptable and would acceptably preserve the character and appearance of the Romford Conservation Area. The proposal does not raise any amenity or highways issues. Subject to the completion of a legal agreement to prevent future occupiers from obtaining resident parking permits the lack of parking within the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

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

**BACKGROUND PAPERS**

Application form, plans, a heritage statement and a design and access statement received on 23<sup>rd</sup> August 2010.

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# 10

## REGULATORY SERVICES COMMITTEE

## REPORT

30 June 2011

**Subject Heading:**

**P0578.11 – Riverside Sewage Treatment Works, Ferry Lane North off Lamson Road, Rainham**

**Variation of Condition 2 attached to planning permission reference U0005.08 dated 30 October 2009 to incorporate design changes to Sludge Storage and Dewatering Building, CHP Building and plant layout (Application received 8th April 2011)**

**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 type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" 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**

In November 2008 a proposal was presented to Members for the reintroduction of sludge digestion to Riverside Sewage Treatment Works (STW) involving substantial new and replacement works at the site to meet current sludge treatment requirements and to provide additional capacity to meet future requirements. Havering were consultees to the application with the decision falling to the LTGDC as the determining Authority. Members resolved to raise no objection to the proposals.

The LTGDC subsequently resolved to grant planning permission subject to conditions and the prior completion of a S106 legal agreement. The S106 agreement was subsequently signed in October 2009 and planning permission granted.

This application is seeking approval, through an amendment to a condition, for some minor design changes to the approved scheme:

- To change the radius of the roof to some buildings,
- Increased height to the exhaust stacks to the Combined Heat and Power building
- Minor changes to the layout of plant.

The changes are judged by staff to be acceptable and it is recommended that Condition 2 be varied subject to a legal agreement to reflect this application and to remove the LTGDC as a party to the agreement and no contrary direction from the Mayor for London.

**RECOMMENDATIONS**

- A. That the Committee resolve that, the application is considered unacceptable as it stands but it would be acceptable subject to:
- a) No direction to the contrary from the Mayor for London;
  - b) The prior completion of a S106 legal agreement to ensure that the provisions of the original S106 dated 30/10/2009 relating to U0005.08 are applicable to this application and to remove the LTGDC as a party to the agreement which would cover all of the planning obligations included in the original Section 106 agreement dated 30/10/2009:
    - The submission and agreement of an Odour Management Plan and Odour Management Protocols for the site prior to commissioning of the development and for the site to be operated in accordance with the OMP which may be modified and updated from time to time in agreement with the Local Planning Authority, including contributions

towards the costs incurred by the Council in approving and auditing the said Agreement and Protocols ;

- land for a potential future public right of way along the eastern boundary of the site from 'Ferry Lane North', south through to the A13;
- a contribution of £10,000 towards a local employment scheme such as Job Net or an equivalent; and
- that recruitment is sought through Job Net or a similar scheme.

**CONDITIONS as per U0005.08 save for :**

2. All works are to be completed in accordance with the following Drawing Numbers:

Figure 1 - Location Plan

Figure 2a - Riverside STW Ownership Area and Planning Application Plan

Drawing No. 9RTG-YY-02001 REV A - Existing Site Plan and Environs

Drawing No. 9RTG-YY-02000 REV A - Existing Site Plan

Drawing No. 9RTG-YY-02006 REV C - Proposed Site Plan

Drawing No. 9RTG-YY-02005 REV A - Contractors Working Area

Drawing No. 9RTG-YY-02010 REV D - Site Plan Sludge Digestion

Drawing No. 9RTG-YY-02011 REV C - Sludge Digestion Plant Sheet 1 of 2

Drawing No. 9RTG-YY-02012 REV C - Sludge Digestion Plant Sheet 2 of 2

Drawing No. 9RTG-YY-02015 REV A - Relocated Leachate Reception

Facilities and Odour Control Unit Number 2

Drawing No. 9RTG-YY-02007 REV C - Planning Application - Sections 1

Drawing No. 9RTG-YY-02008 REV B - Planning Application - Sections 2

Drawing No. 9RTG-YY-02061 REV G - CHP Building External Elevations

Drawing No. 9RTG-YY-02060 REV C - CHP Building Plan and Sectional Elevations

Drawing No. 9RTG-YY-02032 REV C - Dewatering and Sludge Storage Building External Elevations

Drawing No. 9RTG-YY-02031 REV C - Dewatering and Sludge Storage Building Plan and Elevations

Drawing No. 9RTG-YY-02030 REV C - Dewatering and Sludge Storage Building Plan

Drawing No. 9RTG-YY-02055 REV A - Digester MCC

Drawing No. 9RTG-YY-02080 REV A - Leachate Reception Facilities Office

Drawing No. 9RTG-YY-02090 REV A - Typical Detail of Odour Control Units 1 & 2.

No further drawings apply, unless otherwise approved in writing by the Local Planning Authority.

**Reasons:** The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Policy DC61 (Urban Design) of London Borough of Havering's Development

Control Policies Development Plan Document and Policy 4B.1 (Design Principles for a Compact City) of the London Plan (adopted February 2008).

**Reason for Approval:**

The proposal to re-instate the processing of sludge at Riverside STW, including the processing of approximately 10-25% of sludge generated at Beckton Sewage Treatment Works for a number of years, is considered to be acceptable in principle as it would comply with Havering's LDF Core Strategy and Development Control Policies, the London Plan, and draft Joint Waste Plan objectives for waste management within the Borough.

**REPORT DETAIL**

**1.0 Background**

1.1 Proposals for various works required to reinstate the process of sludge digestion at the Riverside Sewage Treatment Works were approved by the LTGDC on 12 February 2009, subject to planning conditions and the completion of a S106 legal agreement (report attached). The S106 Agreement was completed between Havering, and TWUL (the landowners) and the planning permission was subsequently formally granted by the LTGDC on 30 October 2009. Construction commenced on site in July 2010. Since the commencement of construction it has become apparent that there will need to be some minor changes to the permitted design and layout.

**2. Site Description**

2.1 Rainham Riverside Sewage Treatment Works Facility (Riverside STW) is located off Ferry Lane North approximately 500m south west of Rainham Village. The site lies immediately east of the Beam Reach 5 Business Park and west of the Ferry Lane industrial estate. There are 8 existing residential properties within 100m of the site owned by Thames Water; the next closest residential area is approximately 250m north of the site.

2.2 The site is bounded to the north by the Barking – Southend C2C Railway and the Channel Tunnel Rail Link (CTRL). The A13 defines the southern boundary of the Riverside STW. The east and west boundaries are bounded by existing watercourses referred to as Rainham Creek and Havering Sewer. Rainham Creek is a Site of Importance for Nature Conservation (SINC) of Metropolitan Importance directly affected by the tidal flow of the River Thames. Havering Sewer is a SINC of Grade 2 Borough Importance. A SINC of Borough Importance is also located within the old sludge lagoons of the site.

2.3 There are numerous buildings and structures on the site of differing ages from the 1920's through to more recent constructions, all of which, form part

of the Riverside STW with a current capacity serving 415,500 population equivalent.

2.4 The site is located within the Rainham Employment Area and is identified as a Strategic Industrial Location.

### **3. Description of Proposal**

3.1 A full description of the proposed works and buildings for which planning permission has been granted is contained within the attached report. The changes to the permitted design that are sought through this application are as follows:

- Sludge Storage and Dewatering Building – It is proposed to slightly increase the radius of the curved roof in order to maintain a smooth curvature resulting in a slight decrease in the overall height from 14.515m to 14.310m and an increase in the eaves height on the northern elevation from 6.5m to 6.8m. It is also proposed to change the external staircase from a spiral to a non-spiral design.
- CHP Building – Similar change to the roof design to that described above resulting in an increase in eaves height from 6m to 7m and a 0.1m reduction in overall height. It is also proposed to increase the height of the engine and boiler exhaust stacks by 4.85m from 14.15m to 19m in order to comply with Havering Air Quality Management objectives and EU objectives. Some changes to the position and extent of ventilation louvers is also proposed.
- Plant Layout – Thickened sludge silos and Centrate Collection Chamber to be located to the east of the dewatering and sludge storage building. Reception tanks to be located 15m to the east of previous location to enable Odour Control Unit to be located immediately to the west. Sludge heat dump repositioned to the south of the Thermal Hydrolysis Plant. THP transformers relocated to south of new road. A Motor Control Centre to be relocated from the south of the digester area to the north of the existing large digesters.

### **4. Planning History**

4.1 Sewage works have occupied this site since the 1920's and there is an extensive planning history. Of most relevance are the following recent applications:

P1643.99 - Blower house building – Approved

U0004.08 - Blower House incorporating motor control centre building and transformer bay - Approved

U0005.08 - New sewage sludge advanced digestion facility, including reburbishment of existing digesters. Sludge reception tanks; sludge thickening plant, thermal hydrolysis plant, anaerobic digestion plant, sludge dewatering and storage facilities, gas holders, combined heat & power plant, waste gas burner, odour control plant & assoc. works & structures;

pipework; internal access roads; relocation of leachate reception facilities. –  
Approved

**5. Consultations and Representations**

5.1 The application has been advertised as a major application by reason of the size and nature of the proposals to which the condition for which variation is sought applies. The application was advertised by press notice, site notices and letters to neighbouring properties. No letters of representation have been received.

5.2 The following consultee responses have been received:

- **Mayor for London** – The Mayor for London has been consulted and comments are awaited. It is anticipated that staff will report these orally at the meeting.
- **Environment Agency** – No objections subject to original conditions being re-imposed..
- **Streetcare/Highways** – No objection

**6. Relevant Policies**

Havering LDF Policies

CP11 – Sustainable Waste Management  
CP15 – Environmental Management  
CP17 – Design  
DC9 – Strategic Industrial Locations  
DC33 – Car Parking  
DC48 – Flood Risk  
DC49 - Sustainable Design and Construction  
DC50 – Renewable Energy  
DC51 – Water Supply, Drainage and Quality  
DC52 – Air Quality  
DC53 – Contaminated Land  
DC61 – Urban Design

Consolidated London Plan Policies

2A1 – Sustainability Criteria  
4A.1 – Tackling Climate Change  
4A.3 – Sustainable Design and Construction  
4A17 – Water Quality  
4A18 – Water and Sewage Infrastructure  
4A.19 – Improving Air Quality

National Guidance

PPS10 – Planning for Sustainable Waste Management  
PPS22 – Renewable Energy

PPS23 - Planning and Pollution Control  
PPS25 – Development and Flood Risk

**7. Staff Comments**

- 7.1 The principle of re-introducing sludge treatment to the Riverside STW is considered acceptable having been granted planning permission on 30 October 2009. The development accords with Policies CP11 and DC51 which support the provision of waste developments within industrial strategic locations or existing licensed waste facilities. The site is an existing waste treatment site and is allocated within a main employment area, where policy DC9 Strategic Industrial Locations applies. Work to implement the permission is underway, all pre-commencement conditions having been satisfied.
- 7.2 The acceptability of the proposal therefore rests on consideration of the design and visual impact of the revised structures and the amended layout and any additional impacts arising as a result of the proposed amendments.
- 7.3 *Design and Visual Impact* - Most of the buildings that would be altered or moved would not be visible from the public domain due to a combination of their location amongst existing infrastructure and the separation distances from public viewpoints. Nevertheless, consideration has been given to the design of these structures as some would be visible from the adjacent rail corridor.
- 7.4 The proposed change to the radius of the curved roof to the sludge and dewatering building and the CHP building are necessary in order to avoid the need to crimp the proposed metal roof cladding, thereby enabling a smooth curvature. Staff are satisfied that these changes will be of little consequence and are acceptable.
- 7.5 The increased height of the engine and boiler house exhaust stacks will make these more visible from outside the site. However, these features are within a site that contains buildings up to 15m high and an array of digester tanks that are 23m high. Within the context of the site the additional height is considered to be acceptable and is considered by staff to fit well with the scale of the buildings in the immediate vicinity.
- 7.6 The proposed changes to the layout of the site only affect the location of some of the more ancillary buildings and structures within the overall footprint of the permitted scheme and have no material impact upon the external appearance of the site or impact upon outside receptors.
- 7.7 *Other Considerations* – The only external impact that the changes will result in arises from the increase in the height of the exhaust stacks. The increase in height is designed to ensure adequate dispersion of exhaust gases aimed at improving air quality in the area in compliance with the relevant pollution control regimes that apply.

7.8 Impacts in terms of odour, transport, biodiversity, water and flood risk, noise, land quality and archaeology are all unaffected by the proposed changes and are dealt with where necessary by conditions that will be re-imposed in any new permission

**8. Conclusion**

8.1 Staff are satisfied that the proposal as amended remains acceptable in principle as it would comply with the LDF Core Strategy and Development Control Policies DPDS, London Plan and draft Joint Waste Plan objectives for waste management within the Borough. Staff are satisfied that any impacts associated with the proposed amendments would be inconsequential.

8.2 The S106 would provide necessary safeguards, contributions and obligations and it is accordingly recommended that planning permission be granted subject to a legal agreement and no contrary direction from the Mayor for London should the application need to be referred formally at Stage II.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

No financial implications or risks.

**Legal implications and risks:**

A Section 106 planning obligation would need to be prepared and signed prior to the issue of the planning permission.

The heads of the agreement are set out in the report recommendation.

**Human Resources implications and risks:**

There would be no human resource implications or risks.

**Equalities implications and risks:**

There are no specific social inclusion and diversity issues that arise directly from this report. The council's policies and guidance, the London Plan and Government guidance all seek to respect and take account of social inclusion and diversity issues.



**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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**PLANNING COMMITTEE MEETING: 12 February 2009**

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC**

**REPORT OF THE DIRECTOR OF PLANNING**

<b>UDC CASE NUMBER:</b>	LTGDC-08-094-FUL	<b>DATE MADE VALID:</b>	02/06/2008
<b>APPLICATION NUMBER:</b>	U0005.08/LBHG	<b>TARGET DATE:</b>	01/09/2008

<b>APPLICANT:</b>	Thames Water Utilities Ltd
<b>AGENT:</b>	Adams Hendry Consulting Ltd
<b>PROPOSAL:</b>	New sewage sludge advanced digestion facility, including refurbishment of existing digesters. Sludge reception tanks; sludge thickening plant, thermal hydrolysis plant, anaerobic digestion plant, sludge dewatering and storage facilities, gas holders, combined heat and power plant, waste gas burner, odour control plant and associated works and structures; pipework; internal access roads; relocation of leachate reception facilities.
<b>LOCATION:</b>	Riverside Sewage Treatment Works, Ferry Lane North, off Lamson Road, Rainham, Essex RM13 8RL

**1. SUMMARY**

- 1.1 Currently sludge generated by the Riverside Sewage Treatment Works (STW) is pumped via an 8 kilometre existing underground pipeline to Beckton STW for disposal.
- 1.2 Sludge is the bi-product of the biological treatment of wastewater. To address the growing demands arising from higher than predicted population growth rates within the catchment areas of Riverside STW and Beckton STW, and to meet current requirements in wastewater

improvements, Thames Water is proposing to re-introduce the sludge digestion process to Riverside STW. The proposed works will also allow Riverside STW to treat 10-25% of sludge generated from Beckton STW for an interim period until a long-term strategy for treatment of Beckton's sludge at Beckton STW has been identified and delivered.

- 1.3 The process will produce a beneficial end product that will be exported from Riverside STW and recycled to agricultural land. Additional energy recovery will also occur through the proposed combined heat and power (CHP) facility on the site.
- 1.4 The proposal will provide for a long-term solution to the increasing demand for sewage treatment capacity in the catchment area.
- 1.5 Conditions are recommended to be attached to any planning permission granted to ensure that odour control measures are installed, implemented, regularly tested, and maintained to provide for an odour neutral position as a minimum, or an improved odour situation at the site.
- 1.6 It is considered that the proposals accord with the relevant policies of Havering's LDF Core Strategy and Development Control Policies Development Plan Documents.
- 1.7 The application is recommended for approval subject to any direction from the Mayor of London, the conditions attached to this report, and the completion of a S106 legal agreement.
- 1.8 A S106 legal agreement should secure:
  - a) the submission and agreement of an Odour Management Plan (OMP) for the site prior to commissioning of the development and for the site to be operated in accordance with the OMP which may be modified and updated from time to time in agreement with the Local Planning Authority;
  - b) land for a potential future public right of way along the eastern boundary of the site from 'Ferry Lane North', south through to the A13;
  - c) a contribution of £10,000 towards a local employment scheme such as Job Net or an equivalent; and
  - d) that recruitment is sought through Job Net or a similar scheme.

## **2. SITE AND PROPOSAL**

- 2.1 The application site is referred to as Riverside Sewage Treatment Works (Riverside STW) and is located off Ferry Lane North approximately 500 metres south-west of Rainham Village. The site is situated immediately

east of the Beam Reach 5 Business Park and west of the Ferry Lane Industrial Estate.

- 2.2 The site is bounded to the north by the Barking – Southend c2c Railway and the Channel Tunnel Rail Link (CTRL). The A13 defines the southern boundary of Riverside STW. The east and west boundaries are bounded by existing watercourses, namely Rainham Creek and Havering Sewer. Rainham Creek is a Site of Importance for Nature Conservation (SINC) of metropolitan importance directly affected by the tidal flow of the River Thames. Havering Sewer is a SINC of Grade 2 borough importance. A SINC of borough importance is also located within the old sludge lagoons of the site. The River Thames is located approximately 850 metres south-west of the STW.
- 2.3 The character of the surrounding landscape is dominated by industry and commerce, with large industrial estates, depots, factories and works to the north, east and south of the STW.
- 2.4 The closest residential properties are located on Creekside. These 8 properties are owned by Thames Water and are situated on the eastern boundary of the site, approximately 250 metres from the location of the proposed sludge digestion facility and within 100 metres of the boundary of the Riverside STW site.
- 2.5 Larger residential areas exist to the north of the A1306 and to the east of Bridge Road. There are also current planning applications and master planning work that seek to provide further residential properties in the vicinity of the A1306. London Borough of Havering's Local Development Framework Site Specific Allocations Development Plan Document identifies SSA 12: Rainham West in close proximity to the site, north of the railway line, as being suitable for residential and ancillary community, retail, recreation, educational and leisure uses, and appropriate employment uses.
- 2.6 A sewage treatment works has been located at Riverside since the 1920s. The main buildings of the sewage works were located in the eastern section of the site and included a laboratory, tanks, pump house, and engine house, settling tanks, precipitation tanks and aqueducts. The western area of the site mainly comprised sludge beds. Between 1970 and 1977 the sewage works was modified and a large number of tanks were constructed.
- 2.7 Prior to 1997, sludge was digested at Riverside STW and then piped to Beckton STW to be barged to the North Sea for disposal. This practice of disposal to sea was banned in 1998. Since 1997, sewage sludge produced at Riverside STW has been transferred via a pipeline for treatment through the Sludge Powered Generator (SPG) at Thames Water's Beckton STW.

- 2.8 Riverside STW serves the equivalent of approximately 415,000 people and deals with a daily average flow of 113,000 m<sup>3</sup>/day of wastewater. The wastewater that arrives at Riverside STW via the combined sewers is a mix of domestic sewage, industrial effluent and rainfall. Riverside STW currently serves an area which includes Romford, Hornchurch, Dagenham, Brentwood and Rainham.
- 2.9 The sludge (1750 m<sup>3</sup>/day) produced at Riverside STW is piped along an 8 kilometre underground pipeline to Beckton STW for treatment in the Beckton SPG.
- 2.10 The whole of the Riverside STW site is approximately 24 hectares in size and includes buildings and structures involved in the existing STW operational process, disused sludge lagoons and areas of redundant buildings/structures.
- 2.11 The majority of the working areas of the site are located in the north and east and comprise concrete, brick and steel structures including settlement tanks, aeration tanks, blower buildings, and ancillary buildings. These are connected by a network of concrete roads and hard standing, interlaced with areas of amenity grass with a limited number of trees around the edges of the site. Offices, parking and storage facilities are predominantly located to the north-east of the operational STW site.
- 2.12 The final effluent resulting from the sewage treatment process flows down an 'Outer Effluent Channel' and discharges into Rainham Creek which is a tributary of the River Thames.
- 2.13 Some of the structures and buildings on the STW site are not in current operational use. These include the primary digesters, gas holding tanks, heater house, secondary digesters, and a sludge pumping station in the north-west of the site. These were previously used for sludge digestion but became redundant in 1997 following commencement of the transfer of sludge to Beckton. The two oldest, small digesters have been brought back into use; one as a final effluent storage tank for washwater, and the other as a sludge storage tank for periods when sludge cannot be transferred to Beckton.
- 2.14 In the south and west of the operational STW site there are two large disused sludge lagoons.
- 2.15 The current application seeks planning permission to undertake various works to re-instate sludge digestion at Riverside STW to meet the sewage treatment demand arising from the current and predicted population growth, and improvements to wastewater treatment processes within the catchment area.
- 2.16 The proposed sludge digestion facility will be located in the north-west corner of the STW on the site of the existing digestion facilities. This is an

area of approximately 1 hectare. There are, at present, eight secondary digesters and a pumping station located in this part of the site that are currently not used and will be demolished. Adjacent to these, on the south-eastern edge of the main proposed development area, there are four existing large digesters also currently not being used, which will be renovated and used for the anaerobic digestion process. The existing heater house and gas holders located between the existing digesters will also be demolished, allowing space for construction of two new gas holders. An odour control unit is to be located amongst the existing STW infrastructure.

- 2.17 Part of the proposed development area, close to the existing secondary digesters, is currently utilised by Viridor Waste Management for the disposal of leachate for treatment through the sewage treatment works. To enable a compact layout for the proposed sludge digestion facility it is proposed to relocate the Viridor operation to a new part of the site north of the STW access road, between the car park to the east of the existing fuel storage area and the currently unused office block.
- 2.18 The proposed sludge digestion plant will have a maximum handling capacity of 110 tonnes of dry solids (sludge cake) per day. The following plant, structures and other ancillary works are required to process and digest sludge at Riverside STW and these are included in the current application:
- Reception Tanks (new)
  - Thermal Hydrolysis Plant (THP) Slab and THP (new)
  - Digesters (refurbished)
  - Digested Sludge Buffer Tanks (new)
  - Dewatering and Sludge Storage Building (new)
  - Combined Heat and Power (CHP) Building (new)
  - Gas Holders (new)
  - Waste Gas Burner (new)
  - Roads (new)
  - Pipe work and cabling (new)
  - Works drainage and liquor returns
  - Surface Water Drainage
- 2.19 Based on population forecasts undertaken in the early 1990s, the Sludge Powered Generator (SPG) at Beckton STW was expected to meet the demands of the Beckton and Riverside catchments up to 2015. However, growth in the catchments has been much greater than anticipated and there is now a need to provide additional sludge treatment capacity to treat sludge arising from the Riverside catchment.
- 2.20 An improved digestion process is proposed to allow for the recycling of digested sludge to agricultural land. This is expected to meet the long-term sludge treatment needs of the Riverside catchment taking account of

predicted growth in the population equivalent of the catchment in the future.

- 2.21 The biogas generated from the digestion process will be used to generate renewable energy in a new Combined Heat and Power facility on the site.
- 2.22 Separately from these proposals at Riverside STW, Thames Water is proposing to extend its Beckton STW in order to meet the requirements of the Urban Wastewater Treatment Directive. Those proposals will lead to an increased volume of sludge being produced at Beckton. They are the subject of a separate planning application which is under consideration by the Corporation. The existing Beckton SPG will continue to treat sludge generated within the Beckton catchment up to the maximum capacity of the generator but in the short to medium term a proportion of Beckton's sludge is to be transferred from Beckton to Riverside by pipeline to be digested in the proposed sludge digestion facility at Riverside STW. This will be an interim measure until a long-term strategy for treatment of Beckton sludge at Beckton STW has been identified and delivered.
- 2.23 Thames Water has advised that a company-wide sludge strategy and associated Strategic Environmental Assessment is currently being developed which will set out the options for the long-term treatment of sludge arising from the Beckton catchment. Whilst the conclusions of that work cannot be prejudged, the long-term solution for Beckton cannot be delivered in a timeframe which will avoid the need for the interim measure of transferring some sludge (approximately 10-25% of sludge generated at Beckton STW) to the proposed digestion facility at Riverside STW.

### **3. MAIN ISSUES**

3.1 The key issues to be considered are:

- Design and appearance
- Odour
- Noise
- Surface Water and Flood Risk
- Landscaping and Ecology
- Contamination
- Energy
- Traffic
- Employment
- Pedestrian Access

### **4. RELEVANT SITE HISTORY**

4.1 Sewage works have occupied this site since the 1920s. An application



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for a blower house was granted permission in February 2000 under Planning Permission Reference No. P1643.99.

- 4.2 An application for an additional blower house and associated remedial works was recently approved (Application No. U0004.08) subject to the completion of a S106 legal agreement (still to be finalised and signed) which also includes further works associated with the Tidal Thames Quality Improvement (TTQI) scheme to improve water quality. The blower house S106 agreement will secure adequate ecological management of a new proposed wetland which is the subject of permitted development.

## **5. CONSULTATIONS/NOTIFICATIONS**

**GLA** – A Stage 1 Report was referred to the Mayor on 23 July 2008. The report identified that the following areas of the scheme needed to be addressed in order to remedy deficiencies in the application:

**Design** – The design is unimaginative and contrary to Policy 4B.1. The design should be more legible and produce a more attractive collection of buildings on this very visible site from the railway.

**Sustainable Design and Construction** – Regard should be had to the Mayor's supplementary planning guidance on sustainable design and construction; the planning application should demonstrate how it meets the Mayor's essential, and where possible, preferred standards as listed in that document relating not only to energy efficiency but also water efficiency, waste, biodiversity, and other issues. The GLA also aim to ensure that future developments meet the highest standards of sustainable design and construction by testing against principles in Policy 4A.3. Drawings exploring the potential green treatment to the roof and walls are recommended along with rainwater harvesting. Details of this and the treatment of the site boundaries should be worked up in more detail.

**Flooding Mitigation** – The flood risk assessment should be updated to examine the residual flood risk and determine what impacts would occur if the site did flood. Appropriate mitigation should be provided in line with Policy 4A.13. Further advice should be taken from the Environment Agency.

**Transport** – The applicant should ensure that potential pedestrian and heavy goods vehicles conflict along Lamson Road and Ferry Lane is considered and that interventions are made, where necessary. A significant number of vehicular movements, as well as pedestrian access, are anticipated throughout the day, and the satisfactory design of the access arrangements is important to the acceptability of the proposal. The applicant should ensure that the pedestrian access arrangements provide an inclusive, clear, direct and legible approach to the site, that is safe, well lit, appropriately landscaped and adheres to secured

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by design principles, at all times of day. Pedestrian access points and circulation around the site should be illustrated on plan revisions.

**Energy** – The London Plan Policy 4A.1 requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide, adopting sustainable design and construction and prioritising decentralised energy including the adoption of on-site renewable energy systems with a target of reducing carbon dioxide emissions by 20%. A series of policies are set out in chapter 4A, which expand on how developers should deliver the above. There are numerous questions raised in the energy section of the report that will need to be addressed in greater detail.

**Air Quality** – The odour management plan explains that a mitigation facility will be located at the site for preventing odours and for dealing with odour problems when they arise. Relevant contingencies should be put in place to demonstrate how odour problems would be managed should faults in the machinery occur. The likely health implications should be considered should excess toxins be released into the air. Compliance with Policy 4A.19 is required to be demonstrated.

*(Since the GLA Stage 1 Report was issued there have been revisions to the scheme and the applicant has sought to address the comments made by the GLA in further correspondence. Confirmation is awaited as to whether the GLA Officer is satisfied that all of the points in the Stage 1 Report have been dealt with adequately. An update will be provided to members at committee.)*

**London Fire Brigade** – Have requested that 11 private hydrants be installed (a plan has been provided by the Fire Brigade identifying suitable locations).

**LFEPA** - No objection. Access should comply with Section 16 of Approved Document B (ADB). 16.5, Tables 19 & 20.

**National Grid** – There are gas pipelines in near vicinity with a moderate risk and therefore there is a need for Thames Water to consult National Grid prior to construction. There is electricity nearby, however this is considered to be a negligible risk.

**Environment Agency** - Conditions to be imposed regarding flood storage, surface water drainage details, external lighting, planting, and landscaping.

**English Heritage** - No significant finds in desktop based assessment. No objection.

**Thames Water** - No objection.

**LB of Havering Highways** - No objection.

**LB of Havering Environmental Health** - Phase I, II, and III contamination condition to be imposed.

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**LB of Havering Building Control** – Need to ensure Environment Agency and Fire Brigade are consulted.

**National Trust** - No objection. There is a need to consider adequate landscaping to the northern boundary.

## **6. APPLICATION PUBLICITY**

6.1 **Site Notice Expiry:** 7 July 2008

6.2 **Press Notice Expiry:** 14 July 2008

6.3 **Neighbour Notification:** 4 July 2008. Further consultation undertaken on 28 October 2008 following amendments to the scheme.

## **7. REPRESENTATIONS**

7.1 2948 notification letters were sent out to coincide with the letter drop and consultation process Thames Water ran prior to submission.

7.2 6 letters of objection were received in response to the first round of consultation letters sent regarding the planning application. 2 additional letters of objection were received following the second round of consultation letters that were sent regarding amendment of the application.

7.3 Objections relate to traffic impact; air pollution; odour issues; visual impact from new buildings; wrong use for the site; and local roads worsened by heavy traffic; as discussed below.

### **Individual Comment:**

### **Response to Comment:**

Traffic impact

The proposed development will generate on average 10 additional two-way HGV movements per day. Transport for London has confirmed that this will not give rise to any significant effects on the road network. Riverside STW is well located for access to the A13 and the wider trunk road network.

Air pollution and odour issues

Odour and air quality assessments have been prepared in connection with the planning application. These conclude that there will be no adverse

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impacts on the local population. The additional odour control measures proposed as part of the scheme and secured by condition/S106 legal agreement will help to ensure that there is no increase in odour emissions from the site.

Visual impact from new buildings

The scheme will involve the redevelopment of part of the STW where much of the plant is disused and redundant and in some instances in a poor state of repair. There will therefore be an improvement in the appearance of the site. The visual and landscape assessment confirms that views of the site are limited.

Wrong use for the site

The main driver for the scheme is to enable Riverside STW to treat sludge generated within its own catchment rather than exporting it to Beckton STW in Newham for treatment. The proposed development will be undertaken entirely within the boundary of the existing STW. It will not occupy any additional land that otherwise would be used for employment purposes.

Site is unsuitable for what is proposed

The planning application and supporting environmental information demonstrate that Riverside STW is suitable and subject to relevant conditions can accommodate the proposed advanced digestion facility without detriment to the environment and local residents.

## **8. RELEVANT PLANNING POLICY**

### **8.1 National Planning Policy Guidance:**

PPS1 – Delivering Sustainable Development  
PPS9 – Biological and Geological Conservation  
PPS10 - Planning for Sustainable Waste Management  
PPG13 - Transport  
PPG16 - Archaeology and Planning

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PPS22 – Renewable Energy  
PPS23 – Planning and Pollution Control  
PPG24 – Planning and Noise  
PPS25 – Development and Flood Risk

## **8.2 The London Plan (adopted February 2008):**

Policy 2A.1 – Sustainability Criteria  
Policy 2A.2 – Spatial Strategy for Development  
Policy 3B.10 – Environmental Industries  
Policy 3C.2 - Matching Development to Transport Capacity  
Policy 3C.17 - Tackling Congestion and Reducing Traffic  
Policy 3D.8 - Realising the Value of Open Space and Green Infrastructure  
Policy 3D.14 – Biodiversity and Nature Conservation  
Policy 3D.15 – Trees and Woodland  
Policy 4A.1 – Tackling Climate Change  
Policy 4A.2 – Mitigating Climate Change  
Policy 4A.3 – Sustainable Design and Construction  
Policy 4A.4 – Energy Assessment  
Policy 4A.5 – Provision of Heating and Cooling Networks  
Policy 4A.6 – Decentralised Energy: Heating, Cooling and Power  
Policy 4A.7 – Renewable Energy  
Policy 4A.9 – Adaptation to Climate Change  
Policy 4A.10 - Overheating  
Policy 4A.11 - Living Roofs and Walls  
Policy 4A.12 - Flooding  
Policy 4A.13 – Flood Risk Management  
Policy 4A.14 – Sustainable Drainage  
Policy 4A.17 – Water Quality  
Policy 4A.18 – Water and Sewerage Infrastructure  
Policy 4A.19 – Improving Air Quality  
Policy 4A.20 – Reducing Noise and Enhancing Soundscapes  
Policy 4A.21 – Waste Strategic Policy and Targets  
Policy 4A.23 – Criteria for Selection of Sites for Waste Management and Disposal  
Policy 4A.28 – Construction, Excavation and Demolition Waste  
Policy 4A.33 – Bringing Contaminated Land Into Beneficial Use  
Policy 4B.1 – Design Principles for a Compact City  
Policy 4B.2 – Promoting World-Class Architecture and Design  
Policy 4B.5 – Creating an Inclusive Environment  
Policy 4B.6 – Safety, Security and Fire Prevention and Protection  
Policy 4B.8 – Respect Local Context and Communities  
Policy 4B.15 – Archaeology  
Policy 4C.1 – Strategic Importance of the Blue Ribbon Network  
Policy 4C.2 - Context for Sustainable Growth  
Policy 4C.3 - The Natural Value of the Blue Ribbon Network  
Policy 4C.22 - Rivers, Brooks and Streams  
Policy 5C.1 - The Strategic Priorities for North East London

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Policy 5C.3 - Opportunity Areas in North East London

### **8.3 LB of Havering Local Development Framework (LDF):**

#### LDF Core Strategy Development Plan Document:

Policy CP3 – Employment  
Policy CP10 – Sustainable Transport  
Policy CP11 – Sustainable Waste Management  
Policy CP15 – Environmental Management  
Policy CP16 – Biodiversity and Geodiversity  
Policy CP17 – Design

#### LDF Development Control Policies Development Plan Document:

Policy DC9 – Strategic Industrial Locations  
Policy DC13 - Access to Employment Opportunities)  
Policy DC32 – The Road Network  
Policy DC33 – Car Parking  
Policy DC36 - Servicing  
Policy DC48 – Flood Risk  
Policy DC49 – Sustainable Design and Construction  
Policy DC50 – Renewable Energy  
Policy DC51 – Water Supply, Drainage and Quality  
Policy DC52 – Air Quality  
Policy DC53 – Contaminated Land  
Policy DC55 – Noise  
Policy DC56 - Light  
Policy DC58 – Biodiversity and Geodiversity  
Policy DC59 – Biodiversity in New Developments  
Policy DC61 – Urban Design  
Policy DC62 - Access  
Policy DC63 – Delivering Safer Places  
Policy DC66 – Tall Buildings and Structures  
Policy DC70 – Archaeology and Ancient Monuments  
Policy DC72 – Planning Obligations

#### LDF Site Specific Allocations Development Plan Document (adopted 23 July 2008):

##### **Policy SSA 12 – Rainham West:**

The Rainham West area which comprises land to the west of Bridge Road, north of the London Tilbury Southend Line and east of the Victor Engineering Site, including the strip of mixed uses north of the A1306 is designated for: residential and ancillary community, retail, recreation, educational and leisure uses, and appropriate employment uses.

## 9. ASSESSMENT OF MAIN ISSUES

### 9.1 The Sludge Digestion Process

9.1.1 Thames Water has advised that treated sewage sludge (commonly known as biosolids) has been safely utilised on agricultural land for a substantial number of years and is recognised as the Best Practicable Environmental Option in most circumstances by the European Union and United Kingdom Government at the current time. Application of treated sewage sludge to agricultural land provides a flexible solution to sludge management. Unlike incineration or other thermal destruction technologies, agricultural sites can be changed or sourced relatively quickly in order to meet changing sludge management needs.

9.1.2 A pre-treatment process will be used at Riverside STW prior to conventional anaerobic digestion. This kills all pathogens and enables the sludge to be processed to a higher quality than conventional anaerobic digestion. The resulting sludge dewateres more effectively than other pre-treated sludges, reducing its volume so a smaller sludge storage area is required and fewer vehicle movements are needed to take the sludge to agricultural land. This in turn reduces energy consumption and emissions associated with distribution of the digested sludge to receiving farmland.

9.1.3 The 8 key components of the proposed sludge digestion process to be adopted at Riverside STW are described below.

(1) **Sludge Reception** – The sludge digestion plant will have a maximum handling capacity of 110 tonnes of dry solids per day. During the period when sludge will be pumped from Beckton STW to Riverside STW, the sludge will be pumped to new reception tanks (which will be covered and odour-controlled) using the pipeline that currently conveys sludge from Riverside STW to Beckton STW. The Riverside sludge will also be pumped, after screening, to the new reception tanks and mixed and blended with the Beckton sludge. The blended sludge will then undergo the following process stages 2 to 8.

(2) **Sludge Thickening** – Sludge will be thickened by enclosed and odour controlled centrifuges which will be housed in an enclosed and ventilated dewatering and sludge storage building.

(3) **Pre-treatment** – The thickened sludge will be passed through a Thermal Hydrolysis Plant (THP) where it will be pre-treated in batch reactors at a temperature of about 165°C and a pressure of approximately 6 bar to hydrolyse the sludges. This breaks down and solubilises the sludge so that the products are more easily and

completely digested.

(4) **Anaerobic Digestion** – The pre-treated sludge will be digested by bacteria in enclosed tanks. The digested sludge will be stored in new tanks.

(5) **Renewable Energy Production** – The biogas produced from the digestion process will be used to produce renewable energy by a combined heat and power (CHP) plant.

(6) **Dewatering** – Subsequent to digestion, the sludge will be dewatered in filter belt presses to a dry solids content of around 30%. Water will be removed from the sludge by enclosed, odour controlled equipment (filter belt press dewaterers) housed in an enclosed, ventilated building.

(7) **Storage** – Treated and dewatered sludge (sludge cake) will be stored in an enclosed and ventilated building (dewatering and sludge storage building) for a period of 5 days. This allows further evaporation, helping to reduce the amount of sludge to be transported off-site.

(8) **Transportation** – Treated sludge will be transferred to agricultural land by covered heavy goods vehicles.

## 9.2 The Proposed Works

9.2.1 The details of the plant, structures and other ancillary works proposed by the current application are set out below:

### **Reception Tanks (New):**

These will be constructed with a base slab at existing ground level, will be covered and odour-controlled, and will be used to receive the sludge from both Riverside and Beckton STW. The tanks will have a diameter of 15 metres and a height of 7.5 metres.

### **Thermal Hydrolysis Plant (THP) Slab and THP (New):**

The THP slab will support the THP, which is composed of a range of structures including, vessels, pumps, coolers and tanks. The THP plant will have a height of approximately 10 metres.

### **Digesters (Refurbished):**

The existing digesters will be stripped of their existing pipework and fittings, cleaned out, and refitted with fixed roofs and new pipework and mixing equipment. They will support the pre-treatment stage of the process. The existing digesters have a 26 metre diameter and a height of 23 metres including the new roofs.

### **Digested Sludge Buffer Tanks (New):**

These will be constructed with a base slab at existing ground level; these



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tanks will store the digested sludge prior to the anaerobic digestion process. These tanks will be covered and off-gas from the tanks will be odour controlled. The tanks will have a diameter of 7 metres and a height of 8 metres.

**Dewatering and Sludge Storage Building (New):**

This will be a single storey building with a mezzanine level. The building will consist of a concrete floor slab at ground level, concrete walls at the lower level, topped by flat steel sheet walls and a curved roof. It will provide sludge thickening, sludge dewatering, and storage for the sludge prior to its recycling to agricultural land as fertiliser. The mezzanine level will contain centrifuges for thickening the sludges, and filter belt presses for dewatering the digested sludge and producing sludge cake. The sludge cake is suitable for application to land as soon as it has been dewatered, but storage on site for a period of 5 days allows further evaporation, thus reducing the amount of sludge to be transported off-site. The dewatering and sludge storage building will have plan dimensions of approximately 87 metres x 28 metres and a height of approximately 15 metres. The exhaust stack for the dewatering and sludge storage building is 23 metres high and has been located to the south-east of the refurbished digestors to improve odour dispersion.

**Combined Heat and Power (CHP) Building (New):**

This will be a single storey steel-framed building with floor slab, containing generator sets and associated combination heat recovery/supplementary fuel boilers to generate the steam for the THP plant. The CHP building will have plan dimensions of approximately 26 metres x 37 metres and a height of approximately 11 metres with a pitched roof. The CHP plant is subject to the requirements of the Environmental Permitting Regulations (2007) and a permit will be sought prior to operation.

**Gas Holders (New):**

These will be constructed with a base slab at existing ground level. These are used to store the biogas produced in the digestion process and provide a feed to the CHP plant. The new gas holders will have a diameter of 22 metres and a height of 16 metres.

**Waste Gas Burner (New):**

This will be set upon a concrete base slab set at existing ground level. This is necessary to flare off any excess gas produced that cannot be used in the CHP plant. Use of this should be a very rare occurrence. The stack of the burner will have a height of approximately 5 metres.

**Roads (New):**

A network of new site roads will be constructed for the new plant and will connect to the existing site access roads for the purpose of access, maintenance, and the export of digested sludge.

**Pipework and Cabling (New):**

Under and over ground pipework and cabling will also be installed together with associated manholes and access ducts.

**Works Drainage and Liquor Returns:**

The sludge liquors generated from the thickening and dewatering stages will be returned to the existing STW inlet works for treatment, via a new underground gravity drainage system.

**Surface Water Drainage:**

As with the existing STW, surface water run-off from all paved surfaces within the new works, which is potentially contaminated, will be drained via new and existing works drainage culverts to the STW inlet works for treatment along with other incoming flows. Discharges to the drainage culverts will be by gravity.

Surface water run-off from the roofs of the thickening and dewatering building, the CHP building and the cake storage building, which will be uncontaminated, will be directed to a new wetland feature in the western lagoon. The new wetland area is to be created as part of a strategy of ecological mitigation and flood attenuation measures related to the Riverside STW Tidal Thames Quality Improvement works for which a land drainage consent application and planning application have been submitted.

9.2.2 Part of the proposed development area, close to the existing secondary digesters, is currently utilised by Viridor Waste Management for the disposal of leachate for treatment through the sewage treatment works. To enable a compact layout for the proposed sludge digestion facility it is proposed to relocate the Viridor operation to a new part of the site north of the STW access road, between the car park to the east of the existing fuel storage area and the currently unused office block.

9.2.3 The relocated Viridor works will comprise the following elements:

- Tanker unloading bay, bunded and drained to the STW inlet works. A wash water supply shall be provided adjacent to the tanker unloading bay.
- A paved and kerbed tanker parking area for parking 4 tankers - each bay shall be 5 metres wide and suitable for a 12 metre long tanker.
- Office accommodation - a 'Portacabin' type unit will be provided which will contain a toilet, a shower, a mess room, a kitchen area and an office; the unit will be connected to the potable water supply, the foul drains and will have a suitably rated electricity supply.

### **9.3 Design and Appearance**

- 9.3.1 The range of buildings and plant vary in sizes as set out in Paragraph 9.2.1 of this report. The largest of these is the proposed dewatering and sludge storage building being 87 metres wide x 28 metres deep x 15 metres high. Most of the equipment and buildings to be installed range in height from 2 metres to 10 metres with the exception of the existing digesters to be refurbished which are 23 metres high, six exhaust stacks from the CHP plant which are approximately 15 metres high, two gas holders which are 16 metres high, and a ventilation stack which is 23 metres high.
- 9.3.2 Most of the new buildings would not be visible from the public domain due to a combination of their location amongst existing infrastructure and the separation distances, inclusive of the CTRL and c2c corridor. It is considered that the design and appearance of the new buildings and plant are acceptable within the setting of the STW.
- 9.3.3 The design of the dewatering and sludge storage building has incorporated the existing 1950s industrial design reflected in nearby development and has incorporated a modernistic approach, proposing a curved roof and mezzanine level to reduce the visual bulk of the structure. The new building can therefore be described as comprising two sections, being 6.5 metres in height to the northern lower section and some 15 metres in height at its highest point to the southern mezzanine. Materials are proposed to match those elsewhere on the site, with galvanised steel cladding, Moorland green cladding and concrete walls. Located adjacent to the existing digesters which are 23 metres high, the new dewatering and sludge storage building is considered to fit well within the scale of the buildings in the immediate vicinity.
- 9.3.4 Other physical works involve the installation of steel capping to the existing remaining four digesters which will form part of the odour management for the proposed works. The new caps will match one of the existing structures adjacent which has had capping previously fitted. They will be matching in design and colour.
- 9.3.5 The majority of other physical works relate to numerous smaller structures located behind the dewatering and sludge storage building and digesters. These are not visible from the public domain, but will be constructed in a matching design and materials to existing structures on the site.
- 9.3.6 There are a number of exhaust stacks proposed as part of the development. Six exhaust stacks with a height of approximately 15 metres each are related to the CHP unit. These are located behind the 15 metre high dewatering and sludge storage building and are largely hidden from the public domain. The dewatering and sludge storage building vent stack with a height of 23 metres has been proposed

attached to the existing digesters which are of a similar height.

9.3.7 It is considered that the design of the new buildings and structures is acceptable and that the proposed additions provide a satisfactory development in this location and setting.

#### **9.4 Odour**

9.4.1 The re-introduction of sludge processing to Riverside STW poses a risk of an increase in odour emissions from the site if the process is not controlled effectively.

9.4.2 The applicant has undertaken a detailed odour assessment to understand the potential odour impact of the proposed development. As part of the scheme, various measures are proposed which would achieve an odour neutral position as a minimum. It is expected, however, that there will be a small improvement in existing odour emissions from the site.

9.4.3 The following odour control measures are to be provided on the proposed sludge digestion facility:

- The new sludge reception tanks will be fitted with covers and extracted to an odour control unit.
- The new centrifuge units will be individually extracted and treated through the same odour control unit as serving the sludge reception tanks.
- The ventilation air from the dewatering and sludge storage building will be dispersed through a 23 metre stack.
- Gas from the thermal hydrolysis process will be collected and stored in two gas holders. The gas will be used to run the CHP engines.

9.4.4 The proposed development will also include the following measures on the existing works:

- Covering the inlet channels leading to the detritors from the pumping station with extraction of odorous air to an odour control unit prior to discharge via an 8 metre stack; and
- Covering of the sludge collection chambers serving the primary sedimentation tanks with extraction of odorous air to the same odour control unit.

9.4.5 The key results of the odour assessment carried out by Thames Water's odour consultant are summarised below:

- Due to the inclusion of odour control on both the proposed digestion plant and on the existing inlet channels total odour emissions from the STW site will decrease by approximately 5.7% compared to the existing situation and approximately 11% compared to the situation in 2010 if the proposed sludge digestion facility was not implemented.
- The number of dwellings within the 5 ou<sup>E</sup>/m<sup>3</sup> contour will reduce by 6 (54.5%) compared to the existing situation and by 7 (58.3%) compared to the situation in 2010 if the proposed sludge digestion facility was not implemented.
- The number of dwellings within the 1.5 ou<sup>E</sup>/m<sup>3</sup> contour will reduce by 73 (32.2%) compared to the existing situation and by 86 (35.8%) compared to the situation in 2010 if the proposed sludge digestion facility was not implemented.

9.4.6 The LTGDC appointed an odour consultant to review the submitted odour assessment and advise on appropriate odour control measures which will ensure that the proposed development will not result in an increase in odour emissions from the site.

9.4.7 Conditions are recommended to be attached to any planning permission granted to ensure that odour control measures are installed, implemented, regularly tested, and maintained to provide for an odour neutral position as a minimum, or an improved odour situation at the site. A S106 legal agreement should also secure the submission and agreement of an Odour Management Plan (OMP) for the site prior to commissioning of the development and for the site to be operated in accordance with the OMP which may be modified and updated from time to time in agreement with the Local Planning Authority.

## **9.5 Noise**

9.5.1 The proposed development is in close proximity to existing industrial properties. A small number of residential properties exist to the immediate east of the site and within the Riverside STW site itself. A noise assessment has been undertaken on behalf of Thames Water which confirms that the current operations achieve an acceptable level of noise. Through additional controls proposed to the new installations, the existing noise levels are not expected to be exceeded.

9.5.2 Subject to adequate noise conditions being imposed on any planning permission granted, the proposals are considered to be in compliance with Policy DC55 (Noise) of Havering Council's Development Control Policies Development Plan Document, Policy CP15 (Environmental Management) of Havering Council's Local Development Framework Core Strategy Development Plan Document, and PPG24 (Planning and

Noise).

## **9.6 Surface Water and Flood Risk**

- 9.6.1 The site is within the flood risk zone of the river known as the Havering New Sewer.
- 9.6.2 A full Flood Risk Assessment (FRA) was submitted by the applicant. The FRA concludes that the works would not create further impact subject to on-site flood compensation being incorporated, and the proposed buildings being constructed above flood levels.
- 9.6.3 The site has adequate provision for flood compensation and building floor levels are raised above the flood level. Whilst the level of impervious surfacing will slightly increase, this is considered to be minimal.
- 9.6.4 The Environment Agency has raised no objections to the proposals on flood risk or surface water management grounds. Conditions are recommended to be attached to any planning permission granted.
- 9.6.5 It is considered that adequate flood storage compensation and surface water management could be achieved and the proposal would achieve the aims and objectives of Policy DC48 (Flood Risk) of Havering Council's Development Control Policies Development Plan Document and PPS25 (Development and Flood Risk).

## **9.7 Landscaping and Ecology**

- 9.7.1 The area to be developed predominantly consists of unused buildings and mown amenity grassland. The Havering New Sewer runs along the northern and eastern boundary of the site, which together with the land immediately east and south of the site is designated as a Site of Borough Importance for Nature Conservation. The proposed development is sufficiently distant from these areas and therefore any impact is considered to be minimal.
- 9.7.2 An ecological assessment was submitted with the application wherein it was concluded that the proposals would have negligible impact on the flora and fauna of the site.
- 9.7.3 The implementation of the proposed development will result in the loss of an existing conifer belt and established mature trees along the northern boundary adjacent to the CTRL and c2c lines. These trees are not the subject of a Tree Preservation Order and are not of such ecological or visual value to warrant their retention. The removal of these trees is required to undertake the development and represents less than 5% of the mature trees on the site. Nevertheless, additional tree planting and

landscaping works are proposed to reflect the local ecology of the immediate area and to further enhance the site.

- 9.7.4 A condition to reduce the impact of flood lighting and light spillage to protected neighbouring sites of importance is recommended to be attached to any planning permission granted.

## **9.8 Contamination**

- 9.8.1 The site has been used as a sewage treatment works since the 1920s and the potential for land contamination specifically reflects this. The site is underlain by a minor sub-aquifer and therefore before any soils are excavated or piled these are to be tested and adequately treated as part of the works.

- 9.8.2 A condition requiring the submission of a Phase II and III contamination assessment and remediation plan is recommended to be attached to any planning permission granted.

## **9.9 Energy**

- 9.9.1 Policy DC50 (Renewable Energy) of Havering Council's Development Control Policies Development Plan Document, PPS1 (Delivering Sustainable Development), PPS22 (Renewable Energy), and Policy 4A.7 (Renewable Energy) of the London Plan, promote sustainable design and construction and seek to ensure that all new developments achieve a 20% reduction in carbon emissions.

- 9.9.2 The Energy Statement submitted with the application states that there will be biogas produced by the proposed anaerobic digestion process and this will be collected and stored in gas holders, and used to feed a CHP plant for site electricity generation and for provision of heat to the digestion process.

- 9.9.3 The annual electricity generation from the CHP plant will displace approximately 4,614 tonnes of carbon per annum. This will allow the applicant to achieve, as a minimum, a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation.

- 9.9.4 The energy proposals are considered satisfactory and a condition is recommended on any planning permission granted to secure a 20% reduction in carbon emissions from on-site renewable energy provision.

## **9.10 Traffic**

- 9.10.1 The Riverside STW site is currently accessed via Lamson Road by

maintenance and staff vehicles. The existing STW employs 10 staff, and other site traffic movements are currently limited to general maintenance vehicles and those associated with the Viridor leachate treatment facility. This equates to approximately 25 two-way vehicle movements per day (cars and heavy goods vehicles (HGV's)). The traffic generation of the existing site is therefore considered negligible.

- 9.10.2 The proposed development will require the transfer of the digested sludge to agricultural land. This will result in a maximum of 10 additional two-way HGV movements per day, Monday to Friday.
- 9.10.3 The treated sludge will be a compost-like friable solid cake with low odour. Sludge disposal is managed by Thames Water's Bio-Recycling Group which specialises in the recycling of organic waste materials to agricultural land. The sludge is to be transported via covered HGVs to a network of farms in Essex, Hertfordshire, Cambridge, and Sussex where it will then be spread on land as fertiliser.
- 9.10.4 It is envisaged that the proposed sludge digestion facility will require a total of 7 additional staff on site at any one time for the operation, monitoring, and maintenance of the process. These staff will work in shifts to cover the 24 hour a day, seven day a week operation of the proposed sludge digestion facility. The additional staffing element will therefore generate an additional 7 two-way vehicle trips per day, assuming that all staff drive to the site.
- 9.10.5 The current staff parking provision of 20 spaces is considered to be sufficient to accommodate the forecast staff demand for the site and it is not proposed to expand car parking provision as part of the current application.
- 9.10.5 The proposed vehicle routing is as per the existing via Lamson Road and Ferry Lane to the A13, with access to the M25.
- 9.10.6 The additional operational vehicle movements are considered to be minimal and it is considered that there will be negligible impact on the surrounding area and road network.
- 9.10.7 A 24 month construction programme is envisaged for the sludge digestion facility. Construction activities such as compound installation, demolition activities, and material stockpiling will be contained within the proposed development site. It is proposed that construction materials and equipment will be transported onto the site via the existing Lamson Road site access.
- 9.10.8 Monthly construction traffic volumes are anticipated to peak at 960 two-way vehicle trips in October 2009, with an average of 576 two-way vehicle trips per month over the construction period as a whole. Based on 22 working days a month, the average daily two-way traffic flow during



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the October 2009 peak equates to 44 vehicles per day, with the average daily flow throughout the construction period forecast to be approximately 26 vehicles per day.

9.10.9 It is recommended that a condition be imposed on any planning permission granted requiring a Construction Environmental Management Plan to be submitted for the works. This plan should incorporate, amongst other things, proposals for construction vehicle movements and the location of wheel washing facilities.

## **9.11 Employment**

9.11.1 The proposed sludge digestion facility would provide for 15 new full time positions, together with those required during the construction process.

9.11.2 The applicant has agreed to utilise local employment schemes such as Job Net and additionally to contribute financially towards the existing Job Net scheme or an equivalent. A S106 legal agreement would secure these matters.

9.11.3 The proposals will provide a higher level of local employment than existing and would help to deliver the aims and objectives of Policies DC9 (Strategic Industrial Locations) and DC13 (Access to Employment Opportunities) of Havering Council's Development Control Policies Development Plan Document.

## **9.12 Pedestrian Access**

9.12.1 Recent infrastructure developments in the immediate vicinity of Rainham Village, including the upgrade of Ferry Lane North, have provided pedestrian linkages from Rainham Village and Rainham Station to the site for both foot and cycle access.

9.12.2 Whilst no further provision is required, there is potential to continue this public access through the site towards the A13 and ultimately to CEME and beyond. This provision would be in line with recent improvements and the East London Green Grid Document which aspires to link Rainham Village with the Thames.

9.12.3 The LTGDC and London Borough of Havering have discussed the issue of pedestrian access adjacent to the site with the applicant. Following discussions, it is recommended that a S106 legal agreement secures provision for a future pathway along the edge of the site on land within Thames Water ownership. The exact details of access have yet to be agreed and at the time of writing this report, further information is required from the applicant in this respect. An update will be provided to members at committee.

## **10. CONCLUSION AND REASONS FOR APPROVAL**

- 10.1 The proposal to re-instate the processing of sludge at Riverside STW, including the processing of approximately 10-25% of sludge generated at Beckton STW for a number of years, is considered to be acceptable in principle as it would comply with Havering's LDF Core Strategy and Development Control Policies, the London Plan, and draft Joint Waste Plan objectives for waste management within the Borough.
- 10.2 Although the process is a potentially odorous one, odour reducing measures and odour control units are proposed as part of the scheme to achieve an odour neutral position as a minimum, and possibly to provide a small improvement in existing odour emissions from the site.
- 10.3 Conditions are recommended to be attached to any planning permission granted to ensure that odour control measures are installed, implemented, regularly tested, and maintained to provide for an odour neutral position as a minimum, or an improved odour situation at the site. A S106 agreement should also secure the submission and agreement of an Odour Management Plan (OMP) for the site prior to commissioning of the development and for the site to be operated in accordance with the OMP which may be modified and updated from time to time in agreement with the Local Planning Authority.
- 10.4 Subject to adequate conditions and a S106 legal agreement as outlined in this report, it is considered that the proposal would accord with the aims and objectives of National Planning Policies, the London Plan, and Havering's LDF Core Strategy and Development Control Policies Development Plan Documents.

## **11. RECOMMENDATION**

That the application be delegated to the Director of Planning to APPROVE subject to:

- (1) any direction from the Mayor of London, and
- (2) the conditions listed below (with any amendment that might be necessary up to the issue of the decision), and
- (3) the completion of a S106 Agreement:
  - a) to secure the submission and agreement of an Odour Management Plan (OMP) for the site prior to commissioning of the development and for the site to be operated in accordance with the OMP which may be modified and updated from time to time in agreement with the Local Planning

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Authority;

- b) to secure land for a potential future public right of way along the eastern boundary of the site from 'Ferry Lane North', south through to the A13;
- c) to secure a contribution of £10,000 towards a local employment scheme such as Job Net or an equivalent; and
- d) to ensure recruitment is sought through Job Net or a similar scheme.

## 12. CONDITIONS AND REASONS

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

**Reasons:** 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. All works are to be completed in accordance with the following Drawing Numbers:

Figure 1 – Location Plan

Figure 2a – Riverside STW Ownership Area and Planning Application Plan

Drawing No. 9RTG-YY-02001 Rev A – Existing Site Plan and Environs

Drawing No. 9RTG-YY-02000 Rev A – Existing Site Plan

Drawing No. 9RTG-YY-02006 Rev B – Proposed Site Plan

Drawing No. 9RTG-YY-02005 Rev A – Contractors Working Area

Drawing No. 9RTG-YY-02010 Rev B – Site Plan Sludge Digestion

Drawing No. 9RTG-YY-02011 Rev B – Sludge Digestion Plant Sheet 1 of 2

Drawing No. 9RTG-YY-02012 Rev B – Sludge Digestion Plant Sheet 2 of 2

Drawing No. 9RTG-YY-02015 Rev A – Relocated Leachate Reception Facilities and Odour Control Unit Number 2

Drawing No. 9RTG-YY-02007 Rev B – Planning Application – Sections 1

Drawing No. 9RTG-YY-02008 Rev B – Planning Application – Sections 2

Drawing No. 9RTG-YY-02061 Rev B – CHP Building External Elevations

Drawing No. 9RTG-YY-02060 Rev B – CHP Building Plan and Sectional Elevations

Drawing No. 9RTG-YY-02032 Rev B – Dewatering and Sludge Storage Building External Elevations

Drawing No. 9RTG-YY-02031 Rev B – Dewatering and Sludge Storage Building Plan and Elevations

Drawing No. 9RTG-YY-02030 Rev B – Dewatering and Sludge Storage Building Plan

Drawing No. 9RTG-YY-02055 Rev A – Digester MCC

Drawing No. 9RTG-YY-02080 Rev A – Leachate Reception Facilities Office

Drawing No. 9RTG-YY-02090 Rev A – Typical Detail of Odour Control Units 1 &

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2.

No further drawings apply, unless otherwise approved in writing by the Local Planning Authority.

**Reasons:** The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Policy DC61 (Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4B.1 (Design Principles for a Compact City) of the London Plan (adopted February 2008).

3. No development shall commence until the developer has submitted for the written approval of the Local Planning Authority:

a) A Phase I (Site Investigation) Report. If the Phase I Report confirms the possibility of a significant risk to any sensitive receptors, a Phase II (Site Investigation) Report shall be submitted to and approved in writing by the Local Planning Authority. This Phase II (Site Investigation) Report 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 with 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 in accordance with the Remediation Scheme 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 Local Planning Authority; and

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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 London Borough of Havering's leaflet titled, 'Land Contamination and the Planning Process'.

**Reasons:** To protect those engaged in construction and occupation of the development from potential contamination in accordance with Policy DC53 (Contaminated Land) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4A.33 (Bringing Contaminated Land Into Beneficial Use) of the London Plan (adopted February 2008).

4. No development shall commence until a scheme has been 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.

**Reasons:** To protect residential amenity in accordance with Policy DC61

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(Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4B.1 (Design Principles for a Compact City) of the London Plan (adopted February 2008).

5. No development shall commence until samples of all materials to be used in the external construction of the building(s) have been submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

**Reasons:** To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area in accordance with Policy DC61 (Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4B.1 (Design Principles for a Compact City) of the London Plan (adopted February 2008).

6. Prior to the occupation of any part of the development, the renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority and maintained in good working order. The development shall achieve a minimum 20% carbon savings through the use of renewable energy technologies.

**Reasons:** In the interests of energy efficiency and sustainability in accordance with the London Borough of Havering's Interim Planning Guidance on Sustainable Design and Construction and Policies 4A.4 (Energy Assessment) and 4A.7 (Renewable Energy) of the London Plan (adopted February 2008).

7. No development shall commence until details of the flood storage compensation scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

**Reasons:** To prevent the increased risk of flooding to the site and third parties in accordance with Policy DC51 (Water Supply, Drainage and Quality) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4A.14 (Sustainable Drainage) of the London Plan (adopted February 2008).

8. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**Reasons:** To reduce the risk of flooding to the proposed development, future

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occupants and elsewhere in accordance with Policy DC51 (Water Supply, Drainage and Quality) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4A.14 (Sustainable Drainage) of the London Plan (adopted February 2008).

9. No development shall commence until a scheme for the provision and management of a buffer zone alongside the Havering New Sewer has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone
- details of the planting scheme (for example, native species)
- 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.

**Reasons:** Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to Government policy in Planning Policy Statement 1 (Delivering Sustainable Development) and Planning Policy Statement 9 (Biological and Geological Conservation), and to the UK Biodiversity Action Plan.

10. Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before any of the buildings are first occupied and the works shall be carried out in accordance with the approved details.

**Reasons:** To ensure that light spillage does not adversely affect amenity and nature conservation interests.

11. No development shall commence until there has been submitted to and approved in writing 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.

**Reasons:** In accordance with Section 197 of the Town and Country Planning Act 1990 and Policy DC61 (Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document, and to enhance the

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visual amenities of the development.

12. No goods or materials shall be stored on the site in the open above a height of 4 metres without the prior consent of the Local Planning Authority in writing.

**Reasons:** To protect the visual amenity of the local area in accordance with Policy DC61 (Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4B.1 (Design Principles for a Compact City) of the London Plan (adopted February 2008).

13. No development shall commence until details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works have been 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.

**Reasons:** 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, and in order that the development accords with Policies DC32 (The Road Network) and DC61 (Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document.

14. Before the development hereby permitted is brought into use, a scheme for any new plant or machinery associated with the development shall be submitted to the Local Planning Authority for their written approval, to achieve the following standard. Noise levels (expressed as the equivalent continuous sound level, {LAeq {1hr}}) when calculated at the boundary with the nearest noise sensitive premises shall not exceed  $L_{A90} -5\text{dB}$ .

**Reasons:** To protect local amenity in accordance with Policy DC55 (Noise) of the London Borough of Havering's Development Control Policies Development Plan Document and Policy 4A.20 (Reducing Noise and Enhancing Soundscapes) of the London Plan (adopted February 2008).

15. No construction works or 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 on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

**Reasons:** To protect residential amenity, and in order that the development accords with Policy DC61 (Urban Design) of London Borough of Havering's Development Control Policies Development Plan Document.



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16. No development shall commence until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

**Reasons:** To prevent the increased risk of flooding to third parties, to the site itself, to improve water quality and to enhance biodiversity in accordance with Policy DC51 (Water Supply, Drainage and Quality) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4A.14 (Sustainable Drainage) of the London Plan (adopted February 2008).

17. No soakaways shall be constructed in contaminated ground.

**Reasons:** To prevent pollution of the local water environment in accordance with Policy DC51 (Water Supply, Drainage and Quality) of London Borough of Havering's Development Control Policies Development Plan Document and Policy 4A.14 (Sustainable Drainage) of the London Plan (adopted February 2008).

18. Prior to the commencement of operation of the development hereby approved there shall be fitted to the exhausts from all odour control units and the sludge cake store building stack hydrogen sulphide monitoring instruments with a resolution of 1ppb. These monitoring systems will measure and record outlet hydrogen sulphide concentrations at a frequency of not less than 1 reading per hour and the records of monitoring shall be maintained for a period of at least 24 months, and will be available for inspection by the Local Planning Authority. The instruments shall be maintained in working order.

The emissions monitoring systems shall be "calibrated", by reference to the annual olfactometric tests described in Condition 25, so that the operators can set "alarm" hydrogen sulphide concentration levels for each of the odour control and stack emission releases to warn of deteriorations in abatement performance. The resulting hydrogen sulphide calibration calculations and emission limits shall be updated on an annual basis as further odour concentration data becomes available.

**Reasons:** To enable the emissions from the development to be properly monitored so that any necessary remedial action can be taken promptly if emissions exceed target levels.

19. The vehicle access doors to the sludge cake store shall be kept closed at all times except when vehicles are entering or exiting the building.

**Reasons:** To minimise the escape of odorous air.

20. The sludge cake store will be maintained at all times (other than when vehicles are entering or exiting) under negative pressure. The developer shall demonstrate to the Local Planning Authority at least annually that this is the case through testing and monitoring. The Local Planning Authority shall be given at least 7 days notice of all testing and will be supplied with the results of all testing within 30 days.

**Reasons:** To minimise the escape of odorous air.

21. No temporary or permanent sludge/sludge cake liming, or any other mechanical or chemical treatment involving raw or digested sludge cake shall be carried on within the sludge cake store at any time without the written agreement of the Local Planning Authority.

**Reasons:** To minimise odour emissions from the development.

22. No temporary or permanent sludge/sludge cake liming, or any other mechanical or chemical treatment involving raw or digested sludge cake shall be carried out anywhere in Riverside Sewage Treatment Works other than as described in the application, and in any case shall only be carried out within fully enclosed and odour extracted and abated/mitigated facilities. No such sludge or sludge cake treatments will be undertaken outside or in the open.

**Reasons:** To minimise odour emissions from the development.

23. No sludge or sludge cake will be stored within Riverside Sewage Treatment Works on a temporary or permanent basis otherwise than within fully enclosed and odour extracted and odour abated or mitigated facilities. No sludge or sludge cake will be stored outside or in the open.

**Reasons:** To minimise odour emissions from the development.

24. The development shall be operated at all times such that the odour emission rates of air released from the odour control units is maintained at or below the predicted levels specified in the Odour Impact Assessment (OIA) dated May 2008 (and updates of October 2008). Emissions will be discharged to atmosphere through stacks as described (stack heights and air speeds) in the OIA.

**Reasons:** To minimise odour emissions from the development and their off-site impact in the local area.

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25. The developer shall at least annually carry out olfactometric tests of the emissions from all odour control unit stacks, and the sludge cake (and sludge centrifuge/pressing) building stacks within the development in accordance with the methodology set out in Condition 26. The first such test shall be carried out within 30 days of first operation of the development. The Local Planning Authority shall be given at least 7 days notice of all testing and will be supplied with the results of all testing within 30 days.

**Reasons:** To ensure emissions stay within acceptable limits.

26. All tests pursuant to Condition 25 and Condition 27 shall be conducted in accordance with the following methodology. Three representative odour samples of treated/outlet air will be collected whilst the sewage and sludge treatment plants are operating under normal conditions. The odour samples collected shall be analysed in accordance with the BSEN 13725 standard techniques and an outlet odour concentration will be calculated as the geometric mean of the individual results for each of the three samples. Emission rates for each stack will be calculated by multiplying the outlet odour concentration by a measured air flow rate. The Local Planning Authority shall be given at least 7 days notice of all testing and will be supplied with the results of all testing within 30 days.

**Reasons:** To ensure emissions stay within acceptable limits.

27. In the event that the results of a test pursuant to Condition 25 or this condition shows that emissions are exceeding the levels set out in the OIA dated May 2008 (and updates of October 2008) accompanying the application for the development, the developer shall immediately take such steps as shall reasonably be required to ensure that emission levels are no higher than those set out in the OIA. Following the taking of such steps the developer shall immediately demonstrate compliance by further olfactometric testing (as provided for in Condition 25) and supply the Local Planning Authority with the results of the test as required by Condition 25.

**Reasons:** To ensure emissions stay within acceptable limits.

28. Emissions from the sludge cake store (and sludge press/centrifuge) building extract stack shall be exhausted to atmosphere at a velocity of at least 15 metres per second as set out in the OIA and with an odour emission rate not exceeding 17,750 ou<sub>E</sub>/s. The developer shall arrange for initial commissioning tests for outlet odour concentrations in the stack within three months of the plant becoming operational and thereafter annually. These tests shall be based on triplicate samples of outlet air collected whilst the plant is operating under normal conditions with at least 10 days sludge cake throughput stored in the building. Samples shall be analysed in accordance with the BSEN 13725 standard techniques. The Local Planning Authority shall be given at least 7

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days notice of all testing and will be supplied with the results of all testing within 30 days.

**Reasons:** To ensure emissions stay within acceptable limits.

29. In the event that the sludge cake store (and sludge press/centrifuge) building extract stack odour emission rate exceeds the 17,750 ou<sub>E</sub>/s emission limit, as demonstrated by three or more test failures within 120 days (with each test to comprise three outlet odour samples) in any calendar year, then the developer will install an appropriate abatement system, in accordance with details to be submitted to and approved by the Local Planning Authority prior to installation, to meet the emission rates modelled (maximum emissions rate of 17,750 ou<sub>E</sub>/s) within 12 months of the exceedance. Such abatement equipment will then be subject to a commissioning test to demonstrate compliance within 30 days of commissioning. Subsequently any such abatement plant installed as a result of this requirement will be subject to at least annual olfactometric testing to demonstrate compliance with the emission rate limit in the same way as the other odour control units (as at Condition 25 above) and there will also be the same requirement for remedial measures in the event of any failures as set out for abatement plants at Condition 27). The Local Planning Authority shall be given at least 7 days notice of all testing and will be supplied with the results of all testing within 30 days.

**Reasons:** To ensure emissions stay within acceptable limits.

30. If abatement plant is installed on the Cake Store (and sludge centrifuge/pressing) building exhaust, and if the outlet odour emissions exceed the emission limit of 17,750 ou<sub>E</sub>/s in any commissioning or annual performance test, then the plant shall be repaired or rectified and re-tested within 60 days of the failed test unless the 12 month period for installation of an abatement plant has been triggered.

**Reasons:** To ensure emissions stay within acceptable limits.

31. The existing inlet channels leading from the pumping station to the detritors and the sludge collection chambers serving the primary sedimentation tanks shall be covered and emissions from them extracted to an odour control unit (the "Inlet Pumping Station OCU").

**Reasons:** To ensure emissions stay within acceptable limits.

32. The developer shall ensure that the Primary Settlement Tanks (PSTs) are operated at all times after the proposed development is completed with a sludge depth not exceeding 30 centimetres.

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**Reasons:** To ensure reliable operation of the plant and to minimise odour emissions from the development.

33. The dissolved sulphide concentration (un-ionised) and pH of samples of sewage extracted from the surface of all of the PSTs will be determined on at least a monthly basis for a period of at least 12 months prior to the commissioning of the proposed sludge plant development. The results of these analyses will be provided to the Local Planning Authority on a monthly basis. This data will be used to define the proportion of hydrogen sulphide available for release to atmosphere and to assess the likely range and variation under the current operational conditions. The results of these analyses and subsequent calculations will be provided to the Local Planning Authority within 30 days of the completion of the sampling programme.

**Reasons:** To establish a baseline of current odour emissions so that the effects of any increased emissions after the development can be assessed. To provide an objective means to establish if mitigation measures will be required to control any increase in odour emissions from the PSTs as a result of the return of sludge centrate and filtrate from the proposed sludge plant.

34. The dissolved sulphide concentration (un-ionised) and pH of samples of sewage (normal influent sewage mixed with sludge return liquors) extracted from the surface of all of the PSTs will be determined on at least a monthly basis for a period of at least 12 months after completion of commissioning of the proposed sludge plant. These tests will in any case start within 6 months of the plant becoming operational and sampling will be undertaken with all parts of the sludge plant operational for at least three hours prior to the samples being collected. The results of these analyses will be provided to the Local Planning Authority on a monthly basis, and will be used by the applicant to define the proportion of hydrogen sulphide available for release to atmosphere and to assess if there has been any significant increase in sulphide concentrations and odour emissions as a result of the new operational conditions. The results of these analyses and calculations will be provided to the Local Planning Authority with 30 days of completion of the sampling programme.

**Reasons:** To enable the Local Planning Authority to assess any change in odourous dissolved sulphide concentrations.

35. If a comparison of the results of the dissolved sulphide measurements set out in Conditions 33 and 34 above demonstrate an increase in dissolved sulphides of 20% or more, the developer shall immediately put in place mitigation measures to reduce odour emissions from the PSTs to a level comparable with the pre-development baseline. Following the taking of such steps the developer shall immediately demonstrate compliance by further testing and supply the Local Planning Authority with the results of the test as required by Condition 34.

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**Reasons:** To ensure emissions stay within acceptable limits.

### **13. INFORMATIVES**

1. 11 No. private fire hydrants are required to be installed for fire fighting purposes. These are detailed in the plan provided by the London Fire Brigade and are to conform to BS 750:1984 and be indicated with a hydrant indicator plate conforming to BS 3251:1976.

The London Fire Brigade has a policy of free annual inspections/tests. Please contact Mark Lyne on 0208 555 1200 for more information.

Access for the fire brigade vehicles should comply with Section 16 of ADB 16.5, Tables 19 and 20. Please call K.E. Davies for more information on 0207 587 2133.

2. There are high pressure gas lines and electricity lines which are in near vicinity / cross the site. Please contact National Grid for information on working in near proximity to these prior to works commencing. Further details are attached to the guidance note provided by National Grid. Please contact Sarah Robinson on 0800 7312961 for more information.

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 any works or structures in, over, under or within 8 metres of the top of the bank of the Havering New Sewer, designated a 'main river'. This is irrespective of any planning permission granted.

The buffer zone needs to be 8 metres, measured from bank top of the Havering New Sewer, for the whole extent of the site. Bank top is defined as the point at which the bank meets normal land levels / the edge of the wetland as designated on a site plan. This zone should be without structures (except for those shown on the plan 9RTG-YY-02010 Rev B), hard standing, footpaths, fences or overhanging development. The buffer zone needs to be designed and managed to develop this natural character and planted with locally native shrubs and grasses, of UK genetic provenance.

**CASE OFFICER:** Adele Williamson

**Appendix 1:** Site Location Plans

**Appendix 2:** Existing Site Layout Plans

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**Appendix 3:** Proposed Site Layout and Floor Plans

**Appendix 4:** Proposed Elevations

**Appendix 5:** Proposed Sections

**Appendix 6:** Odour Contour Map

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### OUTSIDE STATUTORY PERIOD

<b>APPLICATION NO:</b>	<b>P1705.10</b>	
<b>WARD :</b>	Harold Wood	<b>Date Received:</b> 26th November 2010
<b>ADDRESS:</b>	Ashlea View Tomkyns Lane Upminster	
<b>PROPOSAL:</b>	Stationing of three caravans for residential occupation by Gypsy family and storage of fourth caravan.	
<b>DRAWING NO(S):</b>	Plan 1 Location Plan; Plan 2 Site Location Plan	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

### **BACKGROUND**

This application was deferred from Committee on 17th March 2011 to enable Officers to provide further photos of the current site in particular to show views of the additional mobile home including a view from access/entrance and to clarify details of waste and sewage disposal arrangements.

Photos and aerial photos are now available to show the residential compound from the highway and from above and the hardstanding and gates at the entrance from Tomkyns Lane.

The applicant has written to confirm that refuse and household waste are removed by the Council, as has been the case for the last 13 years or so. Sewage disposal is dealt with via an on-site cesspool which is emptied every six to 9 months by a local contractor (details supplied).

The remainder of the report remains unaltered with the exception of a reference to gates/access widening, which does not form part of this proposal.

### **SITE DESCRIPTION**

The application site is located on the eastern side of Tomkyns Lane and is within the Metropolitan Green Belt. The site has an overall area of 2.1 hectares, although the application relates only to a small part of the overall site area, referred to later in this report as the residential compound. It is only the residential compound and the access driveway which are included in the application site boundary. The compound area consists of an area of hardstanding in a central part of the site, adjacent to its western boundary with Suttons Farm, which is occupied by 3 mobile homes. There is also a touring caravan and a stables.

The remainder of the site is in use for dog breeding and livestock rearing with a large pond located to the north-west of the residential compound, this is not included within the application site.

The residential compound is linked to the highway at Tomkyns Lane. At the site visit it was noted that some works have been undertaken to widen the vehicular access and erect gates. This work is likely to require planning permission (subject to further investigation) but does not form part of this application and is not therefore under consideration. A possible playhouse does also not form part of this current planning application.

The surrounding area is within the green belt and along Tomkyns Lane is mainly comprised of well separated mainly detached residential properties to road frontages with many having

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commercial uses (agriculture/farming) on the remainder of the land in the plot. To the north and east of the application site are mainly open fields although there are further frontage residential properties to Warley Lane to the north-east of the application site.

**DESCRIPTION OF PROPOSAL**

The proposal follows the temporary approval of the site to retain the use of the land as a caravan site for a Gypsy family and for the retention of the existing mobile home and a static caravan, together with a touring caravan. The current application is for the stationing of 3 caravans for residential occupation by Gypsy family and storage of a 4th caravan on a permanent basis. At the site visit it was ascertained that the 3 caravans are of the mobile home variety with the 4th caravan being a touring caravan.

A statement of very special circumstances has been submitted in support of the application. In summary, this raises the following issues:

- It is recognised that the proposal is for inappropriate development in the Green Belt and that PPG2 therefore requires that very special circumstances exist

- The applicants have now occupied the application site for some 13 years dealing in livestock and dog breeding. There have been three previous planning consents, for temporary periods of five and three and two years respectively, for a mobile home and touring caravan on the site (for the latter there were 2 mobile homes). The earlier consents were temporary consents, issued pending the outcome of the Council's Travellers Needs Assessment; the latter pending the adoption of the LDF and the related DPD.

- the needs assessment has since been completed but no suitable new Gypsy sites have been identified. Despite policy changes, without changes to the Green Belt boundary, sufficient suitable sites are unlikely to become available.

- there is no material harm to the character and appearance of this part of the Green Belt. This is supported by the Planning Inspector in considering the 2004 appeal when he indicates that the 2 caravans were well set back from the road and screened by vegetation such that they "marginally reduce the general openness of the area" and that no other harm was identified. No additional harm would arise from the stationing of 3 caravans and a touring caravan.

- Both Planning Inspectors (in 1998 and 2004) concluded that a second temporary permission should not normally be granted (in line with Circular 11/95) and that as the Council's decisions regarding the provision of a site for travellers has not been meaningfully progressed, that a further temporary period was warranted. The applicants indicate that as this is now the fourth application for the same land for use by a Gypsy-Traveller and that the only change is the provision of a 3rd caravan for a married son, such that permanent permission is now warranted as the Council has had long enough to assess the impact of the proposal and to find a suitable alternative location for the family.

- the proposal is essentially compliant with the requirements of Policy DC8 which, as amended, introduces some relaxation in the approach to Green Belt issues. A needs assessment has been undertaken and a site allocation DPD is to be produced. No land has been found that is not within the Green Belt in Havering.

- other new or enlarged residential dwellings have been allowed to Tomkyns Lane and Warley Lane which are visible from the applicants property, this sets a precedent for the applicants

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proposal for residential use/stationing mobile homes.

- the special circumstances of the applicants include their Gypsy status, the lack of alternative sites to meet an identified need and personal circumstances relating to the educational needs of the children, age and medical condition of the applicant which has reduced the applicants activity level, the need to tend livestock kept on the site and the absence of any alternative sites.

- a personal permission would be acceptable to the applicant

- the only change between this and the last temporary approval is the addition of a 3rd mobile home.

3 Appeal Decisions have been submitted in support of the application: 2 relates to sites in neighbouring Brentwood District Council and one in Cannock in the West Midlands all of which were granted permanent permission for Gypsy Sites in Green Belts.

The proposal does not include the erection of gates or the widening of the access onto the highway, which will be investigated as to whether this requires a separate grant of planning permission.

#### **RELEVANT HISTORY**

P0916.97 Change of use from agriculture to residential and retention of one mobile home and a touring caravan - Refused; Subsequent appeal allowed for a temporary period of five years.

P0820.03 Change of use from agriculture to residential and retention of one mobile home and a touring caravan - Refused; subsequent appeal allowed in 2004 for a temporary period of three years.

P0185.08 Retention of one mobile home plus caravan - Refused 15/4/08 on the grounds of in principle harm, and physical harm to the character and openness of the Metropolitan Green Belt and the lack of very special circumstances to outweigh the resultant harm to the Green Belt.

P1115.08 Retention of mobile home, static caravan and touring caravan - Granted 2-year temporary consent on 1/9/08.

#### **CONSULTATIONS/REPRESENTATIONS**

The application has been advertised on site and in the local press as a departure from Green Belt policies. Neighbour notification letters have also been sent to 4 adjoining and nearby properties. 9 letters of representation have been received objecting to the proposals on the following grounds:

- increase from one mobile home to 3 is unacceptable
- loss of screen hedgerows means that the proposal is more visible and has an unacceptable impact on visual amenity
- the proposal more than marginally reduces general openness
- the site is within the green belt which should be preserved at all times
- the entrance to the property has been enlarged and gates erected without planning permission
- a large lake was constructed causing flooding during heavy rainfall which is a hazard to highway users
- the applications for mobile homes have been retrospective and this may happen again
- the applicant's family is restricted by planning condition but this is open to abuse as it could

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allow expansion over time, requiring more caravans

- no further/additional development should be allowed
- travellers should not be allowed to have a permanent site as they should "travel"
- if the applicants want a permanent place they can buy a "legal house"
- the reasons given by the applicant are not of any relevance
- this is not residential land
- the scheme is particularly visible from the highway and is a blight
- increase in noise from occupation and animals is noise pollution
- the applicants have threatened people
- the applicant owns other sites and could move elsewhere
- dogs at the site have escaped and caused problems for users of the highway
- the schooling needs and age and medical condition of the applicant and his family are not unusual for many Havering residents and do not give reasons for planning permission to be granted
- while the applicants indicate that they are respected by their neighbours this is unsubstantiated
- restricting the site to members of the family will fail as the number of family members is likely to increase requiring more and more caravans at the application site
- landscaping has been removed
- the allowance of this use on a temporary basis does not set a precedent for permanent permission as each time the applications are for more caravans and are normally made retrospectively
- conditions of the temporary consents in respect of the number of caravans have been broken
- the caravans are clearly visible from the land as landscaping has been removed
- the Council should not have sole responsibility to find the applicants an alternative site
- other works have blocked drainage channels
- the Council have failed to be decisive in their actions to deal with problems associated with this development
- the applicant should not be allowed to remove hedging on his property

The Campaign for the Protection Of Rural England have written to object on the grounds that the proposal is inappropriate development in the Green Belt, does not satisfy Green Belt criteria in Policy DC8 and that the lack of an official Council-owned Gypsy/Traveller site should not justify a claim of very special circumstances, the Council does not have sole responsibility to find a site for the applicant and there is no evidence that the applicant has searched for an alternative within the urban fringe abutting fields suitable for livestock. This is contrary to Policy DC45 of the LDF. The special circumstances offered do not amount to very special circumstances if they are commonly experienced by families without recourse to specialist treatment which requires a permanent base (old age and diabetics do not require very specialist treatment). If permission is considered it should only be temporary, should require the removal of the additional living accommodation and limited to the individuals named in the existing temporary approval.

#### **RELEVANT POLICIES**

Policies DC8, DC45 and DC61 of the Development Control Policies Development Plan Document are relevant.

Interim Planning Guidance on Provision for Travellers is also a material consideration.

Policy 3D.9 of the London Plan and the provisions of PPG2 (Green Belt) are also material considerations.

Articles 1 and 8 of the first Protocol of the European Court of Human Rights are also relevant.

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In addition to the above, Circular 1/06 'Planning for Gypsy and Traveller Caravan Sites' is material in the determination of this application. The main intentions of the current Circular are:

- \* To create and support sustainable, respectful and inclusive communities;
- \* To reduce the number of unauthorised encampments and developments and to make enforcement more effective;
- \* To increase significantly the number of Gypsy and Traveller sites in appropriate locations with planning permission in order to address under-provision over the next 3-5 years;
- \* To recognise, protect and facilitate the traditional travelling way of life of Gypsies and Travellers, whilst respecting the interests of the settled community;
- \* To underline the importance of assessing accommodation needs at all levels;
- \* To identify and make provision for the resultant land and accommodation requirements;
- \* To ensure Development Plan Documents include fair, realistic and inclusive policies and to ensure identified need is dealt with fairly and effectively;
- \* To promote more private Gypsy and Traveller site provision in appropriate locations through the planning system; and
- \* To help to avoid Gypsies and Travellers becoming homeless through eviction from unauthorised sites without an alternative to move to.

The Circular explains that the planning process in relation to Gypsy and Traveller accommodation assessment and provision will begin by Local Authorities assessing the level of need and identifying approximate pitch requirements. These figures will then be passed to the Regional Planning Board (RPB) to assist in the production of the Regional Spatial Strategy (RSS). The RSS will consider need from a regional perspective before, where appropriate, specifying pitch numbers for each local administrative area. The Local Planning Authority is then required to translate that allocation into specific sites by way of a Development Plan Document (DPD) on Gypsy and Traveller Site Provision, as part of its Local Development Framework (LDF).

The Circular provides guidance on the transitional arrangements in advance of consideration of required accommodation by the RPB. In this circumstance, particularly where there is a clear and immediate need for Gypsy and Traveller site provision (evidenced, for example, through the presence of significant numbers of unauthorised encampments or developments in a Borough/District), the Circular advises that Local Planning Authorities should bring forward its site allocation DPD either in parallel with, or in advance of the Core Strategy.

The Core Strategy Development Plan Document gives a commitment to the production of a DPD on Gypsy and Traveller site provision. Preparation of the DPD is currently subject to the outcome of the GLA London-wide study of traveller need, which will inform the content of the DPD. Adoption of a Gypsy and Traveller DPD is not currently anticipated before the end of 2011.

The Circular advises that Local Planning Authorities must have regard to the findings of any associated DPD or any initial assessment work carried out before determining a planning application for a gypsy or traveller site, particularly if it decides to refuse such an application. Where a formal, up-to-date accommodation assessment has yet to be undertaken, the Circular notes that other sources of information can be used to evaluate need.

#### **STAFF COMMENTS**

The issues arising from this application are whether the development is acceptable in principle and, if not, whether there are very special circumstances sufficient to justify the development; the impact on the character and openness of the Green Belt, the impact on local amenity,

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parking and highway issues.

#### **BACKGROUND**

In 2004, a temporary three year planning permission was granted on appeal for the continued residential occupation of the site. In granting permission, the Inspector concluded:

"The proposal would cause intrinsic harm to the Green Belt by reason of inappropriateness and would marginally reduce its openness. Gypsy status in itself is not sufficient to amount to very special circumstances but the appellant is within a minority group that is subject to specific national advice that recognises their need for accommodation. This has a bearing on the weighing up exercise that has to be performed.

I have found a number of material considerations that support the proposal. These include the strong general need for gypsy sites in the Borough and the lack of suitable alternatives whether public or private. In addition, the appellant's need for a settled base to enable him to keep his livestock and ensure the continuing education of his children assumes greater force given the absence of a credible option to life on the road. However, matters are in a state of flux awaiting the traveller needs assessment.

The policy objections to residential development in the Green Belt are considerable. However, I judge that the shortage of potential gypsy sites in Havering is severe with little immediate prospect that this will be remedied. Coupled with the particular circumstances of the appellant [financial inability to purchase an alternative site, the need for an operational base for livestock trading and the educational needs of the children] I conclude that there are, in aggregate, material considerations which would clearly outweigh the totality of harm. At the present time, they amount to very special circumstances sufficient to justify permitting the proposal.

The position may change after the traveller needs assessment is produced. It would therefore be wrong in my view to grant a permanent position when this site may not form part of the consultation and final list of the Gypsy/Traveller Site Allocation DPD. Circular 11/95 indicates that a second temporary permission should not normally be granted. However, in this case, the primary reason for the previous Inspector's decision was to allow the situation to be reviewed in light of the Council's decisions regarding the provision of a site for travellers. As this has not been meaningfully progressed, I consider that a further temporary period is warranted."

It is recognised that this is the 4th time the applicant has applied for permission for caravans to be sited at the application site. Nonetheless the number of caravans has increased and this is not simply a renewal or 2nd, 3rd consent based on the same scheme. This is the first application for 3 caravans and a touring caravan and it is to be considered on its merits.

#### **PRINCIPLE OF DEVELOPMENT**

PPG 2 sets out in full those developments deemed to be appropriate within the Metropolitan Green Belt. Policy DC45 reasserts the content of PPG 2 in this regard. The proposed retention and occupation of the mobile homes and touring caravan does not fall within the categories of development deemed to be appropriate. Very special circumstances are therefore required to justify what would be a departure from policy should planning permission be granted. Such circumstances will only exist where the inappropriateness, together with any other harm (such as visual impact), are clearly outweighed by other considerations.

Prior to appraising those very special circumstances therefore, an examination of the proposal's impact upon the character, appearance and openness of the Green Belt is needed, together with

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consideration of the impact upon residential amenity and the highway.

#### **GREEN BELT IMPLICATIONS**

As identified above, in considering the appeal for the continued use of the land for residential purposes, the Inspector considered that the mobile homes and touring caravan marginally reduced the general openness of the area. While the applicant has removed some boundary vegetation (which does of itself not require consent) allowing an increase in the direct view of the small grouping of caravans from the vehicular access to the site, the caravans are tightly grouped in a well set back position within the existing small compound area.

Little has therefore changed visually on the site since 2008 as the additional mobile home appears to have replaced an earlier building and is behind the static caravan (when viewed from the highway) which was considered acceptable for a temporary period in 2008. Staff consider that the low level of harm arising remains the same as that previously identified in the report to Committee in 2008.

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

The group of caravans, particularly those to the northern end of the compound area would be visible in the streetscene, in particular due to the removal of some hedging adjacent to the highway around the driveway access. The removal of boundary hedging does not of itself require planning permission, nonetheless it does expose the development to a slight increase in public viewpoints at the vehicular access from the highway.

Nonetheless the single-storey flat roof caravans are located nearly 70m from the highway, such that given that there are a number of two-storey houses located significantly closer to the public highway onto Tomkyns Lane, Staff do not consider that there would be any significant adverse impact on visual amenity in the streetscene.

Also, there are no other impacts arising to the streetscene or garden scene above those already identified in 2008.

#### **IMPACT ON AMENITY**

In line with the Inspector's previous conclusions, there are no other impacts arising to residential amenity over and above those previously identified.

Councillors requested that information is provided regarding the existing cess pit. Details have been requested from the applicant and an oral report will be made at the Committee meeting.

#### **HIGHWAY/PARKING**

There are no specific parking requirements for mobile homes, nonetheless there is sufficient hardstanding within the compound for between 4 and 8 vehicles which is considered to provide acceptable parking and turning space for the proposed residential use.

Waste details have not been provided on the submitted plans. The applicant has been asked to provide details and an oral report will be made at the Committee meeting.

It is noted that some works have taken place to the vehicular access onto Tomkyns Lane, in particular the removal of hedging and the laying of hardstanding together with new gates. While the hardstanding and gates are likely to require permission, this does not form part of the current proposal.

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#### **OTHER ISSUES**

The Case for Very Special Circumstances:

The development applied for is broadly similar to that previously granted temporary approval, save for the addition of a further mobile home bringing the total up to 3 mobile homes and a touring caravan. The current application is supported by a statement setting out factors in support of the proposals, including further details of the personal circumstances of the applicant. This statement is broadly summarised elsewhere in this report.

Staff consider that the arguments put forward in support of the case for very special circumstances are materially similar to those considered by the Inspector under the 2004 appeal (and the 2008 approval) which, in the Inspector's view, constituted, in aggregate, material considerations which would clearly outweigh the totality of harm. It is therefore considered that the case put forward, combined with the marginal impacts of the development on the openness of the Green Belt, would be sufficient to amount to the very special circumstances sufficient to justify the proposal.

However, in granting a temporary planning permission for three years, the Inspector did so principally to enable the Council to progress its review on gypsy and traveller accommodation needs. As detailed above, the production of a Development Plan Document on Gypsy and Traveller site provision has begun following the findings of the GLA London-wide study of need. The DPD is at an early stage and it is therefore unlikely that a DPD would be adopted before the end of 2011.

Arguably therefore, the policy position has changed little since 2004. It is considered that it would not be appropriate to grant a permanent permission until the Gypsy and Traveller DPD has been adopted, as this may provide alternative solutions to the needs of Gypsies within the Borough. However, it is considered that a temporary permission for a period of two years, personal to the applicants, would be reasonable covering the interim period between now and the adoption/implementation of measures that will be identified in the DPD.

#### **KEY ISSUES/CONCLUSIONS**

The main issues in this case are the principle of the development and its impact upon the character, appearance and openness of the Green Belt at this point. The proposed retention of the mobile homes and touring caravan constitutes inappropriate development. It is considered that they are prejudicial to the openness of the Green Belt. It is considered that very special circumstances have been put forward by the applicant which would justify an exception from established policy. However, it is considered that a temporary permission only would be appropriate pending the future adoption of a Gypsy and Traveller DPD.

#### **RECOMMENDATION**

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

1. S SC32 (Accordance with plans)
8. S SC16 (Temporary permission) INSERT DATE

This permission shall be for a limited period only expiring on 30th June 2013 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.



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2. Non standard condition  
The occupation of the land, 3 mobile homes and touring caravan shall be restricted to persons defined as gypsies in section 24 (8) of the Caravan Sites and Control of Development Act 1960, or any equivalent definition in any Act revoking and re-enacting that Act.
- Reason: The development is only considered to be acceptable in view of the Gypsy status of the applicant, together with the very special circumstances of the application.
3. Non standard condition No 2  
The land, 3 mobile homes and touring caravan shall only be occupied by Mr. Foley, his dependant partner and his children and their families.
- Reason: The personal circumstances of the applicant and his children are considered to constitute very special circumstances to justify the development.
4. Non standard condition  
When Mr. Foley and his immediate family i.e. is dependant partner and children and grandchildren cease to occupy the land or at the end of two years from the date of this decision, whichever is the sooner, the residential use of the land shall cease and the mobile home, static caravan and touring caravan and all materials brought onto the site in connection with the use shall be removed.
- Reason: The development is only acceptable on a temporary basis and to ensure that there is no permanent harm to the character of the Green Belt.
5. Non standard condition  
Not more than 3 mobile homes and one touring caravan shall be stationed on the land at any one time.
- Reason: In the interests of amenity and to maintain the character and openness of the Green Belt.
6. Non standard condition  
No commercial activity shall take place on the site including the external storage of goods, materials, plant or machinery in connection with any commercial activity.
- Reason: In the interests of amenity and the character and openness of the Green Belt.
7. Non standard condition  
No storage of cars, lorries or other vehicles, other than those for the personal use of the applicant, shall be stored on the site.
- Reason: In the interests of amenity and the character and openness of the Green Belt.
- 1 INFORMATIVE:
- Reason for approval:

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The proposed development is considered to be inappropriate development in principle within the Green Belt. However, it is considered that very special circumstances exist which would justify the development for a temporary period. This accords with the provisions of PPG2. The proposal is considered to be acceptable in respect of its impact on neighbouring amenity and complies with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document in this respect. The proposal is also compliant with Policy DC33 of the Core Strategy and Development Control Policies Development Plan Document.

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<b>APPLICATION NO:</b>	<b>P0072.11</b>	
<b>WARD :</b>	South Hornchurch	<b>Date Received:</b> 14th March 2011
<b>ADDRESS:</b>	147 Rainham Road Rainham	
<b>PROPOSAL:</b>	Demolition of the existing commercial building and construction of a three storey building with a retail unit (A1) at ground floor. Four 1 bedroom flats on the first and second floors and adaption of existing storage building to rear to provide car parking, storage and refuse/bike store.  Revised Plans Received 19.04.11 &16.06.11	
<b>DRAWING NO(S):</b>	OS Plan C09117/03 Revision B C09117/6 Revision B C09117/02 Revision F C09117/04 Revision C C09117/01 Revision B	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**RECOMMENDATION**

That planning permission is approved.

**SITE DESCRIPTION**

The site comprises a single storey building used as a DIY retail shop entitled 'Direct DIY - Trade Outlet' located to the south western side of Rainham Road. The site has vehicular access with an informal car parking area to the forecourt of the property. There is vehicular access to the rear of the site from Hubert Road. There is a two storey flat roofed storage building to the rear of the site, which would remain. No. 145 Rainham Road comprises of 'Rainham Super Store, off licence and grocers' and following a site visit, it was noted that it is numbered 145A. No. 149 Rainham Road comprises of 'New Cherries Rainham' which offers Chinese cuisine and fish and chips and has residential accommodation on the first floor. The surrounding area is characterised by two storey commercial premises and is located in a Minor Local Centre.

**DESCRIPTION OF PROPOSAL**

The application seeks permission for the demolition of the existing commercial building and construction of a three storey building with a retail unit (A1) at ground floor and four one bedroom flats on the first and second floors with a front entrance. The proposal includes terraces to the rear of Flats 1, 3 and 4.

The development would measure 12.5 metres in width and would be between 18 and 22.7 metres in depth. The building would be 7.7 metres in height with four roof lights to the front. There is a recessed balcony and three roof lights on the rear elevation. There would be four car parking spaces to the front. There would be a right of way through the building with three parking spaces to the rear.

One shopfront is provided to the front elevation of the building. Any signage displayed on this

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shopfront would be subject to a separate application for Advertisement Consent.

The proposal includes external changes to the two storey outbuilding to the rear of the site, including new windows and doors to provide car parking and a bin and bike store at ground floor and storage at first floor.

It is noted that there is a discrepancy on the plans, as there is a window on the rear façade of Flat 4 instead of a roof light, although this has not affected the determination of this application.

#### **RELEVANT HISTORY**

There is extensive history, the most relevant of which is:

608/75 - 2 shops and 2 shops above - Approved.

608/A/75 - Amendments - Approved.

2132/78 - Ground floor sales unit - car sales on first floor. Two self contained 2 bed flats - Refused. Appeal dismissed.

A/67/80 - Internally illuminated fascia sign - Withdrawn.

A/74/80 - Internally illuminated fascia sign - Approved.

P1496.10 Demolition of the existing commercial building and construction of a 3 storey building with a retail unit (A1) at ground floor and 5 one bedroom and 1 two bedroom flat on the first and second floors Refused.

#### **CONSULTATIONS/REPRESENTATIONS**

The occupiers of 38 neighbouring properties were notified of this proposal. Three letters of objection were received with detailed concerns that have been summarised as follows:

- The development would be an eyesore and would not blend in with surrounding buildings.
- Traffic, congestion and parking problems.
- Insufficient parking including a lack of provision for customers of the retail unit.
- The existing access in Hubert Road is unsafe.
- The access to the site is narrow.
- Lack of amenity space for Flat 2.
- Loss of light.
- The entrance to the flats is not considered to be safe as it is located to the side of the development, which is a shared access for vehicles, residents and potential commercial deliveries.
- No mention in the application of the impact of commercial deliveries.
- Noise and smell from the adjoining takeaway may affect the proposed development.
- The proposal for four flats would replace a single storey retail property.
- The Design and Access Statement is incorrect as it refers to a proposal for six flats.
- Sections 16 and 19 of the application form are incorrect.
- No reference to commercial waste storage on the plans.
- Overdevelopment.
- The proposal would reduce the existing gap between No. 147 and 149 and give rise to a terracing effect.

Environmental Health - Recommend conditions if minded to grant planning permission.

Crime Prevention Design Advisor - Recommends a condition and informative if minded to grant planning permission. The proposed shared bin and bike store would not meet the principles of the Secured by Design scheme, as cycles would need a dedicated secure storage facility.

The Highway Authority objects to the proposals due to insufficient provision of off street parking

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spaces for the retail unit (A1).

London Fire and Emergency Planning Authority Access to the ground floor commercial unit is considered satisfactory. Access to the flats should comply with 16.3 of ADB volume 2.

In response to the above, the side entrance to the flats has changed to a front entrance. The existing two storey storage building would remain to the rear, which would prevent vehicle access from Hubert Road. The remaining issues are addressed in the following sections of this report.

#### **RELEVANT POLICIES**

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions to residential and subdivision of residential uses), DC16 (Core and Fringe Frontages in District and Local Centres), DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document are also considered to be relevant together with the Residential Design Supplementary Planning Document.

Residential Extensions and Alterations Supplementary Planning Document

The London Plan (Spatial Development Strategy for Greater London) is also a further material consideration.

PPS1 'Delivering Sustainable Development'

PPS3 'Housing'

#### **STAFF COMMENTS**

This proposal follows a previous planning application, P1496.10, for the demolition of the existing commercial building and construction of a 3 storey building with a retail unit (A1) at ground floor and 5 one bedroom and 1 two bedroom flat on the first and second floors that was refused planning permission for the following reasons.

1) The front dormers are not contained well within the roof space and would, by reason of their siting, excessive width and flat roofs, have a squat appearance and appear unduly bulky harmful to the character and appearance of the streetscene contrary to Policy DC61 of the LDF Development Control Policies DPD.

2) The proposed development would by reason of its excessive depth, height, scale, bulk, mass and proximity to neighbouring properties, result in a loss of amenity in terms of loss of light and outlook to adjacent occupiers, particularly No. 145A and 145C Rainham Road, contrary to Policy DC61 of the LDF Development Control Policies DPD.

3) The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policies DC2 and DC33 of the LDF Development Control Policies DPD.

4) The proposed development would, by reason of the inadequate provision of amenity space, result in a cramped over-development of the site to the detriment of future occupiers and the character of the surrounding area contrary to the requirements of the Residential Design Supplementary Planning Document and Policy DC4 of the LDF Development Control Policies

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DPD.

5) In failing to deliver a high quality of design and layout through the deficiencies described in the reasons above, the proposal fails to justify such high density of development and would result in an overdevelopment of the site, contrary to Policies DC2 and DC61 of the LDF Development Control Policies Development Plan Document and Planning Policy Guidance Note 3 - Housing.

This proposal has been revised following a previously refused scheme, P1496.10. In this respect, the current application differs from the previously refused scheme in the following key areas:

- 1) The four dormers on the front elevation have been replaced with roof lights.
- 2) There is a separation distance of 1.7m at first and second floor between No. 147 and 149 Rainham Road.
- 3) The proposal has changed from 5 one bed flats and 1 two bed flat to 4 one bed flats. Therefore, the density has reduced from 133 dwellings per hectare to 88 dwellings per hectare.
- 4) Terraces have been provided for Flats 1, 3 and 4.
- 5) There would be a right of way through the building with three parking spaces to the rear.
- 6) The proposal includes the adaption of the existing storage building to the rear to provide car parking, storage and refuse/bike store.
- 7) Part of the rear façade of Flat 1 has been set back so it is flush with the rear façade of No. 145A Rainham Road.
- 8) A large proportion of the crown roof of the proposed development has been replaced with a pitched roof.
- 9) The window and two roof lights on the north western flank of the development have been removed.

#### **PRINCIPLE OF DEVELOPMENT**

The subject site is located within Rainham Minor Local Centre where Policy DC16 sets out a presumption in favour of retail development (A1) at ground floor level.

Policy DC16 states that planning permission for retail uses (A1) and other uses appropriate to a shopping area (A2, A3, A4, A5) in the borough's Minor Local Centres will be granted at ground floor level.

It is considered that a retail A1 use would be acceptable and adhere to policy. Indeed, a retail unit currently occupies the site.

Council policy supports the principle of residential development above existing ground floor commercial development.

In land use terms therefore, a mixed use scheme comprising retail and residential uses is

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considered to be acceptable.

**DENSITY/SITE LAYOUT**

The site is located within a Public Transport Accessibility Level Zone (PTAL) of 1-2, as defined by Policy DC2 on Housing Density, within a minor local centre. Within this zone and part of the borough housing density of between 30-50 units per hectare is anticipated. The site identified comprises an area of 0.045 hectares and the proposal would produce a density of 88 dwellings per hectare, which is outside of the range identified, although this is one element of the assessment. The density has reduced from 133 dwellings per hectare to 88 dwellings per hectare.

The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

In this instance, Flat 1 has approximately 18 square metres of amenity space in the form of an external terrace. Flat 3 has approximately 14 square metres of amenity space in the form of an external terrace. The first floor terrace area would be enveloped by a frosted glass balustrade on its perimeters to provide privacy for the future residents but also to provide a screen from the adjacent storage building and 145A Rainham Road. It is considered that the terraces for Flats 1 and 3 would be private, screened from general public view and access, and are in a conveniently usable form.

Flat 4 has approximately 5 square metres of amenity space in the form of a recessed balcony, which would be enveloped by a frosted glass balustrade on its perimeters to provide privacy for the future residents.

There is no amenity space for Flat 2. (The land to the rear of the retail unit is labelled on the plans as an open forecourt area and therefore, would be used in connection with the shop). Given that the scheme has been revised to provide amenity space for three out of four flats, it is Staff's view that the amenity space provision is within the realms of acceptability, particularly as the flats are located above a retail unit, although this is an element of judgement for members.

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

The existing building on the site, which is one storey in height (height of 4.1m) is not considered to be of any special architectural merit and there are no objections in principle to its demolition.

Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area.

It is Staff's view that infilling the gap between No. 145B and 147 Rainham Road is acceptable and would not adversely affect the streetscene. The plans have been revised by introducing a separation distance of 1.7m at first and second floor between No. 147 and 149 Rainham Road, which is deemed to be acceptable and reduces some bulk and mass.

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Although the application site is a commercial property, it is considered that the principles of the Residential Extensions and Alterations Supplementary Planning Document can be applied to the proposed development. The four front dormer windows have been replaced with roof lights which has addressed the first reason for refusal for P1496.10.

A large proportion of the crown roof of the proposed development has been replaced with a pitched roof, which has improved its appearance. It is noted that the rear of the building would be visible at an oblique angle from Hubert Road. It is considered that the rear elevation of the building would not be harmful to the streetscene, as it would be partly screened by No. 149 Rainham Road and it would only be visible at an oblique angle from Hubert Road.

It is considered that the external changes to the outbuilding would not be harmful to the streetscene.

#### **IMPACT ON AMENITY**

No. 145A Rainham Road comprises of 'Rainham Super Store, off licence and grocers' with a flat on the first floor, 145C Rainham Road. No. 145 Rainham Road comprises of Gable Recruitment Network with a flat on the first floor, 145B Rainham Road. It is noted that there is a first floor terrace which projects beyond the rear façade of Nos 145C and 145B, which is accessed via an external staircase. No. 145C has two first floor windows on its rear façade, which serve bedrooms and are primary light sources. There is an entrance door on the rear façade.

The existing retail unit on the application site has a depth of 15 metres. The new retail unit at ground floor would have a depth of 22.7 metres. The first and second floors of the proposed development would have a maximum depth of 18 metres and 15.1 metres respectively. It is considered that the ground floor element of the proposed development would not result in a significant loss of amenity to Nos 145A and 145C, as there is a single storey timber structure, which projects 6.8 metres beyond the rear façade of the existing retail unit at No. 147 Rainham Road.

It is considered that the proposed development would not result in a significant loss of amenity to No. 145A Rainham Road, as the part of the rear façade of Flat 1 has been set back so it is flush with the rear façade of this neighbouring property. It is considered that a 1.7m high matt frosted glass balustrade on the side boundaries of the amenity space at first floor would mitigate any overlooking.

During a site visit, the Case Officer undertook an internal inspection of No. 149 Rainham Road. No. 149 has one ground floor single pane window that is obscure glazed and serves a stairwell, which is not a habitable room. There is a two pane ground floor window that is obscure glazed and serves a W.C., which is not a habitable room. No. 149 has four first floor windows on its south eastern flank. There are two windows per bedroom, which are primary light sources.

It is considered that the proposed development would not result in a significant loss of amenity to No. 149 Rainham Road, as it does not impede a 45 degree notional line taken from the window cill of the flank bedroom windows. In addition, there is a separation distance of 1.7m at first and second floor between No. 147 and 149 Rainham Road. Also, the roof has been hipped adjacent to No. 149 Rainham Road, which has reduced its bulk and mass.

It is considered that the proposal would not result in any undue overlooking or loss of privacy, as the window and two roof lights on the north western flank of the development have been



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removed.

It is considered that a 1.7m high matt frosted glass balustrade on the perimeter of the first floor terrace area and frosted glass balustrade on the recessed balcony on the second floor would help to mitigate any over/interlooking between No.'s 145A, 145B, 145C, 147 and 149 Rainham Road.

It is noted that No. 149 Rainham Road has two extraction flues adjacent to the proposed development, one for the Chinese cuisine and one for the fish and chips. The owner of No. 149 advised that their opening hours are between 11.30am to 2pm and 4.30pm to 11.30pm every day. Consideration has therefore been given as to whether the extraction flues and the operation of No. 149 as a takeaway would be harmful to the residential amenity of future occupiers of the flats. Environmental Health has recommended two conditions regarding sound insulation and construction hours for the proposed development. Environmental Health advised that no complaints have been received from other dwellings about noise or odours from No. 149. An additional condition could be placed stating that before any development is commenced, a scheme for protecting the proposed dwelling from noise and odours from the adjacent commercial premises shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.

It is considered that the first floor windows of the existing outbuilding would not result in any undue overlooking of neighbouring properties, given that the first floor of the building would be used for storage purposes.

#### **HIGHWAY/PARKING**

In respect of parking, Policy DC33 seeks to ensure that the proposal provides adequate car parking on site. The site is located within a Public Transport Accessibility Level Zone (PTAL) of 1-2, as defined by Policy DC2 on Housing Density, within a minor local centre. For the proposed ground floor retail (A1) unit, a maximum of 7 spaces are required. Parking provision at a range of 2-1.5 spaces per unit is anticipated for the proposed flats (10 to 8 spaces). The proposal makes provision for a total of 6 off-street parking spaces to the front and rear of the development.

In comparison with the previous planning application, P1496.10, three additional off-street car parking spaces have been provided to the rear of the site, of which two are for the flats and one is for the retail unit. On balance, it is Staff's view that the level of provision for the flats is acceptable and no objection has been raised by the Highway Authority in this regard. The acceptability of the level of provision made for off-street car parking is a matter of judgement, given the maximum nature of the standards.

Given that there is a pay and display car park on the corner of Rainham Road and South End Road, the shortfall of parking provision for the retail unit is deemed to be acceptable and did not constitute a reason for refusal previously.

Servicing for the retail unit and the flats would take place from Rainham Road and this is considered to be satisfactory.

Refuse bags would need to be carried to the front of the building on collection days, which is deemed to be acceptable.

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#### **KEY ISSUES/CONCLUSIONS**

The proposal for the retail unit at ground floor with A1 use is acceptable in principle having regard to Policy DC16. The proposed residential use of the site at first and second floor is acceptable in principle.

It is considered that the proposal would not be harmful to the character and appearance of the streetscene. It is considered that the proposal would not result in a significant loss of amenity to neighbouring occupiers.

There is no amenity space for Flat 2. However, given that the scheme has been revised to provide amenity space for three out of four flats, it is Staff's view that the amenity space provision is within the realms of acceptability, particularly as the flats are located above a retail unit, although this is an element of judgement for members.

It is considered that there is sufficient provision of off street parking for the flats. Given that there is a pay and display car park on the corner of Rainham Road and South End Road, the shortfall of parking provision for the retail unit is deemed to be acceptable. It is considered that the proposal does not create any highway issues.

For the reasons outlined in the report, the application is recommended for approval.

#### **RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs
2. M SC09 (Materials)
3. S SC32 (Accordance with plans)
4. SC46 (Standard flank window condition)
5. M SC11 (Landscaping)
12. M SC62 (Hours of construction)
13. S SC06 (Parking provision)
15. S SC48 (Balcony condition)
16. S SC58 (Storage of refuse)
17. M SC59 (Cycle Storage)
18. M SC63 (Construction Methodology)
19. S SC20 (Ancillary use)

The existing building to the rear of the site hereby permitted shall only be used for car parking and a refuse/bike store at ground floor in connection with the flats hereby permitted and the first floor of the building shall only be used for the purposes of storage in connection with the retail unit (A1) and not for any other purpose or use unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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6. Non standard condition  
Prior to the commencement of the development, all details of boundary screening and screen walling shall be submitted to and approved in writing by the Local Planning Authority 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.

7. Non standard condition  
Before any development is commenced, a scheme for protecting the proposed flats from noise and odours from the adjacent commercial premises shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.

Reason: To protect residential amenity.

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

a) A Phase 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 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.

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 of 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

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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.

**9. Non standard condition**

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

**10. Non standard condition**

The flats shall be so constructed as to provide sound insulation of 45 DnT, w+Ctr dB (minimum values) against airborne noise and 62 LnT, 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 & Noise' 1994.

**11. Non standard condition**

Before any development is commenced, a scheme for protecting the proposed dwellings from noise from adjacent commercial uses shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings is occupied.

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

**14. Non standard condition**

The two parking spaces shown on drawing C09117/03 Revision B to the rear shall be provided for visitors in connection with the four flats permitted. One parking space

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adjacent to the south eastern boundary to the rear of the site shall be provided for the retail unit (A1). The parking spaces at the front of the site shall be allocated for the four flats hereby permitted. All parking spaces shall be retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

**20. Non standard condition**

Prior to the first occupation of the development hereby permitted, an obscure glazed glass balustrade shall be erected on all side and rear boundaries of the terraces for Flats 1 and 3 in accordance with Drawing's C09117/03 Revision B and C09117/02 Revision F.

Reason:-

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

**21. Non standard condition**

Prior to the first occupation of the development hereby permitted, an obscure glazed glass screen shall be erected on the side and rear boundaries of the recessed balcony area for Flat 4 in accordance with Drawing's C09117/03 Revision B and C09117/02 Revision F.

Reason:-

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

**22. Non standard condition**

The retail unit (A1) shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 18:30 on Mondays to Saturdays and not at all on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

**2**      **INFORMATIVES:**

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP2, CP17, DC2, DC3, DC4, DC16, DC33, DC35, DC36, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document and Residential Extensions and Alterations Supplementary Planning Document.

2. In aiming to satisfy condition 9 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).

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 is needed.

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<b>APPLICATION NO:</b>	<b>P0332.11</b>	
<b>WARD :</b>	St Andrew's	<b>Date Received:</b> 1st March 2011
<b>ADDRESS:</b>	17-19 Station Lane Hornchurch	
<b>PROPOSAL:</b>	Extensions to create second floor and roof garden. Alterations to the shopfront including bi-fold doors to the ground floor and access ramp, and render finish to first floor  Revised Plans Received 25.05.2011	
<b>DRAWING NO(S):</b>	VLRG-P-M-202 VLRG-P-M-203 VLRG-E-M-203 VLRG-E-M-201 VLRG-P-M-201 A VLRG-P-M-204 A	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**CALL-IN**

No call in.

**SITE DESCRIPTION**

The site lies to the south of Station Lane, within the designated retail fringe of Hornchurch.

The site comprises a terraced, two storey commercial building, currently vacant, but with planning consent for a change of use from A1 to A3/A4. Directly adjacent either side of the building are two, four storey buildings, one comprising a cafe at ground floor with 7 flats above and the other a bank at ground floor with offices above. Directly opposite the site is the Hornchurch island which incorporates A3 units with residential flats above.

The site has a highly unusual shape, wide at the entrance which tapers towards the middle and widens again at the rear, resembling a number 8 shape when viewed from above or on plan form.

The surrounding locality is commercial in nature with some residential flats on upper floors. There is a mixture of uses in the locality from A1-A5 plus D1 uses.

To the rear of the site is a car park, accessed from Mavis Grove, this has a pedestrian link to Station Lane.

**DESCRIPTION OF PROPOSAL**

Permission is sought for a the construction of a second floor and roof garden, alterations to the shop front including installation of bi-fold doors to the ground floor and access ramp and render finish to first floor.

The extension is set back 3.4m from the front elevation and measures 7.3m deep, a maximum

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of 9m wide and 2.4m high, although a glass roof lantern takes the maximum height to 3.2m.

This application follows the grant of P1725.10 which granted a change of use from A1 to A3/ A4.

#### **RELEVANT HISTORY**

P1725.10 - Change of use from A1 to A3/A4 - approved.

#### **CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 59 properties. Two representations were received stating the following objections:

- Objection to the opening of a bar in Hornchurch
- Glass facade would lead to overlooking of neighbouring property
- Roof garden would lead to increased noise
- Property is next to a very busy pedestrian crossing
- No rear access
- Should not consider this application before conditions are discharged on P1725.10
- Property could be difficult to service from additional deliveries and volumes of waste.
- Servicing is impractical, no off street parking, Nearest parking is too far away.
- Plans show no provision for storage and recycling storage
- People smoking outside will cause a disturbance, blocking the narrow pavement.
- Increase in noise to adjacent flats (13-15 Station Lane)
- Loss of privacy to No. 13-15 who all have flank windows facing No. 17.
- Smells from the kitchen would lead to loss of amenity
- Hours of operation are too late for this location, adjacent to flats.

#### **RELEVANT POLICIES**

Policies DC16, DC32, DC33, DC36, DC55, DC61, DC63 of the LDF Core Strategy and Development Control Policies DPD are considered relevant.

#### **STAFF COMMENTS**

The issues for Staff to consider relate to the impact that extensions and alterations to the shop front would have upon the character and function of Hornchurch Town Centre, the streetscene, amenity of neighbouring occupiers, highway and parking.

Principle of Development.

This application follows P1725.10 which sought approval for a change of use from A1 to A3/ A4, which was approved at the Regulatory Services Committee on 24th February 2011. This application originally sought to include the revisions to the shop front and roof extensions, however, following discussions these were omitted so that the applicant could revise their design proposals. These revisions have produced this current planning application.

LDF Policy DC61 states that permission will only be given for development which preserves or enhances the character of the area and respects the scale, massing and height of the surrounding context. There is in principle no objection to a roof terrace or extension provided it accords with DC61.



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

It is proposed to make alterations to the shop front by way of the installation of bi-fold doors, replacement of the glass panels at first floor and render the existing painted panels with white render. No details of signage have been submitted; this however, would require separate advert consent.

The shop front has a prominent position on Station Lane, within Hornchurch Town Centre and currently appears dated when compared to the new frontages of No. 13-15 and 21 Station Lane. There is an ongoing regeneration effort in Hornchurch under the Hornchurch Town Centre Urban Strategy which seeks to improve the physical and environmental condition of the town centre through revised signage and removal of street clutter, highway and planting improvements for example. It is considered that improvements to a prominent shop front would contribute to the ongoing efforts of this regeneration plan.

The green cladding of the existing shop front and arched window frames do not relate to their wider surroundings and it is considered that the replacement glass windows to the first floor and bi-fold doors at ground floor are more contemporary appearance and fitting of the desired improvements to the town centre.

An entrance ramp would improve access into the site, this is a minor addition to the building which is not considered to appear intrusive or overbearing.

In addition to the shop front, it is also proposed to extend the property at roof level with a second floor extension. This would be set back from the front elevation by 3.4m, with a roof terrace in front enclosed by a glass balustrade to provide outside seating. The extension is a simple flat fronted extension with large doors and windows with a glass lantern above.

The extension would be visible from the street via several public viewpoints and read as part of the street scene. At present the site is of a two storey construction with the adjacent sites either side being four storeys in height. This creates a significant change in building heights in an area of otherwise consistent building heights. The tapered nature of the site, narrowing from the frontage also means that the two flank elevations of the adjacent buildings also appear highly prominent within a streetscene characterised by frontage development. The creation of a second floor is considered to improve the appearance of the streetscene, firstly by raising the roof height so it is more consistent with surrounding properties and also by drawing attention away from the flank elevations of the adjacent buildings back to the frontage of the building. When viewed from a distance this would improve the rhythm of this part of the Station Lane and reinforce the notion of the active edge.

The extension would also be visible from the rear of the site when viewed from Mavis Grove. The extension is only proposed to cover the front portion of the site, extending backwards to where the site is its most narrow. An emergency fire exit door would then be installed. This would be visible from the rear car park, however, as the extension here would be relatively narrow, it is considered to appear minor in nature when compared to the buildings directly adjacent.

As it is proposed to alter the external appearance of the building with different finishing materials, samples are requested to ensure that the extensions and external alterations are of an acceptable quality and appearance.

There is currently no roof garden facility in Hornchurch and with views across the Town Centre, the improvements here are considered to add to the vibrancy and vitality of Hornchurch.

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#### **IMPACT ON AMENITY**

Representations received, objected on the grounds that a bar use adjacent to residential flats would create an unacceptable levels of noise and disturbance. This issue has been previously considered under P1725.10 and a change of use to A3/A4 was subsequently granted at the Regulatory Services Committee on 24/02/2011. The proposals here for a roof terrace and second floor would intensify the A3/A4 use on site, and Staff will need to consider the additional impact upon residential amenity.

Staff have attached weight to representations from Environmental Health which do not raise objection to the grant of planning permission, provided that conditions are attached for the restriction of amplified music and adequate insulation.

It is proposed as part of the construction of the second floor; to create a roof terrace at the front of the site with views across Hornchurch island and Station Lane. Concern has been raised from representations received that this would create excessive noise levels in close proximity to residential flats. Staff consider that in principle in this town centre location, there is no objection to a roof terrace, however, given the proximity of residential apartments at No. 13-15, conditions should be attached to any consent, restricting the playing of music or film outside.

Representations received objected on the grounds that the enlarged glazing at first floor would lead to overlooking of neighbouring property, however, the existing first floor is largely glazed and there is an element of overlooking at present, the revised shop front is not considered to add significantly to this. As a further measure to alleviate the impact of the roof terrace, a raised planter section has been incorporated into the terrace, effectively cutting off a 1.5m section nearest the Juliette balcony windows of the adjacent flat at 13-15 Station Lane. This planted section would also restrict any possibility of overlooking to the adjacent flats.

In terms of hours of operation, the A3/A4 use is permitted hours of between 10:00 - 23:00 Monday- Sunday. The roof terrace, by nature of being open would create additional levels of disturbance, and as such it is recommended that this area has further restricted hours of operation. It is considered that hours of between 10:00 and 07:00 are acceptable in this instance, after which the terrace is to be vacated. Those wishing to smoke for example, would need to leave the premises. Representations received raise concern over groups of smokers on the highway in close proximity to residential flats. No. 13-15, the nearest and most affected building has a restaurant at ground floor level, where customers would need to smoke on the highway. Similarly in terms of noise, there would be a certain level of noise emanating from the existing restaurant within their own building, in a wider town centre location residents would expect a certain level of noise. With conditions, excessive noise levels can be suppressed by way of insulation and conditions on hours. Appropriate conditions relating to noise are suggested to be attached to any consent.

It is proposed to install bi-fold doors at ground floor which would open out the entire frontage into the street. There is no objection to large bi-fold doors, however, given the proximity of neighbouring residential flats, a condition is recommended that these doors remain closed between the hours of 20:00 and 10:00 every day to ensure that noise levels are contained during the evenings.

The upper floor flats of No. 13-15 have flank windows which open out onto the air space above No. 17-19 Station Lane, which were installed as part of application P0052.05. Plans submitted for this development do not annotate if these windows should remain shut, and neither has any subsequent planning condition required this. As such, there has been a long running dispute between both properties. Representations received object to the loss of privacy and risk of overlooking, but do not make specific reference to the blocking up of the windows.

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Ongoing correspondence between the occupants of No. 13-15, No. 17-19 and officers from the Councils Planning and Building Control departments have not been successful at resolving a long running dispute between the two parties. Submitted plans for No. 13-15 (drawing no. IMP/OO/12E) show that these flank windows either serve kitchens or bathrooms, or secondary windows to bedrooms and that the building is additionally mechanically ventilated in the event that if No. 17-19 was ever developed in the future there would still be adequate ventilation for those flank units. It has been suggested from the Council during ongoing correspondence that in the event that No. 17-19 ever came up for redevelopment, it may be the case that these flank windows may be blocked up, this has been acknowledged on the approved plans for No. 13-15 with an annotations on plan IMP/OO/12E. There is also an outstanding issue as to whether these flank windows of No. 13-15 meet Building Regulations.

These flank windows would be blocked off partially by the extension itself, which would be built up against, rather than attached to the windows and by a screen above. The blocking up of the windows would inevitably lead to a complete loss of natural light. Although these windows are largely in shade due to the proximity of the Sterling House, as these are not habitable rooms, there is no objection to this. At first floor, a window to a flat within No. 13-15 serves a living room, this windows however, is not shown on the approved plan and does not have consent. This would however, be screened by the planter on the roof terrace.

Full details of the screen have not been submitted and further details are requested via condition, to ensure that it is of an appropriate appearance in terms of material and structural integrity.

Staff recognise that the proposals here would result in a material impact upon the occupiers of no. 13-15 Station Lane. Although, for the reasons outlined above, it is considered that this would not result in significant harm. Members are invited to apply their judgement to this issue however.

### **HIGHWAY/PARKING**

LDF Policy DC33 refers to car parking and states that in district centre (there is no differentiation between the retail core and fringe within Hornchurch) one parking spaces should be provided per 10 square meters of floor area, equating to spaces. Policy CP10 states that car parking levels should be consistent with the level of public transport access the site enjoys, in this case the site does not provide any off street parking, but is located within central Hornchurch, which has bus and rail links into Romford and Upminster and is therefore easily accessible by public transport, for those travelling by car, there are additionally several pay and display car parks within Hornchurch Town Centre which are within easy reach of the site.

A change of use from A1 to A3/A4 was approved without the site having car parking, and no further objection is raised in this instance. Plans for outside seating on the highway were raised as part of an objection from the Highways Authority; this element of the scheme has now been removed. There is no objection to the access ramp.

The site does not have any separate rear access, and concerns have been raised through received representations. A condition requiring details to be submitted and agreed has been attached on a previous application P1725.10 which related to the change of use of the premises.

### **OTHER ISSUES**

A representation received objected on the grounds that a decision should not be issued on this permission until all conditions relating to P1725.10 have been discharged, relating to noise, refuse storage and ventilation equipment etc. At the present time these conditions have not been

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discharged and no application to do so has been submitted to the Council. However, applications are all determined on their own merit and Staff do not consider it appropriate to withhold the determination of an application due to the conditions not being discharged on a prior application. The conditions relating to ventilation and extract equipment, CCTV installation and servicing are all part of the basic infrastructure of the property when the use is implemented, and do not directly relate to this application for shop front improvements or the extension which would not house any cooking facilities for example, unlike the main bar.

#### **KEY ISSUES/CONCLUSIONS**

In conclusion, it is considered that the proposed alterations to the shop front are acceptable and would improve the outward appearance of the streetscene. The second floor extension and roof terrace is also considered to be of an acceptable appearance and contribute towards the regeneration efforts within Hornchurch. Although the extension would block up the flank windows of the adjacent building, it is not considered to result in an unacceptable loss of residential amenity, given that the building is mechanically ventilated and windows affected are kitchens and bathrooms which do not require natural day light.

There would be no impact upon the highway or parking. The proposed opening hours of the terrace would be controlled separately to the main premises in order to control noise levels. As such it is recommended that planning permission be granted in this case, subject to conditions.

#### **RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs
2. M SC09 (Materials)
3. SC27A (Hours of use)

The outside roof terrace shall not be used for the purposes hereby permitted other than between the hours of 10:00 and 19:00 on Mondays to Sundays, Bank or 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, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. S SC32 (Accordance with plans)
5. M SC62 (Hours of construction)
6. Non standard condition

Before the use commences, the building shall be insulated in accordance with a scheme which shall previously have been approved 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

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recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

**7.** Non standard condition

No amplified music, speech or film shall be played or reproduced in the roof terrace.

Reason:-

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

**8.** Non standard condition

Before any of the development hereby permitted is commenced, full details of the screen proposed on the flank of no. 13-15 Station Lane 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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

**9.** Non standard condition

The proposed bi-fold doors shall be closed between 20:00 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** INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC55, 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.

**4** The applicant is reminded that the conditions on P1725.10 have not yet been discharged.

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<b>APPLICATION NO:</b>	<b>P0517.11</b>	
<b>WARD :</b>	Elm Park	<b>Date Received:</b> 6th April 2011
<b>ADDRESS:</b>	39 Wood Lane Hornchurch	
<b>PROPOSAL:</b>	Infill extension of existing patients entrance, relocation of patients entrance with front canopy, single storey rear extension with external alterations  Additional Plan Received 18.05.2011	
<b>DRAWING NO(S):</b>	11.0026 X03 11.0026 PL01 Revision A 11.0026 X01	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reasons: given at the end of the report.	

**CALL-IN**

This application has been called in by Councillor Kelly on the grounds that No. 39 Wood Lane is a Medical Centre, which needs to be developed and expanded. The single storey rear extension would not be intrusive on neighbouring properties. The Medical Centre has short opening hours, as it is closed from 7pm until 9am.

**RECOMMENDATION**

That planning permission should be refused.

**SITE DESCRIPTION**

The site comprises of a two storey semi-detached property, which is located on the northern side of Wood Lane, which is utilised as Wood Lane Medical Centre. The attached dwelling, No. 41 Wood Lane, is in residential use. There are blocks of flats to the west of the site. The surrounding area comprises of two storey semi-detached properties and flats.

**DESCRIPTION OF PROPOSAL**

The proposal is for an infill extension of the existing patients entrance, the relocation of the patients entrance with a front canopy and a single storey rear extension with external alterations.

The existing patients entrance would be in filled. The new patients entrance would be located on the western flank of the building leading directly into the waiting room.

The front canopy would have a depth of 3.5 metres, a width of 3.5 metres and a height of 3.5 metres.

The single storey rear extension would have a depth of 11.3 metres and a maximum width of 4.2 metres. The pitched roof would vary in height from 4.1 to 3.25 metres. The space created would be utilised to enlarge the existing treatment room (with a velux window) and create a new treatment room and consulting/examination room.

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#### **RELEVANT HISTORY**

P0495.90 Change of use to GP surgery and erection of side extension Approved.

P0274.96 Ground floor side and rear extensions Approved.

#### **CONSULTATIONS/REPRESENTATIONS**

A total of 11 neighbouring occupiers were notified of the proposal. No letters of representation have been received. One letter of objection was received with detailed comments that have been summarised as follows:

- The extension would appear an eyesore and would extend along the whole length of the garden.
- Loss of light.
- Parking.

These comments will be addressed in the following sections of the report.

#### **RELEVANT POLICIES**

Residential Extensions and Alterations Supplementary Planning Document CP17, DC33 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

#### **STAFF COMMENTS**

The issues arising from this application are the principle of development, the impact on the streetscene, amenity implications and any highway or parking issues.

#### **PRINCIPLE OF DEVELOPMENT**

The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres and indeed, falls within a mainly residential area. The proposal does not involve a change of use and the principle of extensions and alterations is acceptable in this instance, subject to an acceptable design and appearance with no harmful impact on the amenities of neighbouring properties.

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

Although 39 Wood Lane has a community use as a Medical Centre, it is considered that the principles of the Residential Extensions and Alterations SPD can still be applied to this semi-detached property.

It is Staff's view that infilling the existing patients entrance is acceptable and would not be harmful to the streetscene.

Policy DC61 of the LDF seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area.

The Residential Extensions and Alterations SPD states that large front extensions are generally unacceptable in Havering due to the adverse effect they can have on the appearance of the original house and the character of the street. In the exceptional circumstance of a front extension being acceptable, for example, in the case of a detached house set well back from the street or where the street comprises an irregular building line, it should not project more than one metre forward of the main building line and must be designed to appear as part of the original house through employing matching finishing materials and roof style. The Council will

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closely scrutinise applications of this kind to ensure that the proposal does not detrimentally affect the character of the house and immediate surroundings.

In this instance, the front canopy would have a depth of 3.5 metres. It is Staff's view that the front canopy has not been designed in sympathy with the application property and would fail to integrate with the existing property. It is considered that the front canopy would, by reason of its excessive depth, design, bulk and mass, appear incongruous, dominant and visually intrusive in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 and the Residential Extensions and Alterations SPD.

#### **IMPACT ON AMENITY**

The Residential Extensions and Alterations SPD states that generally houses can be extended from the rear wall of the original dwelling by up to 4 metres in depth for a semi-detached dwelling. This is to ensure the extension is subordinate to the original dwelling. Any greater depth required should be within an angle of 45 degrees, taken from the 3 metre or 4 metre dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties.

The single storey rear extension has a depth of 11.3 metres, which is contrary to the SPD.

It is considered that the single storey rear extension would have a detrimental impact on the rear garden environment of the adjoining property at No. 41 Wood Lane. It is Staff's view that the scale, bulk and mass of the rear extension with a depth of 11.3 metres along the flank boundary and spanning almost the entire length of the rear garden of this neighbouring property, would be an unneighbourly development and result in an undue sense of enclosure to No. 41 Wood Lane.

It is noted that No. 41 Wood Lane has a single storey rear extension, although this would not mitigate the impact of the proposal, as the extension would span almost the entire length of this neighbouring garden. The single storey rear extension would result in a significant loss of amenity to No. 41 Wood Lane, including loss of light, as it significantly impedes a 45 degree notional line contrary to the SPD.

It is Staff's view that the single storey rear extension would by reason of its excessive depth, height, scale, bulk, mass and position close to the boundaries of the site, appear dominant, visually intrusive and overbearing in the rear garden environment and result in a loss of amenity to No. 41 Wood Lane contrary to Policy DC61 and the Residential Extensions and Alterations SPD.

#### **HIGHWAY/PARKING**

The agent confirmed that Wood Lane Medical Centre has three full time staff and seven part time staff (which equate to 3 full time staff). At present, there is space for five vehicles on hardstanding at the front of the site. The front canopy would result in the loss of one parking space. Taking into account that the Development Control standards may be relaxed in cases of primary health care facilities, the Highway Authority has no objections to the proposals. In addition, there are no parking restrictions in the immediate vicinity of the site. It is considered that the proposal would not create any parking or highway issues.

#### **KEY ISSUES/CONCLUSIONS**

It is Staff's view that infilling the existing patients entrance is acceptable and would not be harmful to the streetscene.



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It is considered that the front canopy would, by reason of its excessive depth, design, bulk and mass, appear incongruous, dominant and visually intrusive in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 and the Residential Extensions and Alterations SPD.

It is Staff s view that the single storey rear extension would by reason of its excessive depth, height, scale, bulk, mass and position close to the boundaries of the site, be an unneighbourly development, appear dominant, visually intrusive and overbearing in the rear garden environment and result in an unacceptable sense of enclosure and loss of amenity including loss of light to No. 41 Wood Lane contrary to Policy DC61 and the Residential Extensions and Alterations SPD.

**RECOMMENDATION**

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

**1.** Reason for refusal

The front canopy would, by reason of its excessive depth, design, bulk and mass, appear incongruous, dominant and visually intrusive in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.

**2.** Reason for refusal

The single storey rear extension would by reason of its excessive depth, height, scale, bulk, mass and position close to the boundaries of the site, be an unneighbourly development, appear dominant, visually intrusive and overbearing in the rear garden environment and result in an unacceptable sense of enclosure and loss of amenity including loss of light to No. 41 Wood Lane contrary to Policy DC61 of the LDF Core Strategy and Development control Policies DPD and the Residential Extensions and Alterations SPD.

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<b>APPLICATION NO:</b>	<b>P0583.11</b>	
<b>WARD :</b>	Rainham & Wennington	<b>Date Received:</b> 11th April 2011
<b>ADDRESS:</b>	Rear of 14-16 Woodside Close Rainham	
<b>PROPOSAL:</b>	Construction of one 3bed detached bungalow with garage & two semi-detached 1bed bungalows with parking spaces (outline)	
<b>DRAWING NO(S):</b>	Block plan & general layout	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**CALL-IN**

No call in.

**RECOMMENDATION**

That planning permission is granted subject to conditions.

**SITE DESCRIPTION**

The site lies to the south of Woodside Close and is bordered by the gardens of No. 14-16 to the north and the gardens of no. 101-103 Lambs Lane South to the south. Currently the site is heavily overgrown with very restricted access.

The surrounding locality is residential in nature, typified by two storey semi-detached and detached properties.

**DESCRIPTION OF PROPOSAL**

Outline consent is sought for No.1, 3 bed bungalow with garage and No. 2, semi detached 1 bedroom bungalows with parking. Approval is being sought for the access, layout and scale, leaving appearance and landscaping as reserved matters.

This application follows similar approvals given for two detached 3 bedroom bungalows under reference P1403.08 and P0325.03.

The detached 3 bedroom bungalow measures 15m deep, 8.2m wide with a 3m wide garage attached to the side.

The semi-detached 1 bedroom bungalows measure a maximum of 13.6m wide at the rear with the front of the building inset to reduce the width to 8.4m. The length of the building is 15m.

The maximum height of the bungalows would be 5.5-6m.

The buildings are set 1m from shared boundary. The semi-detached block is set 1m from the boundary with the garden of no. 99 Lambs Lane South. The flank elevation of the detached bungalow is set 3.2m from the eastern boundary which faces No. 54 Woodside Close.

Access into the site is via Woodside Close via an existing turning head with a driveway leading

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to 4 car parking spaces, 1.5 for each one bedroom bungalow and 1 with the garage for the detached bungalow.

#### **RELEVANT HISTORY**

P0325.03 - Two detached residential units - allowed on appeal

P1403.08 - Two detached bungalow residential units - outline - approved.

#### **CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 16 properties. 3 representations were received stating the following objections:

- ensure suitable landscaping
- concerns over the road access, so that all possible residents can safely reach the dwellings
- design and access statement is misleading with regard to the proximity to the A13.
- Dwelling nearby has been subject to arson attack, so fire access is important.
- Use of access would mean a loss of parking
- Rise in disturbance from 3 bungalows instead of 2 as previously proposed.

#### **STAFF COMMENTS**

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC20 (Access to recreation and Leisure Including Open Space), DC33 (Car Parking), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document, the Supplementary Planning Document for Residential Design and government guidance contained in Planning Policy Statement 3 (Housing) are considered relevant to the determination of this application.

#### **PRINCIPLE OF DEVELOPMENT**

Policy CP1 indicates that a minimum of 535 new homes need to be built each year on sites which are not designated for other purposes. 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 subject to the detailed design of proposals. PPS3 encourages high quality residential development with access to a good range of facilities. Re-use of previously developed land is also encouraged.

Policy DC2 states that housing should reflect its locality; the dwellings proposed here are a mixture of 1 and 3 bedroom bungalows, covering an area of between 80 and 120 square metres, with off street parking. This type of housing is considered to reflect the character of local housing stock.

The proposal is considered to be in accordance with Policy 3A.1 of the London Plan which seeks to increase London's supply of housing.

#### **DENSITY/SITE LAYOUT**

Policy DC2 states that development in this location should have a density between 30-50 dwellings per hectare. The site covers an area of 0.09 hectares. The dwellings proposed represent a density of 32 dwellings per hectare, which is within the acceptable ranges.

The layout of the 3 dwellings proposed is largely the same as the previous approvals on site

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which. However, a garage has been omitted and one building made larger so it can accommodate two dwellings.

The Residential Design Supplementary Planning Document does not provide prescribed levels of amenity space, but instead encourages development to provide single, enclosed, non overlooked blocks which benefit from both natural sunlight and shading.

The 1 bedroom bungalows both have 60 square metres of amenity space, located to the rear of the properties in a single block; these would be south facing and are considered acceptable for the size of the unit proposed.

The 3 bedroom bungalow would have 170 square metres of amenity space, again with a southerly aspect and provided in a single block. This arrangement does not raise any concern from Staff.

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

As this is an outline application no details as to the design and appearance of the proposed dwellings have been submitted. Therefore, the impact on the streetscene cannot be assessed in this respect.

The Design and Access Statement however states that the dwellings would be of single storey height with pitched tiled roof and brick rendered walls. Seperate confirmation from the application has confirmed that the maximum height parameters are between 5.5m and 6m. Without any elevational plans the assessment of the bulk of proposed development and the possible impact on the area is reserved for future assessment. However, in determining the previous appeal, the Inspector limited the height of development to single storey only. Given the set back from the adjacent street and proposed single storey height, no significant impact on the appearance of the streetscene is expected.

#### **IMPACT ON AMENITY**

The proposed dwellings are shown to be located at a distance of approximately 18m from the rear elevation of No.'s 14 and 16 Woodside Close and a back to back distance of approximately 26m from No. 103 Lambs Lane South. A review of the surrounding locality shows that there are varied back to back distances between properties. For example No. 16 Woodside Close is set only 8m back from the rear elevations of no. 48-50 Woodside Close. Previous guidance required a 30m back to back distance. However, on appeal the Inspector felt on the original application (P0325.03) a distance less than 30m could be acceptable subject to screen fencing and landscaping conditions to mitigate the impact on the occupiers of any adjoining properties, and restriction of development to single storey only. Now the Residential Design SPD has been adopted which does not prescribe fixed back to back distances, it is considered that the current proposal is acceptable, subject to a restriction on the height and the buildings being of a single storey nature only.

The proposed dwellings would be located adjacent to No.'s 52 and 54 Woodside Close. However, it is considered that the proposed dwellings could be situated a sufficient distance from these properties to prevent any significant loss of amenity.

The proposed dwellings would require vehicular access to the front of the curtilage which adjoins the relatively short rear gardens of no.'s 14 and 16 Woodside Close. Although there are no existing vehicular movements in this location, the Inspector considered that future vehicle movements would be very small and unlikely to cause a significant noise and disturbance to

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neighbouring properties. Staff consider this would also be the case for the proposed development, despite the additional property.

Subject to the imposition of condition requiring the restriction on use of the loft space and building height, along with appropriate screening methods, it is not considered that a loss of privacy would result. In light of these circumstances, it is not considered that an objection could be substantiated on amenity grounds.

#### **HIGHWAY/PARKING**

The density matrix of Policy DC2 requires that new development makes off street parking provision for between 2-1.5 spaces per dwelling. The plans show 4 parking spaces within the shared access drive. The detached bungalow would have 1 parking space with the additional garage to provide 2 spaces, and the semi-detached bungalows would have the remaining three spaces to equate to the required 1.5 spaces per unit.

The bungalows would be accessed via the existing turning area from Woodside Close, which is the same as previously approved. Representations received queried the suitability of the access, which measures 5.2m wide and provides a turning area within the development. This is considered acceptable, as it is in excess of the minimum 3.7m wide fire path required by highways. There are no Highways objections in this instance.

A representation received objected on the grounds that the access to the development would result in the loss of 4 on street parking spaces. However, without any Highways objection, Staff consider that a refusal could not be substantiated on these grounds.

#### **KEY ISSUES/CONCLUSIONS**

In conclusion, it is considered that the proposals are acceptable. In principle the use of the land for residential dwellings does not raise any objection. There is adequate parking and access and it is not considered that the proposals would result in a loss of amenity to neighbouring occupiers, as the dwellings would be of a single storey construction and are set suitable distances from the boundary.

#### **RECOMMENDATION**

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

1. M SC01 (Approval of details)
2. S SC02 (Time limit for details) 3yrs
3. S SC03 (Time limit for commencement) 2yrs
4. S SC5 (Parking standards)
5. S SC08 (Garage) - restriction of use
6. M SC09 (Materials)
7. M SC11 (Landscaping)
8. M SC13 (Screen fencing)

Before any of the buildings hereby permitted is first occupied, screen fencing of a type

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**9. M SC45A Removal of permitted development rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent revisions Article 3, Schedule 2, Part 1, Classes A, B, C, D or E no extensions, roof extensions or roof alterations shall take place and no outbuildings or other means of enclosures shall be erected within the garden areas of the dwelling shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

**10. SC46 (Standard flank window condition)**

**11. S SC58 (Storage of refuse)**

**12. M SC59 (Cycle Storage)**

**13. M SC62 (Hours of construction)**

**14. Non standard condition**

The residential units hereby approved shall be single storey only between a height of 5.5m to 6m to the roof ridge and shall have no living accommodation within the roof space unless otherwise submitted to and agreed in writing by the Local Planning Authority.

Reason:-

To protect the visual amenities of the area and prevent undue overlooking of adjoining property, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

**15. Non standard condition**

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

a) A Phase 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 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.

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 of two parts:

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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.

**5**      **INFORMATIVE:**

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC33, DC36, DC55, DC61, DC63 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.

**6**      1. The developer, their representatives and contractors are advised that planning approval 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.

2. The applicant is advised 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. Any proposals which

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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.

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

4. The developer is advised that is construction materials are to be kept on the highway during construction works then they will need to apply for a licence from the Council.

5. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where a developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

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