



# Havering

LONDON BOROUGH

## REGULATORY SERVICES COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 15 March 2012</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 )**

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

Linda Hawthorn  
Ron Ower

Paul McGeary

Mark Logan

**For information about the meeting please contact:**

**Richard Cursons (01708 432430)**

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## **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 - 8)**

To approve as a correct record the minutes of the meeting of the Committee held on 12 January 2012 and to authorise the Chairman to sign them.

### **5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 9 - 18)**

Applications within statutory period.

### **6 P1689.11 - FORMER DUNNINGFORD SCHOOL (Pages 19 - 44)**

- 7      **P1918.11 - RONEO CORNER** (Pages 45 - 74)
- 8      **P1914.11 - 64 SOUTH STREET** (Pages 75 - 94)
- 9      **P1558.11 - FORMER WHITWORTH CENTRE** (Pages 95 - 124)
- 10     **P1762.11 - CHAFFORD SCHOOL** (Pages 125 - 132)
- 11     **A0065.11 - LAMP-POSTS ON LONDON ROAD** (Pages 133 - 142)
- 12     **P1865.11 - FORMER RICON SITE, ASHTON ROAD** (Pages 143 - 166)
- 13     **PLANNING APPLICATIONS - SEE INDEX AND REPORTS** (Pages 167 - 176)  
Applications outside statutory period.
- 14     **PLANNING CONTRAVENTION - 2 PETTLEY GARDENS ROMFORD** (Pages 177 - 186)

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

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**MINUTES OF A MEETING OF THE  
REGULATORY SERVICES COMMITTEE  
Council Chamber - Town Hall  
12 January 2012 (7.30 - 10.00 pm)**

**Present:**

**COUNCILLORS:** 11

**Conservative Group** Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Sandra Binion, Jeffrey Brace, Robby Misir, Garry Pain and Ted Eden

**Residents' Group** Linda Hawthorn and Ron Ower

**Labour Group** Paul McGeary

**Independent Residents Group** +David Durant

Apologies were received for the absence of Councillors Fred Osborne and Mark Logan.

+Substitute members: Councillor Ted Eden (Fred Osborne) and Councillor David Durant (for Mark Logan).

Councillors Steven Kelly, Keith Darvill, Pat Murray and Denis O'Flynn were also present for parts of the meeting.

10 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.

## 226 **DECLARATION OF INTERESTS**

Councillor Sandra Binion declared a personal and prejudicial interest in item P1398.11. Councillor Binion advised that she was a member of the social club that formed part of the applicant's site. Councillor Binion left the room during the discussion and took no part in the voting.

227 **MINUTES**

The minutes of the meetings held on 17 November, 1 December and 8 December 2011 were agreed as a correct record and signed by the Chairman.

228 **P1495.11 - 77-79 BUTTS GREEN ROAD, HORNCHURCH - SINGLE STOREY REAR EXTENSION**

The application before members sought full planning permission for a single storey rear extension to an existing vacant shop premises in order to increase the retail floor area. The proposed extension would enable the premises to be occupied by a Tesco Express store. The application had previously been reported to the Committee on 17 November 2011 when Members resolved to defer the application for further information. On 19 December 2011, the Council was notified that the applicant had appealed against the non-determination of the application and therefore the Council needed to submit any case in the appeal by 30 January 2012.

Members noted that 33 letters of representation had been received.

With its agreement Councillor Steven Kelly addressed the Committee. Councillor Kelly commented that very few changes had been made to the re-submitted plans and issues of over shadowing still existed. It was also mentioned that the premises was situated on a main road linking Hornchurch with Romford and any increased use would be to the detriment of highway safety. Councillor Kelly suggested that the proposal was suited for a much bigger site and asked that the Committee reject the scheme for the above reasons.

During the debate, members discussed the parking provision at the site, location of air conditioning units, storage areas and opening times.

The report recommended that planning permission be granted; however, following a motion, it was RESOLVED that, had the non-determination appeal not been lodged, permission would have been refused because rear extension, by reason of excessive height, mass and length along the shared boundary, would have an unduly overbearing and oppressive effect on the outlook and rear garden environment of the neighbouring property harmful to residential amenity. In addition, In the event that the Planning Inspectorate were minded to allow the appeal then the Council should seek the following conditions to the planning permission granted

- Servicing and delivery restricted to 10am to 4pm and 6pm to 9pm only.
- Hours of retail operation 7am to 10pm only.
- No air conditioning plant or similar equipment to be installed without prior consent in writing by the Local Planning Authority.
- No open storage in yard area to rear of single storey extension.

The vote for the motion to refuse planning permission and the substantive vote to refuse planning permission were passed by 10 votes to nil with 1 abstention. Councillor McGeary abstained from voting.

229 **P1801.11 - GARAGE COURT TO THE REAR OF NO. 39 MASEFIELD CLOSE - REDEVELOPMENT OF THE SITE TO PROVIDE ONE 4 BEDROOM BUNGALOW WITH ASSOCIATED PARKING**

The report before members related to a Council owned garage court. The application proposed the redevelopment of the existing site to provide one 4 bedroom bungalow with associated parking and garden area.

Members noted that there had been no objection to the proposal from the Council's StreetCare department.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

230 **P1744.11 - LAND ADJACENT TO 196-200 STRAIGHT ROAD, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF A THREE STOREY EXTENSION TO THE EXISTING BUILDING TO PROVIDE THREE 2 BEDROOM FLATS**

The report before members related to a Council owned garage court. The application proposed the demolition of the existing four garages and the erection of a three storey extension comprising of three 2 bedroom self contained flats with associated amenity areas.

Members noted that two letters of representation had been received and that there had been an objection from the Council's StreetCare department on the grounds of lack of parking.

With its agreement Councillors Keith Darvill and Denis O 'Flynn addressed the Committee.

Councillor Darvill commented that the proposal would have a negative impact on the existing residents and would also impact on the amenity of new and existing residents. Councillor Darvill asked that the Committee refuse the application.

Councillor O'Flynn commented that the proposal would lead to increased parking on the surrounding pavements and affect the amenity of existing residents. Councillor O'Flynn asked that the Committee refuse the application.

During the debate members discussed the lack of parking and amenity space for residents of the proposed flats.

A motion to refuse the granting of planning permission was lost by 6 votes to 5. Councillors Oddy, Hawthorn, Ower, McGeary and Durant voted for the motion to refuse planning permission. Councillors Tebbutt, Binion, Brace, Misir, Eden and Pain voted against the motion.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. The vote for the resolution was passed by 7 votes to four. Councillors Oddy, Tebbutt, Binion, Brace, Misir, Eden and Pain voted for the resolution to grant planning permission. Councillors Hawthorn, Ower, McGeary and Durant voted against the resolution to grant planning permission.

231 **P1743.11 - LAND ADJ 184 -188 STRAIGHT ROAD, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND CONSTRUCTION OF A THREE STOREY EXTENSION TO THE EXISTING BUILDING TO PROVIDE THREE 2 BEDROOM FLATS**

The application before members related to a Council owned garage court. The application proposed the demolition of the existing 4 garages and the erection of a three storey extension comprising of three 2 bedroom self contained flats with associated amenity areas.

Members noted that four letters of representation had been received and an objection had been raised by the Council's StreetCare department due to lack of provision of parking.

With its agreement, Councillors Darvill and O'Flynn addressed the Committee.

Councillor Darvill commented on the overlooking impact that the proposed property would have on neighbouring properties gardens.

Councillor O'Flynn commented that the demolition works to the garages could prove detrimental to the health of the elderly residents living nearby.

A motion to refuse the granting of planning permission was lost by 6 votes to 4. Councillors Hawthorn, Ower, McGeary and Durant voted for the motion to refuse planning permission. Councillors Oddy, Tebbutt, Binion, Eden, Misir and Pain voted against the motion.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. The vote for the resolution was passed by 6 votes to 4. Councillors Oddy, Tebbutt, Binion, Eden, Misir and Pain voted for the resolution to grant planning permission. Councillors Hawthorn, Ower, McGeary and Durant voted against the resolution to grant planning permission.

Councillor Brace did not take part in either of the votes as he had been absent from the room during the discussions.



At this point Councillor Eden left the meeting to attend a prior engagement.

232 **P1741.11 - LAND ADJACENT TO 3 MANOR AVENUE, HORNCHURCH - CONSTRUCTION OF A DETACHED 2 STOREY BUILDING WITH ACCOMMODATION IN THE ROOF COMPRISING OF NINE 2 BEDROOM FLATS WITH GARAGES TO THE REAR OF THE SITE**

The report before members sought planning permission for the construction of a detached two storey building with accommodation in the roof space, comprising nine 2 bedroom flats and garages to the rear of the site.

The Committee considered the report, noting that four letters of representation had been received and that English Heritage had added an additional archaeological condition to the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include the extra archaeological condition.

The vote for the resolution was passed by 9 votes to 1. Councillor Durant voted against the resolution to grant planning permission.

233 **P1641.11 - GARAGE COURT TO REAR OF 13 PRESTON ROAD, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF 1 NO. DETACHED DWELLING WITH ASSOCIATED PARKING AND GARDEN AREAS**

The Committee considered the report and following Councillors' questions on overlooking, width of the entrance and accessibility of a disabled parking bay opposite, **RESOLVED** that planning permission be granted subject to the conditions set out in the report.

The vote for the resolution to grant planning permission was 9 votes to 0 with 1 abstention. Councillor McGeary abstained from voting.

234 **P1350.11 39 EDISON AVENUE, HORNCHURCH - RETENTION OF GROUND FLOOR REAR 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.

235 **P1370.11 - 12-16 CRAIGDALE ROAD, ROMFORD - DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF THREE 3 BEDROOM HOUSES**

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

236 **P1453.11 - 71-73 FARNHAM ROAD, HAROLD HILL, ROMFORD - CHANGE OF USE FROM A1 TO SUNBED AND BEAUTY SALON**

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

237 **P1718.11 - 2 CHERRY STREET, ROMFORD - DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF THREE 2 BED FLATS AND ONE 1 BED FLAT**

The Committee considered the report, noting that an additional letter of representation had been received, and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. The vote for the resolution was passed by 9 votes to 1. Councillor Durant voted against the resolution to grant planning permission.

238 **P1398.11 - ROMFORD AND GIDEA PARK RFC CROW LANE, ROMFORD - 2 NEW FLOODLIGHTS, RELOCATION OF 2 EXISTING AND NEW LIGHTS TO EXISTING COLUMNS**

The Committee considered the report, and following confirmation from Councillor Tebbutt that the application had been called in by error and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

*As stated at the beginning of the minutes Councillor Sandra Binion declared a personal and prejudicial interest in item P1398.11. Councillor Binion advised that she was a member of the social club that formed part of the applicant's site. Councillor Binion left the room during the discussion and took no part in the voting.*

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**Chairman**

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# Agenda Item 5

## Regulatory Services Committee

15 March 2012

Item 5

WITHIN STATUTORY PERIOD

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-8	P0111.12	Rainham & Wennington	r/o 14-16 Woodside Close, Rainham

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**REGULATORY SERVICES COMMITTEE**

**15th March 2012**

**WITHIN STATUTORY PERIOD**

<b>APPLICATION NO:</b>	<b>P0111.12</b>	
<b>WARD :</b>	Rainham & Wennington	<b>Date Received:</b> 27th January 2012
<b>ADDRESS:</b>	R/O 14-16 Woodside Close Rainham	
<b>PROPOSAL:</b>	Construction of one 3 bedroom detached bungalow and two 1 bedroom semi-detached bungalows with associated parking and garden areas	
<b>DRAWING NO(S):</b>	1166PD 00 1166PD 01 B 1166PD 101 A 1166PD 102 A 1166PD 103 A 1166PD 104 1166PD 201 B 1166PD 202 B 1166PD 203 B 1166PD 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 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 has been cleared and lies open.

The surrounding locality is predominantly residential in nature, typified by two storey semi-detached and terraced properties finished in a mixture of facing brickwork and render.

**DESCRIPTION OF PROPOSAL**

Full planning permission is sought for 1 No, 3 bed detached bungalow and 2 No, semi detached 1 bedroom bungalows with parking.

The detached 3 bedroom bungalow (unit 1) measures a maximum of 14.2m deep (including the bay windows), 12m wide as a maximum, 2.2m to the eaves and 6m high to the ridge. This building is inset 1m from the boundary shared with no. 54 Woodside Close.

The semi-detached 1 bedroom bungalows (units 2-3) measure a combined maximum of 14m wide, and 11.6m deep as a maximum (including the bay windows). These units measure 2.2m to the eaves and 6m high to the ridge line. The western flank elevation is set 1m from the boundary with the rear garden of no. 99 Lambs Lane South.

Access into the site is via Woodside Close via an existing turning head with a driveway leading

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to 6 car parking spaces, 2 for each dwelling.

**RELEVANT HISTORY**

P0325.03 - Two detached residential units - allowed on appeal

P1403.08 - Two detached bungalow residential units - outline - approved.

P0583.11 - Three detached bungalows - outline - approved.

P1858.11 - Construction of one 3 bedroom detached bungalow and two, one bedroom detached bungalows -withdrawn.

**CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 16 properties. No representations have been received.

**RELEVANT POLICIES**

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 and the Supplementary Planning Document for Residential Design are considered relevant to the determination of this application.

Planning Policy Statement 3 (Housing)

London Plan Policies: 3.3, 3.5, 3.8, 6.13.

**STAFF COMMENTS**

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 CP1 indicated that, due to high levels of housing need, it is important to meet the needs for new housing and gives a target for a minimum of 535 homes to be built per year. Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 970 per year) to be built on sites which are not designated for other purposes.

Policy 3.8 of the London Plan states that DPD policies should 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 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor does not give space standards for bungalows, but states that a 3 bedroom flat should provide between 74 and 95 square metres of floor space depending on the number of bed spaces, and a 1 bed unit should provide between 37 and 50 square metres depending on the number of bed spaces. Unit 1 (3 bedroom) has a floor area of 149 square metres, and the two 1 bedroom units have a floor area of 80 square metres. These are in accordance with the above London Plan space standards.



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This application is a resubmission following P1858.11, which was withdrawn following concerns from the Council's Crime prevention Design Advisor with regard to a lack of natural surveillance from the dwellings and potential for crime. The applicant has sought to overcome these concerns with a revised layout of the dwellings, which has resulted in the omission of the previously proposed L shape bungalows, with two rectangular shaped properties. The L shaped detached bungalow remains.

#### **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 which sought for detached bungalows. Units 2 and 3 had previously been proposed as an L shape; however, following concerns from the Council's Crime Prevention Design Advisor, the dwellings have a revised footprint.

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 3 bedroom bungalow would have 105 square metres of amenity space. Although this is smaller than the 170 square metres previously proposed on similar applications, this garden has a southerly aspect and provided in a single bloc (previously arrangements also proposed a side garden). This arrangement does not raise any concern from Staff.

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.

#### **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 surrounding area has no prevailing architectural style, and is characterised by a mixture of two storey semi-detached and terraced dwellings. Materials in the locality include facing brick with tiled roofs over. The proposed dwellings are set back from the access road and would be screened by existing development in Woodside Close; as such it is not considered that the dwellings would be materially harmful in the streetscene.

In terms of design, the dwellings are arranged as bungalows and have a traditional appearance. Unit 1 is positioned closest to the development entrance and is arranged as an L shape. The projecting front elevation has two bay windows with a gable roof over. The return projection is finished with a half hipped roof. The entrance door is located to the flank of the front projection.

Units 2 and 3 are rectangular in shape, each with a bay window front projection finished with a single joint gable over. The flanks of each dwelling are finished with half hipps to match that of

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unit 1. Both dwellings have a front entrance door.

In all, Staff consider that the design of the dwellings to be acceptable in the locality. The dwellings are shown as being finished in facing brick with tiled roof over. The gable over the semi-detached bungalows is finished with timber cladding to add variety within the development. Staff consider that this would be acceptable for the locality, subject to samples of materials which are requested via condition.

It is considered that the development of three bungalows arranged in two buildings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped or overbearing form of development within the surrounding rear garden environment and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

**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 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 21.5m 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. Current guidance within the Residential Design SPD does not prescribe back to back distances and Staff consider that subject to screen fencing, landscaping conditions and their single storey construction, these distances would be sufficient as to not result in a loss of residential amenity through overlooking.

The proposed dwellings would be located west of No's 52 and 54 Woodside Close. Unit 1 is located off the 1m off boundary with No. 54. Given its single storey nature it is considered that they would be no loss of amenity. The flank windows facing No. 54 serve bathrooms and are conditioned so that they are obscure glazed.

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 and No. s 48 and 50 Woodside Close. Although there are no existing vehicular movements in this location, it has been accepted on previous applications and planning appeals that future vehicle movements would be very small and unlikely to cause a significant noise and disturbance to neighbouring properties.

In terms of additional noise and disturbance, it is not considered that the addition of 3 dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.

There would be 6 parking spaces provided, 2 for each dwelling. Unit 1 has its parking provided to the front, whilst units 2-3 have their parking allocated to the north and western boundaries. These are accessed from a shared turning area. The parking spaces would be screened by a 2m high timber fence and include strips of soft landscaping to the edges. Although the site does not feature vehicle movements at present, given the likely number of vehicle movements Staff

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are of the opinion that the parking is sufficiently removed from existing dwellings and that no noise or light pollution would occur as a result of these 6 car parking spaces on the site.

Staff consider the proposal to be acceptable in its current form. Given the size of the proposed development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling 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.

It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

#### **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 6 parking spaces within the shared access drive. The detached bungalow would have 1 parking space adjacent to the front door and another located by the access drive. The semi-detached bungalows have two spaces each located adjacent to the north and west boundaries.

The bungalows would be accessed via the existing turning area from Woodside Close, which is the same as previously approved. The access 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.

#### **OTHER ISSUES**

Refuse

An area for refuse and recycling provision has been located adjacent to the access on the northern boundary. Staff consider that this would be practical, however, details of this storage are requested via condition.

#### **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. The design of the dwellings raises no objection and they would be of limited impact in the Woodside Close streetscene.

#### **RECOMMENDATION**

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

1. SC4 (Time limit) 3yrs
2. SC05A (Number of parking spaces) ENTER NO.

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**2.** SC05A (Number of parking spaces) ENTER NO.

Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 6 car parking spaces 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.** SC09 (Materials)

**4.** SC11 (Landscaping)

**5.** SC45A (Removal of permitted development rights) ENTER DETAIL

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted development) (Amendment)(no. 2)(England) Order 2008, or any subsequent order revoking or re-enacting that order, no development shall take place under Class (ENTER DETAILS), 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.

**6.** SC46 (Standard flank window condition)

**7.** SC57 (Wheel washing)

**8.** SC58 (Storage of refuse)

**9.** SC59 (Cycle Storage)

**10.** SC63 (Construction Methodology)

**11.** SC78 (Secure by Design)

**12.** Non standard condition

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 (6ft. 7ins.) high shall be erected 2m 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 Policies Development Plan Document Policy DC61.

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**13.** 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 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.

**1** The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC32, DC33, DC36, DC53, DC55, DC61, DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

**REGULATORY SERVICES COMMITTEE**

**15th March 2012**

**WITHIN STATUTORY PERIOD**

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.

- 2**
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 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.
-

# 6

# REGULATORY SERVICES COMMITTEE

# REPORT

15 March 2012

**Subject Heading:**

**P1689.11 – Former Dunningford Primary School.**

**Demolition of existing buildings and the construction of 119 residential units, comprising 101 houses and 18 apartments, including affordable housing . Buildings rising between 2 and 3 storeys in height, together with associated car parking, landscaping and infrastructure works.**

**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 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

The application is for the demolition of the former Dunningford Primary School and the construction of a residential development, comprising 101 houses and 18 apartments. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. A Three Dragons viability assessment has been submitted by the applicant to justify the level of affordable housing and the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard. Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is 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:

- The provision of 18 units within the development as affordable housing on a shared ownership basis and should any owners of shared equity units staircase to 100% equity, provision shall be made for any subsidy (if relevant) to be recycled for alternative affordable housing provision in accordance with Annexe B of PPS 3 .
- The payment of a financial contribution of £41,650 towards health service provision within the Borough.
- The payment of a financial contribution of £25,000 towards highway works within the vicinity of the site.
- The payment of a financial contribution of £152,000 towards sports pitch replacement and renovation, and the provision of changing facilities, at Bretons Sports and Leisure Centre.
- The widening of the public highway at Dunningford Close to 6m in width.
- The approval, by the Council, of a Travel Plan to be submitted by the applicant.



- All contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

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

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

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

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

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

3. Flood Risk - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2011 with revisions (2nd Issue dated 29 February 2012) Project Code reference number ZDUNNINGFORD.10, compiled by Mayer Brown Limited and the following mitigation measures detailed within the FRA:

Adopted footpaths draining to permeable block paved adopted highways (FRA section 4.10, page 6)

Permeable paving with infiltration to private parking areas to the far east and western sections of the development (FRA section 4.10, page 6)

Permeable paving to all private parking areas in the centre of the site (FRA section 4.10, page 6).

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, to reduce the risk of flooding to the proposed development and to improve and protect water quality.

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

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

5. Use of garages - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) the garages hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason: To provide satisfactory off-street parking at the site 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 - The development hereby approved shall be undertaken in accordance with the approved tree planting plan referenced L701 Revision B. 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. Tree Protection - No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Details shall also be provided of the construction method for the development, including detailed measures for the construction of foundations and footings. Such agreed measures shall be implemented and /or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

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

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

15. 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.

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

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

17. 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.

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

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

- b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

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

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

- 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.

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

provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

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

20. Sound attenuation - The houses hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and the flats 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'.

21. 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 the LDF Development Control Policies Development Plan Document Policy DC61.

22. 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.

23. Surface Water Drainage - Development shall not begin 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. The scheme shall also include the following surface water discharge rate restrictions stated in the submitted Flood Risk Assessment (dated May 2011):

Peak Existing 1 in 1 year discharge rate of 34 litres per second.

Peak Existing 1 in 30 year discharge rate of 66 litres per second.

Peak Existing 1 in 100 year discharge rate (including a 30% allowance for climate change) of 92 litres per second.

Reason: To prevent the increased risk of flooding and to improve and protect water quality.

24. Archaeology –

No development shall take place until the applicant has secured the implementation of a programme of archaeological field evaluation and survey in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.

The results of the field evaluation should inform a mitigation strategy to either conserve archaeological assets or ensure their recording through excavation prior to the development.

The investigation results should be assessed, any significant results analysed and published, and the archive securely deposited.

The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological evaluation to inform determination of any detailed planning consent.

25. Details of ground levels - Prior to the commencement of the development details of the existing ground levels and the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, amenities of adjoining properties, and appearance of the development. Also in order that the development complies with Policy DC61 of the LDF Development Control Policies Development Plan Document.

26. Obscure Glazing – The obscure glazing indicated on the approved plans shall be retained for the life of the development.



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.

27. Electric Vehicle Charging Facilities – No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the proposed provision and use of electric vehicle charging points on the proposed parking spaces. The approved scheme shall be implemented prior to the approved dwellings being occupied and shall apply to at least 20% of parking spaces.

Reason: In the interests of sustainable development and in accordance with Policy 5.2 of the London Plan.

28. Highways – The proposed alterations and additions to the Public Highway shall be submitted in detail to the Local Planning Authority for its written approval prior to the commencement of the development hereby approved. The development shall thereafter be undertaken in accordance with the approved scheme.

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

29. Highways – The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of development.

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

## **INFORMATIVES**

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering will require a licence and the applicant must contact the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.

2. In aiming to satisfy condition 12 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 development of this site is likely to damage archaeological remains. An archaeological field evaluation will establish the extent and significance of any

surviving remains and enable the mitigation of the impact of the development to be planned as part of a detailed planning consent.

4. In order to check that the proposed storm water system is acceptable the following information should be provided:

A clearly labelled drainage layout plan showing pipe networks and any attenuation features and storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

- Calculations showing the volume of any attenuation features is also required (this is best shown on the drainage layout plan).
- Confirmation of the critical storm duration.
- Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

5. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP9, CP10, CP15, CP16, CP17, CP18, DC2, DC3, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63, DC68, DC70 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. The proposal is considered to accord with Policy DC6 as the amount of affordable housing provision has been justified through the submission of a Three Dragons viability appraisal, which has been independently tested and found to be sound. The provision of affordable housing, whilst not in strict accordance with Policies DC 6 and CP 2, is considered acceptable having regard to the viability assessment submitted by the applicant and the provision of shared equity units only is on balance considered to be acceptable as it would complement the existing provision locally of affordable rented units.

The proposal also accords with the provisions of Policies 3.3, 3.5, 3.6, 3.8, 3.9, 3.13, 5.3, 5.7, 5.12, 5.13, 5.16, 5.21, 6.1, 6.9, 6.10, 7.3, 7.4, 7.6, 7.8, 7.14, 7.15, 7.19 8.2 of the London Plan. The development envisages achieving Code for Sustainable Homes Level 3. Levels of parking are considered to be justified given the relatively low PTAL level of the site. The proposal is considered to be consistent with Policy 3.9 and Policy 3.12, which requires the maximum reasonable amount of affordable housing to be sought. A development viability appraisal has been submitted with the application, justifying the amount of affordable housing provided.

#### 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, which is approximately 2.56ha in area, comprises the former Dunningford Primary School and its curtilage, which includes sports fields and hardstanding areas used for vehicle parking and as play grounds. The existing, mainly flat roofed school buildings and hardstanding areas are located at the south eastern end of the site with the north western end of the site dominated by the former playing fields. The former school buildings are still in situ but in a derelict condition. The site has been surrounded by hoardings for some time.
- 1.2 The site is accessed through Dunningford Close, which runs northwards from Upper Rainham Road. Dunningford Close is characterised by two three-storey blocks of flats to the south and west of which are the public highway, parking spaces, and communal amenity spaces.
- 1.3 The site is located within a broadly residential area with existing residential development located to the north and east. The site's southern and western boundaries run alongside Upper Rainham Road. One of the site's boundaries, at its north western corner runs alongside the railway line serving Central London and Essex; the northern boundary lies adjacent to allotments and residential properties located along St Andrews Avenue; whilst the site's eastern boundary runs alongside the public highway and a block of flats in Dunningford Close. A Council vehicle depot is located on the other side of Upper Rainham Road, to the south west.
- 1.4 There were six protected Lime trees located at the south eastern end of the site. Four of these, located in the south eastern corner of the site, were accidentally removed by contractors. The applicant has submitted an enhanced landscaping scheme to compensate for this, replacing the removed trees and improving the landscaping through out the site.

### 2. Description of Proposal

- 2.1 This planning application proposes the demolition of the existing, former school buildings and the erection of 119 residential units comprising 101 houses and 18 apartments. 18 of the proposed units would be affordable housing available on a shared ownership basis.

- 2.2 The 18 apartments would be contained within a three storey, pitch roofed building orientated such that its length would run in a north-south direction. This building would be located at the eastern end of the site and would run parallel with the public highway at Dunningford Close. Of the 18 apartments, 11 would be affordable housing, with the remainder being available on the open market. The apartment block would employ hipped and gable-style pitched roofs with the external finish of the building comprising render and yellow brick, with balconies to the first and second floors formed of feather edge boarding.
- 2.3 The 101 houses would comprise 11 different types, ranging from 2-2.5 storeys in height with detached, semi-detached, and town houses being constructed of red and yellow brick, grey and red roof tiles, along with hipped and gable pitched roofs. The dwellings would have between two and five bedrooms, with the larger dwellings including attached garages. All of the dwellings would be accompanied by private amenity spaces and off street parking. 7 of the proposed houses, located at the north western end of the site, would be affordable housing.
- 2.4 The site would be served by an internal roadway and footpaths the main spine of which would run centrally through the site in an east-west direction from the site entrance and junction with Dunningford Close. Branch roads would serve the southern, western, and northern areas of the site.
- 2.5 The application is accompanied by a suite of supporting documents, including a design and access statement, planning statement, transport assessment, noise and vibration assessment, flood risk assessment, sustainable design and construction statement, energy statement, arboricultural implications report, ecological report, statement of community involvement and affordable housing toolkit analysis.

### **3. Relevant History**

- 3.1 D0195.11 - Application to determine whether prior approval will be required for demolition of all existing buildings on site, comprising large 2 storey and single storey buildings, formally used as a Primary School – Approved.
- 3.2 Z0011.11 – Request for a screening opinion under the Environmental Impact Assessment Regulations – EIA not required (28<sup>th</sup> September 2011)

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

- 4.1 The application has been advertised on site and in the local press as a major development. Neighbour notification letters have also been sent to 197 local addresses. Letters of objection have been received from five neighbouring occupiers
- 4.2 Objections to the scheme are raised on the following grounds:

- Adverse impacts on the future occupiers of the proposal arising from the railway line and Council depot
- The proposed access road would be insufficient to serve a development of the proposed size
- The proposal would require an additional entrance to avoid traffic congestion
- The proposed development would not include enough affordable housing provision
- The proposal will cause an unacceptable level of traffic congestion
- The proposal would not include sufficient car parking spaces
- The proposed number of dwellings would place a strain on local health services

4.3 Natural England

Have advised that the application should be considered against standing advice but that based on the surveys undertaken it is advised that permission could be granted and that the Authority should consider requesting ecological enhancements.

4.4 English Heritage

No objections. Condition and informative recommended in relation to archaeology.

4.5 Sport England

No objections subject to a monetary contribution towards the replacement and improvement of sports pitches, and the provision of changing facilities at Bretons Sports and Leisure Centre.

4.6 NHS

No objections; planning obligations required secure funding towards local health care provision.

4.7 Crime Prevention Design Advisor

No objections; condition and informative recommended.

4.8 The Environment Agency

No objections; conditions recommended.

4.9 Essex & Suffolk Water

No objections.

4.10 Thames Water

No objections.

4.11 Transport for London

No objections; recommendations made in relation to electric vehicle charging facilities, cycle parking, and the approval of a Travel Plan and Delivery & Servicing Plan.

4.12 Environmental Health

No objections; condition recommended.

4.13 Highway Authority

No objections; conditions and obligations recommended.

**5. Relevant Policies**

5.1 National Planning Policy

PPS1 (Delivery Sustainable Development), Planning and Climate Change (Supplement to PPS1), PPS3 (Housing), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPG13 (Transport), PPS22 (Renewable Energy), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise), PPS25 (Development and Flood Risk) are material planning considerations.

5.2 Regional Planning Policy

Following its recent adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations).

There is also a range of Supplementary Planning Guidance to the London Plan.

5.3 Local Planning Policy

Policies CP1, CP2, CP9, CP10, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63, DC68, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

In addition, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's

Biodiversity SPD, Protection of Trees During Development SPD, Heritage SPD, Landscaping SPD and Sustainable Design and Construction SPD are material considerations.

## **6. Staff Comments**

6.1 The issues arising from this application are the principle of development, the design and amenity considerations, environmental impact, highway and parking issues, affordable housing, community infrastructure, and other considerations.

### **6.2 Principle of Development**

6.2.1 The site is currently vacant and the principle of residential development on this site, which would increase the Borough's supply of housing and accord with Policy CP1 and Policy 3.3 of the London Plan, is considered to be acceptable.

6.2.2 The proposal includes the demolition of existing buildings on the site, although prior approval has already been given by the Council to demolish the buildings on the site (reference D0195.11). The buildings on the site are not of particular historic or architectural merit and there is no objection in principle to their demolition.

### **6.3 Design Considerations**

6.3.1 Policy DC2 of the LDF stipulates the appropriate residential densities in given areas of the borough. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The SPD contains guidance in relation to the design of residential development.

6.3.2 The application site has an area of approximately 2.56 hectares and proposes 119 units, giving a development density of 46 units per hectare. This is within the density range of 30-50 units per hectare set out in Policy DC2 and Policy 3.4 of the London Plan and considered appropriate for the area under consideration.

6.3.3 The site is located in a broadly residential area comprising a range of house types, with traditional, two storey, pitched roof dwellings and larger scale, inter and post war flatted development.

6.3.4 The application proposes a traditional form of design and construction, which is considered to be in keeping with the character and context of the surrounding area, which is characterised by a mix of house types. Each of the houses would have a pitched roof and conventional detailing and is constructed using stock facing brick with limited use of render, and plain roof tiles. The flatted development, which would front on to an area comprising existing flatted developments, is not considered to appear as a discordant

feature within the development and overall the design of the proposed dwellings is considered to be compatible with the character of the locality.

- 6.3.5 In terms of scale and massing, the dwellings within the site range between 2 and 2.5 storeys. Within the site the ridge heights of the proposed houses would be approximately 9m above ground level. This is considered to be in-keeping with existing residential development in the local area.
- 6.3.6 The application proposes the retention of six protected Lime trees at the south eastern end of the site. Unfortunately, four of these were accidentally removed by a contractor. In response, the applicant has submitted an enhanced landscaping scheme to compensate for the loss of these protected trees. The scheme would involve replacing the felled Lime trees and providing enhanced landscaping throughout the remainder of the site.
- 6.3.7 Landscaping proposals have been submitted with the application indicating an acceptable mix of hard and soft landscaping throughout the site. Further details regarding the precise nature of hard landscaping materials and type, number and species of new planting will be required by condition
- 6.3.8 In the interests of protecting the character of the area, it is recommended that a planning condition be imposed, should planning permission be granted, removing permitted development rights to prevent the erection of extensions and curtilage buildings, without the prior written approval of the Local Planning Authority.
- 6.3.9 Given the nature of the proposal, including its appearance, layout, scale, massing and design in relation to the surrounding area and within the proposed development itself; it is considered that the proposal would have an acceptable impact on the character of the area, and that it would therefore be in accordance with Policy DC61 of the LDF and Policy 7.4 of the London Plan.

#### **6.4 Layout and Amenity Considerations**

- 6.4.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.
- 6.4.2 The development proposes a mix of house types and a block of flats. This complies with the aims of Policy DC2 in respect of dwelling mix. Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conform to minimum internal space standards set out in the plan. In this instance the proposed houses would each exceed the stipulated minimum standards and officers therefore consider that the proposal would



provide an acceptable standard of living accommodation for future occupiers.

- 6.4.3 In respect of site layout, all of the proposed dwellings would have adequate access to sunlight and daylight. In relation to amenity space provision, the Council's Residential Design SPD does not set prescribed amenity space standards but rather seeks to ensure that amenity space is provided in a high quality, functional and well designed manner. Amenity space should also be private and not unreasonably overshadowed. The proposed development provides private gardens for the houses within the site, along with balconies and communal amenity space for the proposed apartments. The private amenity space of the proposed dwellings ranges from around 42sqm to 150sqm, whilst the communal amenity space of the proposed apartment block would be approximately 1100sqm. All of the dwellings are considered to be provided with entirely acceptable amenity space provision, which accords with the aims of the SPD.
- 6.4.4 Objections received from neighbouring occupiers states that the amenity of the development's future occupiers would be adversely affected by the nearby railway line and Council depot. However, the Council's Environmental Health officers have raised no objections to the proposal, and have recommended a condition, which would seek to ensure given noise levels are not exceeded within the proposed dwellings. It is not considered that any significant adverse impacts would arise from the depot or railway line.
- 6.4.5 In terms of how they relate to one another, it is considered that the proposed dwellings would not result in any unacceptable levels of overlooking, overshadowing, or outlook. It is considered that the proposed development would provide an adequate level of amenity for the future occupiers of the development.
- 6.4.6 In relation to the impact the proposal would have on existing, neighbouring occupiers then particular attention needs to be paid to the impacts on residents at Dunningford Close and St Andrews Avenue, which are the nearest neighbouring properties to the site.
- 6.4.7 The proposed dwelling at Plot 52, at the north eastern end of the site, would be located approximately 3m to the west of an existing block of flats although it would be the flank walls of both properties facing one another. Plots 32 and 43-52, all located at the far north eastern area of the site, would be nearest to the existing properties located to the north along St Andrews Avenue. The separation distances between the proposed dwellings at the said plots and the existing dwellings along St Andrews Avenue would range between approximately 26m and 30m. The separation distances between the proposed dwellings and curtilages of the neighbouring properties ranges from approximately 1m in the case of Plot 35 and between approximately 8m and 16m for Plots 43-52.

- 6.4.8 In the case of Plot 35, this unit's eastern elevation would not include any first floor openings and so there would not be any significant overlooking to the rear curtilage of No.228 St Andrews Avenue. Given the size of this property's rear curtilage, which at its longest point is approximately 40m in length, it is considered that the proposal, despite its very close proximity to the shared boundary, would not result in any significant adverse impacts on the amenity of neighbouring occupiers. In the case of the other plots referred to, it is also considered that there would be sufficient separation distances between the proposed dwellings and existing dwellings and curtilages to avoid any significant adverse impacts on the amenity of neighbouring occupiers. It is also considered that the existing properties around the application site would not have any significant adverse impacts on the proposed dwellings.
- 6.4.9 In the interests of protecting amenity within the proposed development and in relation to neighbouring development, it is recommended that a planning condition be imposed, should planning permission be granted, removing permitted development rights to prevent the erection of extensions and curtilage buildings, without the prior written approval of the Local Planning Authority.
- 6.4.10 Officers consider that in terms of the standard of accommodation and amenity space to be provided, and the amenity of existing neighbouring occupiers, and the amenity of the future occupiers of the development, that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.

## 6.5 **Environmental Impact**

- 6.5.1 The application site is located in Flood Zone 1 and a Flood Risk Assessment (FRA) has been submitted with the application. The Environment Agency initially objected to the proposal on the grounds that insufficient sustainable drainage systems (SUDS) would be employed as part of the development and that an insufficient level of surface water run off would be achieved. Policy DC48 of the LDF and London Plan policy states that developers should aim to achieve Greenfield run off rates from their sites by incorporating rainwater harvesting and sustainable drainage techniques.
- 6.5.2 The developer's proposed surface water run-off rate was not deemed to be sufficient to achieve the standards required. The developer has subsequently proposed the incorporation of SUDS techniques including permeable paving, and the Environment Agency has, as a result, removed its objection to the proposed development. However, at the time of preparing this report, it is unclear whether permeable surfaces can be adopted as part of the highway. Members will be given a verbal update concerning this matter during the Committee meeting.
- 6.5.3 The Council's Environmental Health officers were consulted about the application with no objections being raised. Conditions have been

recommended in relation to land contamination, sound attenuation, and limitations to construction times. It is recommended that these be employed should planning permission be granted.

- 6.5.4 An energy statement has been submitted with the application. The energy strategy indicates that a 25% reduction in emissions will be achieved compared to 2010 baselines. This would be in line with the objectives contained in the London Plan, which seek a 25% reduction in CO2 emissions. The submitted information states that the development will meet Code for Sustainable Homes Level 3. It is recommended that the aims of these statements be secured by condition.
- 6.5.5 An ecological survey undertaken in February 2012 concluded that there are no overriding ecological constraints that should preclude planning permission being granted. It is concluded that there are no habitats of international, national or county importance that would be affected by the development. Natural England was consulted about the application, and no objections were raised. Officers are satisfied that the proposed development would not adversely affect protected species, subject to a condition requiring the submission of details and the implementation of ecological mitigation and enhancement measures. It is considered the proposal would be in accordance with Policies DC58 and DC59 of the LDF.
- 6.5.6 The site is located on land designated as an Archaeological Priority Zone in the Heritage SPD. Policy DC70 of the LDF states that planning permission will only be granted where satisfactory provision is made in appropriate cases for preservation and recording of archaeological remains. English Heritage has commented on the application and recommends that a condition be imposed, should planning permission be granted, requiring the implementation of a programme of archaeological works, in accordance with a scheme to be approved by the LPA. An informative is also recommended.

## 6.6 **Parking and Highway Issues**

- 6.6.1 The application proposes the retention of the site's existing access through Dunningford Close. Objections have been received from neighbouring occupiers stating that the proposal would result in traffic congestion within Dunningford Close and also on Upper Rainham Road. It is also stated that the proposal would not provide sufficient parking and that the proposed access arrangements are insufficient to accommodate a development of the scale proposed in this case.
- 6.6.2 The application proposes a total of 183 parking spaces, comprising 42 private garages, 106 private driveways, and 35 on-street residents' parking bays. Each house will include cycle parking within the garages or gardens, and the flatted development will include a secure, external cycle store. The proposed car parking provision would therefore equate to 1.54 spaces per dwelling. The site has a PTAL rating of 1, which translates to "very poor" accessibility, however, the proposed level of parking provision is in

accordance with Policy DC2 of the LDF, and the Council's Highway officers have raised no objections.

- 6.6.3 Transport for London was consulted about the proposal and requested that a Travel Plan be submitted by the applicants as part of a legal agreement. The Section 106 agreement that has been prepared by the applicants states that the applicants will submit a Travel Plan for the approval of the Local Planning Authority. TfL have made various recommendations including the incorporation of electrical vehicle charging points in drive ways and cycle parking arrangements into the development. Where appropriate, it is recommended that conditions be imposed to achieve these recommendations.
- 6.6.4 It is recommended that conditions be imposed relating to wheel washing facilities to prevent the deposition of mud onto the public highway during construction works. It is also recommended that a condition be imposed requiring the submission to and approval by the Local Planning Authority for a construction method statement detailing the areas where construction vehicles and plant will be parked. A condition is also recommended requiring the submission of details relating to cycle storage.
- 6.6.5 A Transport Statement has been submitted with the application. Highways officers are satisfied that the development will not adversely affect highway capacity but request a financial contribution of £25,000 to pay for highway works in the vicinity of the site in the interests of maintaining highway safety. An obligation is also sought that requires the developer to widen the highway to 6m in Dunningford Close. These requirements are contained within the legal agreement being prepared by the applicant. Conditions have also been requested, and officers recommend that these be imposed should planning permission be granted.
- 6.6.6 As discussed in the last section, at the time of preparing this report, it is unclear whether permeable surfaces can be adopted as part of the highway. Members will be given a verbal update concerning this matter during the Committee meeting.
- 6.6.7 At the time of preparing this report, the Highway Authority has not raised any objections to the proposal. Subject to the use of the afore mentioned conditions, and the aforementioned obligations, the proposal is considered to be acceptable in respect of parking and highway safety issues and in accordance with Policies DC32, DC33 and DC34 of the LDF.

## 6.7 **Affordable Housing**

- 6.7.1 Objections received from local residents state that the proposed development would not include sufficient affordable housing provision.
- 6.7.2 Policy DC6 of the LDF states that the Council will aim to achieve 50% of all new homes built in the borough as affordable housing, and that a tenure mix of 70:30 between social rented housing and intermediate forms (such as

shared ownership) will be sought. However, it is also stated that the Council, in seeking to achieve these targets, will give consideration to factors such as the viability of schemes.

- 6.7.3 The application proposes that 11 two-bed flats and 7 two-bed houses within the development will be provided as affordable housing. This equates to 18% of the units. They are proposed to be provided on a shared ownership basis. The applicants have submitted a Three Dragons viability appraisal to demonstrate that this is the maximum reasonable amount of affordable housing provision that can be sustained by the development. An independent assessment of the viability appraisal concludes that:

*“the scheme is not able to support any additional planning contributions in the form of Section 106 payments or affordable housing. We also conclude that the viability of the scheme would be further reduced by changing the proposed tenure of the existing 15% affordable units.”*

Given the conclusions of this independent assessment of the scheme’s ability to support affordable housing, officers are satisfied that the proposal provides the maximum amount, and the most suitable type of tenure, of affordable housing possible whilst also remaining a viable scheme. It is therefore considered that the proposal complies with Policy DC6 of the LDF.

## 6.8 Community Infrastructure

- 6.8.1 Objections received from neighbouring occupiers state that the proposal would place a strain on local health services.
- 6.8.2 The proposal is considered likely to generate demand for local health services and the NHS has required that the developer make a financial contribution towards the provision of local health care services. The sum of £41,650 is proposed and included in the applicant’s draft Section 106 agreement. Officers consider this amount to be acceptable.
- 6.8.3 As the proposal would result in the loss of a sports field, Sport England have agreed that a financial contribution of £152,000 towards the replacement and improvement of nearby sports pitches, and the provision of changing facilities at Bretons Sports and Leisure Centre would be an acceptable means of compensating for this loss. This contribution is contained within the Heads of Terms of the Section 106 in the Recommendation. Of the £152,000, £95,300 would relate to the replacement and improvement of sports pitches, and £56,700 would relate to the provision of changing facilities.
- 6.8.4 Officers consider that subject to the viability appraisal being sound, that the application reasonably demonstrates that the amount of Section 106 contribution cannot be increased. In the event that the financial appraisal is judged to be sound it is recommended that the amount of S106 contribution be apportioned between the requirements of Highways (£25,000), sports

pitch maintenance and provision and changing facilities (£152,000) and health care provision (£41,650).

## 6.9 Other Issues

- 6.9.1 Havering's Crime Prevention Design Advisor has recommended a condition requiring the submission of details relating to the way in which "Secured by Design" standards will be achieved, accompanied by an informative. In the interests of designing out crime, this condition and informative can be imposed should planning permission be granted.

## 7. Conclusion

- 7.1 The proposed residential development is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment for the enjoyment of future occupiers. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for retention of and replacement landscaping, protection and enhancement of the ecology of the site, and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.
- 7.2 The proposal makes provision for 18% of the units to be provided as affordable housing, which falls below that required by Policy DC6 of the LDF. However, the applicant has submitted a Three Dragons viability appraisal to justify the amount of affordable housing to be provided as required by Policy DC6 and the London Plan. The viability appraisal has also been provided to justify the amount of Section 106 contributions arising from the development. The viability appraisal has been independently assessed and it is considered that in relation to both affordable housing and financial contributions, that the viability of the scheme could not support any more than has been proposed.
- 7.3 The proposal is judged to be acceptable subject to a legal agreement and conditions and it is recommended that planning permission be granted.

## IMPLICATIONS AND RISKS

### Financial implications and risks:

The application site comprises land which has been disposed of by the Council.

### Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

**Human Resources implications and risks:**

None.

**Equalities implications and risks:**

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

**BACKGROUND PAPERS**

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**REGULATORY  
SERVICES  
COMMITTEE**

15 March 2012

**7  
REPORT**

**Subject Heading:**

**P1918.11 – Site at Roneo Corner,  
Junction of Rom Valley Way & Rush  
Green Road.**

**Construction of 2 no. part eight and  
part nine storey blocks containing a  
total of 141 flats; associated car, cycle  
and motor cycle parking; provision of  
relocated access from South Street;  
provision of landscaped pedestrian &  
cycle route linking South Street & Rush  
Green Road; formation of maintenance  
access ramp from South Street to the  
River Rom Culvert; part of the  
application site comprises adopted  
highway and would require a stopping  
up order under Section 247 of the  
Town and Country planning Act 1990  
to facilitate the implementation of the  
development which will be considered  
separately (planning application  
received 4<sup>th</sup> January 2012).**

**Report Author and contact details:**

**Helen Oakerbee, 01708 432 800  
helen.oakerbee@havering.gov.uk**

**Policy context:**

**Local development Framework**

**Financial summary:**

**None**

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

Ensuring a clean, safe and green borough	[ ]
Championing education and learning for all	[ ]
Providing economic, social and cultural activity in thriving towns and villages	[ ]
Valuing and enhancing the lives of our residents	[x]
Delivering high customer satisfaction and a stable council tax	[ ]

**SUMMARY**

This application seeks permission to construct 2 no. part 8, part 9 storey buildings containing a combined 141 flats with associated parking and new pedestrian and cycle route linking South Street and Rush Green Road. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. A Economic Viability Appraisal has been submitted by the applicant to justify the level of education contributions being offered and the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard. Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is recommended that planning permission is 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:

- The provision on site of 93 of the units (66%) within the development for affordable housing purposes consisting of a tenure split of 40 Affordable rented, 16 Social rented and 37 Shared ownership units.
- Payment of a financial contribution of a maximum of £442,138.54 towards education provision;
- Payment of a financial contribution of £10,480 towards highway works;
- Payment of a financial contribution of £20,960 towards off-site naturalisation of the River Rom;

- The prevention of any future occupants of the development, save for blue badge holders, from applying for residents parking permits within any current or future Controlled Parking Zone or other such measure affecting the locality of the application site.
- That the developer/owner or party entering into the planning agreement bear the Council's legal fees in respect of the Section 106 agreement irrespective of whether or not the agreement is completed.
- That all contribution sum are subject to indexation from the date planning permission is issued to the date of receipt by the Council and that all contribution sums will include interest accrued to the date on which they date spent.

At the time of writing the report, the figures for total education contributions is still under consideration. This is discussed in paragraphs 5.12.1. Members will be verbally updated at the committee meeting.

The following conditions are suggested:

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

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

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

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

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

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Disabled parking - Before the building(s) hereby permitted is first occupied provision shall be made within the site for 2 no. disabled car parking spaces in accordance with the approved details. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate on-site parking is available for the disabled and to comply with the aims of Policy 6.13 of the London Plan.

5. 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. This shall include samples of car park louvers, external doors and window frames, balustrades, which are expected to accord with the information within the approved design and access statement and its addendum. 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.

6. 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. 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.

7. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, 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.

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

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

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

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

10. 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.

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

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

12. Construction method statement - 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 Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

Reason:-

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

13. 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 and to protect the water environment.

13. CCTV - Prior to the commencement of the development hereby permitted, a scheme showing the details of a CCTV system to be installed for the safety of residents and other users of the building and the prevention of crime throughout, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for a CCTV camera which provides coverage of the pedestrian footpath linking South Street and Rush Green Road. The system shall be provided in strict accordance with the agreed details, prior to the first occupation of any of residential units and thereafter, permanently retained and maintained.

Reason: In the interests of delivering a safer development, reflecting guidance set out in PPS1 and Policy DC63 of the Core Strategy and Development Control Policies Submissions Development Plan Document.

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

Reason: The development of this site may affect archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design for the archaeological evaluation of the site. This design should be in accordance with the appropriate English Heritage guidelines.

15. Native planting - Planting to the west of the river Rom, in the buffer zone between the river's edge and the Rom Valley Way shall be of locally native plant species only, of UK genetic origin.

Reason: The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local

plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

16. Pedestrian link - Prior to the first occupation of any part of the development hereby permitted, the main vehicular access and the pedestrian and cycle paths shall be fully constructed and available for use as shown on drawing PL.10

Reason: In the interests of highway safety and to ensure connection with the public rights of way network.

17. Insulation - The buildings shall be so constructed as to provide sound attenuation of not less than 45dB(A) against internally generated airborne noise and 62dB(A) against impact noise.

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

18. Noise assessment - Prior to the commencement of the development hereby permitted, an assessment shall be undertaken of the impact of road noise emanating from Rush Green Road, Rom Valley Way and South Street, upon the development in accordance with the methodology contained in the Department of Transport/Welsh Office Memorandum, 'Calculation of Road Traffic Noise', 1988. Reference should be made to the good standard to be found in the World Health Organisation Document No. 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures which are to protect occupants from road traffic noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details, prior to the first occupation of any of residential units and thereafter, permanently retained and maintained.

Reason: To protect future residents against the impact of road noise in accordance in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

19. Code for sustainable homes: No development shall be commenced until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline how the development will meet the highest standards of sustainable design and construction to incorporate the seven measures identified in Policy 4B.6 of the London Plan and shall be required to demonstrate that the development will achieve a Level 3 Code for Sustainable Homes rating, or better. The developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves the minimum rating described. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement and if required by the Local Planning Authority, a Code for Sustainable Homes Post Construction Assessment shall be carried out on all or a sample of the development.



Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Interim Planning Guidance on Sustainable Design and Construction and Policy 5.7 of the London Plan.

20. Minimising carbon emissions - No works in relation to the proposed development shall commence on site pursuant to the planning permission hereby granted until details of a renewable energy generation system for the proposed development which will displace at least 10% of carbon dioxide emissions, beyond Building Regulations requirements, has been submitted to and approved by the Local Planning Authority. The system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Interim Planning Guidance on Sustainable Design and Construction and Policies 5.2 of the London Plan.

21. Drainage 1 - Surface water drainage works shall be carried out in strict accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The works shall be carried out in full prior to the first occupation of any part of the building.

Reason: To prevent the increase risk of flooding to the site itself and third parties.

22 Drainage 2 - . The construction of the site drainage system shall be carried out in accordance with details previously submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The system shall be installed in full prior to the first occupation of any part of the building.

Reason: To prevent pollution of the water environment.

23. Drainage 3 - Notwithstanding the requirements of condition 22 above, prior to the commencement of the development, a detailed site assessment shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed in advance with the Local Planning Authority. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the agreed details.

Reason: To prevent pollution of the water environment

24. Restricted storage or deposition - No spoil or materials shall be deposited or stored on the part of the site lying within the area of land liable to flood during a 1:100 20% event.

Reason: To prevent the increase risk of flooding due to a reduction of flood storage capacity and impedance of flood flows.

25. Details of culvert access - Prior to the commencement of the development, a scheme of the vehicle access ramp and turning area serving the River Rom culvert shall be submitted to and approved in writing by the Local Planning Authority. The ramp and turning area shall be provided in strict accordance with the agreed details, together with the associated vehicular access point, prior to the commencement of the development and thereafter permanently retained, maintained and kept free of obstruction which may preclude full use during construction and beyond.

The scheme shall include:

- The interface between the Highway (South Street) and the vehicular access route.
- The ramp width, surfacing and gradient.
- Design of the gated access.
- Structural assessment of the ramp and retaining walls.
- Vehicle landing and turning area.
- Interface with the existing flood defence structures.
- Signage and other ancillary features.

Reason: To retain access to the watercourse for the riparian owner or the Environment Agency to carry out maintenance and inspections and to prevent the increase risk of flooding to the impedance of flood flows.

26. Air quality report - Prior to the commencement of the development, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail: the area within the boundary of the site which may exceed relevant national air quality objectives; specify how the application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives; identify potential exposure and; details how the development will reduce its impact upon local air pollution.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared air quality management area.

27. Highways agreement - The proposed alterations to the Public Highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement and all necessary agreements completed.

Reason: In the interest of ensuring good design and public safety and to comply with Policies CP10, CP15, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

28. Flood risk assessment - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) issue 2 (Final), dated December 2011, reference number

5093660 compiled by Bureau Veritas and the following mitigation measures detailed within the FRA:

- Lowest finished floor level, ground floor parking area, are set at 8.85m above Ordnance Datum (AOD) (FRA section 7.1.2, page 14).
- Limiting the post development surface water run off from the site to a maximum of 5 litres per second (FRA section 8.2.4, page 16).
- Provision of a new access ramp from South Street to the River Rom flood relief channel FRA section 10.1.1, page 19).
- Balconies over hanging the easement/access ramp will have a minimum headroom clearance of 6.0m.

Reason: To reduce the risk of flooding to the proposed development, future occupants and third parties.

29: Water environment - 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: To protect the water environment. The report provides no information on proposed drainage systems. The site could have existing contamination owing to the site history. No infiltration to ground should be used in contaminated soils. The perched water may be fairly shallow. Should soakaways be considered they should not intercept the water table and provide sufficient stand-off.

30: Piling: Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the water environment. It is not clear if piling will be used. It is also envisaged to potentially use Ground Source Heat Pumps. Information on historic use and made ground is limited, any proposals need to take into account of potential contamination through appropriate mitigation measures or risk assessment.

31: Stopping Up of Highway: Prior to the commencement of development an application to stop up that part of the application site which comprises adopted highway shall be submitted to the Council as highway authority and development shall not commence until and unless a stopping up order is confirmed by the Council as highway authority or the Secretary of State (on appeal) as appropriate.

Reason: To fully consider the impact of the proposed development in respect of public highway.

32: Pedestrian access: The pedestrian access which connects South Street to Rush Green Road to the eastern edge of the site shall be retained and secured during construction, details of which shall be submitted to the Local Planning Authority prior to the commencement of works.

Reason: In the interest of ensuring good design and public safety and to comply with Policies DC61 of the Core Strategy and Development Control Policies Development Plan Document.

## **INFORMATIVES**

### **INFORMATIVE:**

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC6, DC7, DC32, DC33, DC36, DC49, DC50, DC53, DC55, DC61, DC63, DC66, DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document. Other material considerations namely the high level of affordable housing provision and exemplar design justify exemption in this case the density levels given in DC2 of the LDF Core strategy and Development Control Policies DPD.

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.

2. 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.

3. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, to the front of Plot 1. This hydrant is to be numbered P111482 and will conform to BS750: 1984. Upon completion of works, this fire hydrant the surrounding areas should meet

flush with the hydrant's frame and cover and the pit should be clear of any debris.

4. In aiming to satisfy condition 8 the applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of 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 discharging of community safety condition(s)
5. The applicant is advised that planning approval does not constitute approval for changes to the Highway. Highway approval will only be given after suitable details have been submitted to the Highway Authority and considered.
6. Under the terms of the Water Resources act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or development to a surface watercourse. Please contact the Environment Management Team on 01707 632702 for further details.
7. Under the terms of the Water Resources act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Please contact the Regulatory Water Quality team on 01707 632702 for further details.
8. Under the terms of the Water Resources act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under or within 8metres of the Rom main River.
9. The applicant is advised that there are public sewers crossing the site and no building works will be permitted within 3 metres of the sewers without prior consent of Thames Water.
10. Japanese knotweed is present along many sections of the Rom. This is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring. The site should be assessed for non-native invasive plants prior to development and if present method statements developed accordingly. Development shall proceed in accordance with the approved method statement.

## REPORT DETAIL

### 1. Site Description

- 1.1 The site is located to the west of the junction between Rom Valley Way and Rush Green Road and is trapezoidal in shape covering 0.6 hectares. The site is an open space, currently landscaped with pedestrian links north to south between South Street and Rush Green Road. A culvert of the River Rom is located to the west. The site is bound by Merritt House to the north, the Neopost building to the east, Rush Green Road to the south and Rom Valley Way to the west.
- 1.2 Vehicular access into the site is from South Street at present. The wider site is pedestrianised, however, vehicular access is required by the Environment Agency and the Council to maintain the culvert.

### 2. Description of proposal

- 2.1 Full planning permission is sought for the erection of 2 no. part 8, part 9 storey buildings, one containing 93 affordable flats, and the other 48 private sale apartments (total of 141 flats) with associated parking and landscaping.
- 2.2 The affordable housing block comprises a mix of 23 no. 1 bedroom flats, 28, no. 2 bedroom flats and 5 no. 3 bedroom flats for affordable and social rental and 12 no. 1 bedroom flats, 19 no. 2 bedroom flats and 6 no. 3 bedroom flats for shared ownership. This equates to 66% affordable housing provision. This building is located to the western edge of the site facing Rom Valley Way and measures a maximum of 75.5m deep, 20.4m wide and 29m high.
- 2.3 The private block comprises 24 no. 1 bedroom flats, 16 no. 2 bedroom flats and 8 no. 3 bedrooms flats. This building is located to the southern edge of the site, facing Rush Green Road. This measures a maximum of 47.45m wide, 16.2m deep and 29m high.
- 2.4 A total of 113 parking spaces are provided within the site. 61 parking spaces are provided underneath the affordable block across two floors, partly underground partly above ground. 12 parking spaces are provided within at ground level underneath the private block. A shared surface car park provides a further 40 parking spaces. Vehicular access into the site is via South Street to the north of the site. The allocation of parking is split 61/49 spaces for the affordable and private.
- 2.5 A second, new vehicular access is proposed due west of the main vehicular access point, solely to provide access to the Environment Agency and the Council to maintain the River Rom culvert. This access would serve no other functional purpose to the development. An access ramp and turning area adjacent to the culvert is also proposed.

2.6 A total of 144 cycle spaces are provided within the secure car parks. 5 motor cycle spaces are provided.

2.6 A pedestrian link through the site is to be retained, linking South Street to the north with Rush Green Road to the south. This would be landscaped and divided from the parking area with 1.8m park style railings with strips of soft landscaping and lighting.

### **3. Relevant History**

3.1 P1380.09 – Construction of 8 storey mixed use development containing 93 flats, healthcare facilities with offices, restaurant/cafe, associated highway alterations with new access, pedestrian & cycle route from South Street to Rush Green Road – approved. This permission is valid until 6<sup>th</sup> July 2013.

3.2 P0269.08 – Removal of condition 33 attached to planning consent P1397.07, so as to allow vehicles to turn right from and into South Street when accessing or egressing the site – approved.

3.3 P1397.07 – Construction of 8 storey mixed use development containing 121 flats, Healthcare facilities with assoc. offices, restaurant/cafe, ancillary parking & servicing, stopping up of no longer required highway land, provision of relocated access from South St, landscaped pedestrian & cycle route from South St to Rush Green Rd, maintenance access ramp from South St to culvert and new landscaping to either side of culver – approved. This permission has now lapsed.

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

4.1 Neighbour notification letters were sent to 637 properties. At the time of writing the report 74 representations were received, raising objections in respect of the following:

- overlooking of properties in Rom Crescent
- traffic implications from increased number of cars on South Street
- existing hospitals are under strain at present
- sewage system cannot cope
- lack of nearby facilities i.e. supermarkets
- overdevelopment of the site
- building is too tall for Romford
- type of residents within the blocks
- increased noise levels
- lack of parking
- loss of a green public space
- strain upon local schools
- construction concerns
- increase in pollution
- loss of trees
-

Councillor Robert Benham sent in 13 pro-forma letters. Objecting on the grounds that proposals are a gross overdevelopment of the site and likely to be detrimental to the local area.

Councillor White, Councillor Gardener and Councillor Galpin also sent in 77 pro-forma letters. These object on the basis that the development is a gross overdevelopment of the site, has a lack of parking and would be detrimental to residential amenity.

Councillor M McCarthy of the London Borough of Barking and Dagenham has raised objection to the development on the basis that the site would be overdeveloped with an unsuitable access. There would also be a strain on local services such as schools and hospitals.

- 4.2 A site notice was displayed advertising a major development.
- 4.3 The Highways Authority have no objections, but require conditions and a financial contribution for the extension of the central traffic island.
- 4.4 The London Fire Brigade require the installation of a private fire hydrant.
- 4.5 Environmental Health require the submission of a land contamination report and air quality assessments.
- 4.6 English Heritage require an archaeology condition.
- 4.7 The Councils Crime Prevention Design Advisors requests a condition.
- 4.8 The Environment Agency require conditions and a financial contribution of up to £70,000. Please see paragraph 5.13.4 of this report.

## **5. Staff Comments**

- 5.1 The issues for consideration in this case are the principle of development, density, layout and design, impact upon residential amenity, highway and parking, sustainability, flood risk and planning obligations.
- 5.2 Policies DC2, DC3, DC6, DC7, DC11, DC20, DC32, DC33, DC36, DC48, DC49, DC50, DC53, DC55, DC57, DC58, DC59, DC60, DC61, DC66, DC72 of the LDF Core Strategy and Development Control Policies DPD are considered relevant.
- 5.3 Following its recent adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising



carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations).

There is also a range of Supplementary Planning Guidance to the London Plan.

5.4 National Guidance PPS1 (delivering sustainable development), PPS3 (housing), PPG 13 (transport) are also considered relevant.

## 5.5 Background

5.5.1 In 2009 planning permission was granted for an 8 storey building containing 93 residential flats, 4000 square metres of health care facilities with associated offices, a restaurant/ cafe, associated parking, provision of new access from South Street, landscaping and associated works and the stopping up of highway rights across the land 9 (application reference P1380.09). This followed a previous approval in 2007 for a similar development, but with 121 residential flats (application reference P1397.07).

5.5.2 The current scheme differs from that of the previous approval in that there is no healthcare or other commercial floorspace and this is now a wholly residential scheme. The total number of flats has increased from 93 to 141 units and the development has been proposed as two separate buildings, rather than one single building. The third floor amenity deck has also been omitted.

5.5.3 Although there are now two buildings, the removal of the commercial healthcare unit has reduced the built footprint from 2827.99 square metres to 1657.94 square metres (split between the affordable housing block measuring 1112.07 square metres and the private sale block measuring 545.87 square metres). This represents a reduction in built footprint of 1170.05 square metres (or just under 42%) over the existing extant permission. The height of the building remains the same at 29m. The previous building span the majority of the site, the division to create two buildings has reduced the maximum width of the building from 31.5m to 20m. The Rush Green Road elevation is also reduced in size from 69.4m to 47.45m.

## 5.6 Principle of Development

5.5.1 The development proposes residential accommodation. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. DC11 promotes

housing development outside of these areas, and it is considered that the principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with PPS3 as the application site is within an established urban area.

5.6.2 Policy CP1 indicated that, due to high levels of housing need, it is important to meet the needs for new housing and gives a target for a minimum of 535 homes to be built per year. Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 970 per year) to be built on sites which are not designated for other purposes.

5.5.3 There is an extant permission on the site for residential accommodation of 93 units and the principle of residential development on this site is therefore considered acceptable.

## 5.7 Density and Layout

5.7.1 The site is located within a low ranked Public Transport Accessibility Zone (PTAL 1-2). Within this zone, Policy DC2 refers to housing density of between 30-50 dwellings per hectare. However, a Transport Assessment has been submitted with this application which gives a PTAL site specific rating of 4. Within this zone densities of 30-65 and 50-80 dwellings per hectare are anticipated. Policy 3.4 of the London Plan states that in suburban locations, typified by lower density development, densities of between 45-130 dwellings per hectare should be anticipated, depending on the number of habitable rooms proposed. The site has an area of 0.6 hectares and the proposal for 141 residential units would have a density of 235 dwellings per hectare. This is significantly above the ranges identified; however, previous permissions on this site have achieved densities of 155 and 202 dwellings per hectare. Whilst higher density development is not necessarily unacceptable, a density such as this, in this particular location, can only be justified on the basis that the building is exemplar quality in so far as design, layout and workability.

5.7.2 Policy 3.8 of the London Plan states that DPD policies should 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 DC2 also recommends a mix of housing types. In this instance, a mixture of 1, 2 and 3 bedroom flats are proposed. This is considered to achieve the aims of Policy DC2 and 3.8 of the London Plan in respect of dwelling mix. Tenure split and affordable housing provision will be addressed later in this report.

5.7.3 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. Table 3.3 states provides the following standards for flats: 1 bed, 2 person units, 50 square metres. 2 bed, 3 person units, 61 square metres. 2 bed, 4 person units 70 square metres. 3 bed 4 person units, 74 square

metres. 3 bed, 5 person units, 86 square metres and 3 bed, 6 person units 95 square metres.

- 5.7.4 The proposed 1 bed, 2 person units have a floorspace between 46.34 square metres and 51.57 square metres. The 2 bed 3 person units have a floor space of between 59.07 and 70.54 square metres and the 2 bed, 4 person units have a floor space of between 64.46 square metres and 72.22 square metres, depending on the flat type. Of the flat types proposed 59 units (or 42%) out of the development would not meet the London Plan space standards, however, Policy 3.5 (D) states that “development proposals which comprise the delivery of elements of this policy may be permitted if they are demonstrably of exemplary design and contribute to the achievement of other objectives of this Plan”. In this instance, there is an extant planning permission with similarly sized units, which pre-dates the London Plan. Staff consider that this departure is acceptable given the overall merits of the development and high provision of affordable housing. The non-confirming units are divided between both the affordable and private sale units. The applicant has stated that the increase in size of these units to meet the London Plan would undermine the existing HCA grant funding for the affordable homes and prevent the delivery of the entire scheme. The private block has also been designed to meet the same standards as the affordable block to ensure that there is a consistency in housing type across the development as a whole.
- 5.7.5 The 3 bed, 5 person units have a floor space of between 88.12 square metres and 90.31 square metres. The 3 bed, 6 person unit has a floor space of 96.87 square metres. These units all meet the minimum space standards of the London Plan Policy and are therefore acceptable.
- 5.7.6 In respect of amenity space provision, the Council's Residential Design SPD 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. There are no space standards for amenity space, however, 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.
- 5.7.7 This scheme removes the third floor amenity deck from the extant permission, however, each flat is provided with its own balcony with direct access from the living rooms or bedrooms. The SPD states that these should measure a minimum of 1.5, in width and 5 square metres in overall size in order to allow for adequate space for a table and chairs. The balconies provided here measure between 5.85 square metres to 7 square metres. Staff consider that these would be acceptable. No communal amenity space is provided for the development, although there is a landscaped courtyard set between the buildings. Staff consider that in this instance the lack of a communal amenity space is acceptable, where flat

dwellers in an urban location may not necessarily expect communal garden space, if private balconies are provided. Additionally it is considered that there could be maintenance issues, where the two blocks would be separately managed.

5.7.8 Policy DC7 (lifetime home and mobility housing) states that on a development of this size 10% of all units should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The development proposed makes no provision for wheelchair accessible units. This is due in part to there being no ground floor accommodation within the two blocks (although all units would still comply with Part M of the Building Regulations) and the Council's Housing department has also stated that they have had difficulty in letting similar wheelchair units, whilst there is high demand for this type of conventional unit. In this instance, it is not practical to provide wheelchair accessible units and Staff consider that this justification is acceptable.

5.7.9 In terms of layout, the affordable block is located to the western edge of the site adjacent to the River Rom culvert. It would be located between 20.2m and 22.2m from the western boundary depending on the point of measurement, between 3.2m and 4.65m from the northern boundary and 6m from the southern boundary, although the projecting point of the building reduces this to 2.4m. The private block is located 2.2m to 3.8m from the southern boundary depending on the point of measurement and between 11m and 12.6m from the eastern boundary. The two buildings are set between 3.4m and 10m apart, separated by an area of landscaping with pathways. The positioning of the buildings, minus the previous proposed health care unit is largely the same as the extant permission, although the reduction in built footprint allows for additional ground floor landscaping.

## 5.8 Design

5.8.1 In respect of tall buildings, Policy DC66 is relevant, together with London Plan policy 7.7. Insofar as design is concerned, Policies CP17 and DC61 are relevant, together with Policy 7.6 of the London Plan, these seek for high quality architecture, which make a positive contribution to public realm.

5.8.2 Policy DC66 states that tall buildings or structures over 6 storeys or 18m in height above ground level, will normally only be acceptable in Romford Town Centre. In exceptional circumstances, however, the policy states that tall buildings may be granted providing that they meet the following specific criteria and are of exemplar quality:

- Create an attractive landmark building which improves the legibility of the area for example at a key gateway location, or are clustered with other buildings of a similar scale.

- Preserve or enhance the natural, historic environment, local amenity and character of the area.

- Act as a catalyst for regeneration.

- Do not mar the skyline.

-Do not have significant adverse impact on the amenity or nearby occupiers.  
-Are appropriate to the local transport infrastructure and capacity in the area.

- 5.8.3 Havering as a borough is typically characterised by 2-3 storey suburban development, and there is a scattering of 10 storeys and above buildings or structures. These are predominantly located in Romford Town Centre. There is little development in-between these heights. Consequently, the tall buildings that are in Havering tend to feature predominantly on the skyline and there is little or no graduation of scale.
- 5.8.4 This site is located outside of Romford Town Centre, but is unusual in that the site is bound by the Neopost building to the west which is 6 storeys in height with the YMCA building to the southwest of the site which is 11 storeys high. Other development nearby to the application site comprises 2-3 storey buildings and to the east larger warehouse style Tesco and B&Q superstores.
- 5.8.5 The scheme proposed comprises two building, reaching up to 29 metres in height and up to 9 storeys. The buildings are located in largely the same locations as the previous approvals on the site, but are split into two structures.
- 5.8.6 Previous planning permissions have been granted for development on this site up to 29 metres in height, across 8 storeys. The applicant asserts that the location of the site on the junction of Rom Valley Way and Rush Green Road is suitable for a landmark building of the scale proposed, and whilst the existing Neopost and YMCA buildings punctuate the skyline, they neither positively contribute to the character, nor have landmark qualities as they are set back from the highway. Recognising these buildings as examples of their time, there is some merit to this argument. The proposals would provide two landmark contemporary buildings.
- 5.8.7 Within the representations received objection has been received to the increased height. The buildings proposed however, are the same height as previously approved at 29m as a maximum. The omission of the health care unit has meant that another level of accommodation can be included within the buildings, due to the lower head heights that residential accommodation requires.
- 5.8.8 In massing terms, the scheme proposed represents a significant reduction in built footprint, is located towards the site boundaries and allows for areas of soft landscaping, which were not achieved on the extant permission. The provision of two structures arranged in an L shape around the Rom Valley Way and Rush Green Road boundaries, hinged around a planned landscaped gap with seating between allows for views through the site when viewed either from the north by the Neopost building or the south by the junction between Rom Valley Way and Rush Green Road. This gap measures 13m wide at the highway frontage and then angles back into the site to measure 3.4m wide. It is indicatively planned as a series of diagonal

pathways with intermittent areas of soft landscaping with trees. Specific details are requested by condition, however, Staff consider that this provide a dynamic entrance to the building, giving it an established prominent entrance that 'announces' the development from the highway.

- 5.8.9 On balance, Staff consider that the massing of the buildings are acceptable and a reduction over the extant permission. Nevertheless, it is accepted that this site requires a strong landmark building that requires a building of a greater height than surrounding development. The proposed development, with its articulated elevations, sharp angled projections with integrated triangular glazed balconies and use of feature projecting copper panels are of a high quality design contemporary, and it is therefore considered that the scale and massing of the building would have an acceptable impact on the local character and visual amenity.
- 5.8.10 The sharp angles of the corner projections act like spines for each building and provide a sharp, slender feature which defines the meeting point between both buildings and reinforce the importance of its corner location. These are raised up from ground level by brick columns and have integrated triangular shaped glazed balconies on the upper levels. Running back from these spine features which stem back to form the principle highway facing elevations, are symmetrical rows of full height glazing and projecting balconies. The windows are slightly recessed from the building which avoids them appearing flat. The repetition of these windows and balconies, are broken up with the use of projecting panels of cladding. These projecting panels are located to the front and rear elevations of both buildings and strategically placed along the elevations and measure between 1 and 7 storeys in height; encompassing both balconies and inserts of glazing. The drawings are shown as having a rusted metal/ coppery appearance to contrast with the brick faced elevations.
- 5.8.11 Staff consider that these panels in particular are an interesting feature of merit, which provides a contemporary link back to the sites previous industrial heritage, where in the there have been factories in and around the site since the 1890's. The provision of projecting balconies and use of panels articulate the elevations, breaking up the massing of what will be large buildings. These will also create moving shadows during the day which will animate the elevations within the streetscene.
- 5.8.12 The elevations are further articulated by the lift cores, which are finished in an alternative colour brick, these punctuate the elevations and reduce the massing of the facing brick elevations. Facing Rom Valley Way, the affordable block is partially recessed along the elevation from ground to third floor to provide additional space around the culvert. This recess allows for additional shadow cast on the building.
- 5.8.13 The ground floor contains the car parking for both the affordable block and private block. This are enclosed with louvers for ventilation. They are shown as being finished in a contrasting grey to the lighter elevations and provide the buildings with a 'base'.

- 5.8.14 Both buildings employ a similar architectural treatment with brick faced elevations broken up with full height glazing and use of the above features. The rear of these buildings would be fully visible from across the surface car park from the pedestrian link and highway beyond and have been designed to appear the same as the highway facing elevations. When viewed from South Street to the north this is considered to be of a higher quality over the extant permission which has its design features located towards the front highway facing elevations.
- 5.8.15 With regard to materials, it has already been detailed that the scheme would be finished in brick with contrasting materials. The main elevations are proposed to be finished in a buff stock brick with the contrasting brick for the lift cores and recessed eighth floor in a darker grey brick. Whilst final colours and external materials have not yet been fully agreed at the time of writing this report, although external brickwork samples have been submitted, Staff are satisfied that the design approach is acceptable and that samples of materials could be required and approved through a planning condition.
- 5.8.16 In terms of public realm, the existing site, although a public open space, is of a poor quality with poorly maintained areas of vegetation and patchy hard surfacing. There is a lack of boundary treatment and the site makes little contribution in streetscene terms on what is a highly prominent corner. The development proposed seeks to achieve a high quality pedestrian and residential environment. This is achieved through the improvement of the link between South Street and Rush Green Road. At present, this is a poorly defined pedestrian route, which also serves as a vehicle access within the site. It is proposed to create a defined linkage across the site adjacent to the eastern boundary. This would be separated from the site by 1.8m high park style railings with strips of soft landscaping. The extant permission over sails this pedestrian link and the scheme here represents a significant improvement in accessibility and appearance.
- 5.8.17 In all, Staff judge that the design and layout of the scheme is of exemplar quality which justifies an exception to the density criteria set out in Policy DC2.

## 5.9 Impact on Amenity

- 5.9.1 Given the use of the site as a public open space, the erection of 2, part 8, part 9 storey buildings will have a material effect upon existing, nearby residential and commercial occupiers. The height of the development is the same as preciously approved at 29m, which was not considered to be materially harmful.
- 5.9.2 The impacts arising include the impact of the increased traffic flows into and out of the site, loss of privacy, overshadowing and noise and disturbance. Previously these issues have been considered to be acceptable; however, for completeness an analysis of the issues is repeated.

- 5.9.3 Vehicular access into the site is achieved from South Street, The access point would effectively be shared with vehicles turning into the Neopost car park, which has a capacity of 145 vehicles in marked spaces and a further 26 vehicles in unmarked spaces. The access point is immediately adjacent to the McCarthy and Stone development at the foot of South Street and opposite Merritt House, which is also a flatted complex. From an amenity perspective, it is not considered that the additional vehicle movements associated with the purely residential development would be prejudicial to existing occupiers, to the extent that levels of noise and disturbance would increase unacceptably, particularly given existing traffic movements at the South Street/ Rom Valley Way junction.
- 5.9.4 It is clear, that the units within third floor and above within the building, would have a clear view across existing buildings. Separation distances for the affordable block range from 18m from Merritt House to the north and 34.7m to the Neopost building to the east and a minimum of 43m west of the rear garden boundaries of Rom Crescent. The private sale block is located 21.11m west from the Neopost building. The nearest buildings to the south of the site face Rush Green Road and are located a minimum of 35.5m away. Given these separation distances identified, Staff do not consider that there would be a harmful loss of privacy to neighbouring occupants.
- 5.9.5 The erection of two, part 8, part 9 storey buildings, will result in some overshadowing. The degree of which will ultimately depend on the time of day and year. The orientation, layout and mass of the buildings, bound by highway, rather than residential curtilages, is such that Staff do not consider the level of overshadowing to result in a sustained loss of natural light. Whilst a loss of light is likely to occur to the occupants of the Neopost building, the amount of weight which should be attached to this is lessened due to the commercial use of the building.
- 5.9.6 As a fully residential scheme, Staff consider that there would be a reduction in impact to surrounding occupiers with the omission of the healthcare unit and café facilities that feature in the extant permission. In terms of dominance, whilst the building will be prominent from surrounding viewpoints and properties, the significant reduction in bulk over the extant permission is considered to result in a less overbearing impact.
- 5.9.7 The majority of the flats are single aspect, whilst corner flats have dual aspects. Staff consider that this layout would be acceptable, as it is not unusual for flatted schemes to incorporate single aspect units. The views overlooking Rom Valley Way, Rush Green Road towards South Street/ Neopost are those shared with surrounding occupiers and Staff consider that the layout would be acceptable.
- 5.9.8 The applicant has taken steps to ensure that the development represents a secure environment for future occupants, representations received from the Crime Prevention Design Advisor state. A Secured by design condition has been attached accordingly as requested by the CPDA.



## 5.10 Highway/Parking

- 5.10.1 In addition to the built aspects of the proposal, this planning application in order to facilitate its implementation would require existing adopted highway to be stopped up within the site. In granting planning permission for this scheme, separate application would have to be made to the Council as Highways Authority to make a stopping up order under Section 247(A) of the Town and Country Planning Act 1990 (as amended) to enable the development to be implemented. Subject to this procedure being approved, a separate process would then commence under Section 38 of the Highways Act 1981 to create new highway rights across the site.
- 5.10.2 As described above, access rights would continue to exist for the Environment Agency and the Council to access and maintain the culvert of the River Rom. This is separated off from the residential development by provision of a secure access with slip way. This right of way is accessed via a new vehicle crossing close to the traffic signal controlled junction of South Street and Rom Valley Way. In order to ensure that this access and right of way are secured and are not obstructed by demolition and construction works a planning condition is recommended that the access and right of way are provided prior to the commencement of development.
- 5.10.3 Turning to the impact of the development upon the capacity and flow of the local highway network, the application is accompanied by a Transport Assessment (dated December 2011) which concludes that the development will not have an adverse impact due to its position close to existing transport links and networks. Staff concur with this conclusion. In order to prevent the u-turning of vehicles east of Roneo Link, as per previous applications, a financial contribution of £10,000 is sought to fund the extension of the centre traffic island in Hornchurch Road. This contribution can be secured via a S106 agreement. Given the changes to the scheme, Staff consider that this figure be increased with the rate of inflation (4.8%) to £10,480.
- 5.10.4 The proposed access to the right of way by South Street may have an impact on the operation of the nearby traffic signal controlled junction. The proposed access to the right of way will need careful design and liaison with both The Highway Authority and Transport for London who manage traffic signals throughout London. The proposed access to the right of way will need to be formed via an agreement under Section 278 of the Highways Act.
- 5.10.5 The proposed main access into the development will also need to be formed via an agreement under Section 278 of the Highways Act. The developer has previously been advised that the Highways Authority as standard practise will require the footways surrounding the development plot to be left in good order and that this may require renewal or resurfacing. Similarly, the Section 278 process will involve a Safety Audit and an assessment of the street lighting at the two access points and this may lead to street lighting improvements if the lighting level is below modern standards. Staff consider that this would result in an improvement in the overall quality of the site.

5.10.6 With regard to car parking provision, Policy DC2 states that in a PTAL Zone of 4 (which has been identified by the submitted Transport Assessment) a provision of between 1.5-1 space per unit is expected. The London Plan (adopted July 2011) recommends far lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states that 1-2 bedroom units should provide less than 1 parking space per unit, and 3 bed units between 1.5-1 parking space per unit as a maximum. The development provides a total of 113 parking spaces. These are split between a 61 space basement/ ground secure car park of for the affordable block, a 12 space secure car park for the private block and a shared 40 space surface level car park. This provision equates to a parking provision of 0.8 spaces per unit. This is the same level as the extant permission which has been accepted, and above the 0.5 spaces per unit approved on the original 2007 scheme, which comprised 121 residential units, plus healthcare. The existing scheme includes 2 disabled spaces, although it is noted that two other spaces are capable of being converted in the future to disabled spaces should the need arise.

5.10.7 In support of this level of parking provision, the applicant has stated that the site is well served by public transport links, with a number of bus routes nearby and Romford rail station being within a 10-12 minute walk from the site. The applicant has also pointed out that 144 cycle racks are proposed within the scheme.

5.10.8 Staff are satisfied that the level of on site parking is acceptable, however, in the event that the number of car parking spaces provided is insufficient to meet the demands arising from future occupiers, Staff are generally satisfied that any resultant overspill from the site would not unduly impede the free and safe flow of traffic in adjoining roads. Staff recommend, as per previous permissions, that the ability to purchase parking permits for any existing or future controlled parking scheme by future occupants of the development be withdrawn, with the exception of blue badge holders. This is to be secured by way of a Section 106 legal agreement. Representations from the Highways Authority in addition to the financial contribution for the extension of the traffic island, also request £5,000 to review the surrounding parking restrictions and implement any changes necessary to prevent or discourage overspill parking. Staff have considered this request, however, there is an extant permission dates from July 2010. The site or the surrounding area has not materially changed since the date of this permission and Staff consider that it would be unreasonable to seek a further contribution over and above that previously secured.

## 5.11 Affordable Housing

5.11.1 The proposal is for 141 units, 93 of which are to be affordable (66%). These units comprise 35, 1 bedroom flats, 36, 2 bedroom flats and 22, 3 bedroom flats. The tenure split is proposed with 40 flats as Affordable rental, 16 Social rental and 37 Shared ownership. This complies with Policy DC6 which seeks to achieve 50% affordable housing on major residential developments.

## 5.12 Community Infrastructure

5.12.1 The proposal is considered likely to generate demand for additional school places in the locality. Based on this likely increased demand and the availability of school places locally the Council's Education service indicate that a maximum contribution of £442,138.54 is required towards the cost of providing these additional school places. This is split between primary school provision of £212,948.74 and secondary school provision of £229,189.80. A viability assessment has been submitted with the application which indicates that the development cannot achieve this figure of education contribution given the level of affordable housing proposed and overall cost of delivery of the development. A figure of £180,000 has been put forward, as outlined above at the time of writing the viability appraisal is still under review. Staff are of the view that subject to the viability appraisal being found sound that the application reasonably demonstrates that the amount of Section 106 contribution cannot be increased. If this is found to be the case then staff do not consider this to be grounds for refusal for the application.

## 5.13 River Rom

5.13.1 The site is partly located within Flood Risk Zone 3. The River Rom culvert flows through the site adjacent to the western boundary through a 2m wide concrete-lined two-stage channel, which forms part of the flood defence system for the wider catchment. The extant permission secured a financial contribution of £20,000 for off site naturalisation projects.

5.13.2 The development here differs from the previous scheme in that it is located closer to the River Rom Culvert, but retains the 4m easement. The Environment Agency has raised concern due to the projecting balconies which further protrude towards the culvert. The height of these balconies above ground level measures 6m which has been confirmed as an accepted height for maintenance clearance.

5.13.3 The development makes provision for culvert maintenance for the EA and Council. The building further incorporates a cut away within the elevation, which increases the distance to the culvert and increases the turning area for vehicles.

5.13.4 Representations received from the Environment Agency request that given these changes to the scheme an increased contribution should be sought to mitigate against any impact. It has been suggested that re-naturalisation projects off site would cost approximately £1,000 per metre. Given the 70m stretch of river here, this would provide a figure of £70,000. This financial contribution would be used to enhance stretches of the river south of the site. For example the concrete removal and bank and bed naturalisation of approximately 40 metres in Gaynes Park, wetland shelf formation, gravel input, tree work and de-silting of existing backwater. Staff have considered this request, on balance, it is considered that an increase of this level would

not be appropriate given the issue date of the previous planning permission and the similarities between this scheme and the extant scheme in relation to the River Rom. However, it is considered that the previously achieved £20,000 be increased with the rate of inflation (4.8%) to £20,960.

#### 5.14 Environment Impact

5.14.1 A condition is recommend to be attached, requiring the submission of a land contamination survey.

5.14.2 The applicant has submitted a Renewable Energy Statement which states that the development would achieve Level 3 for the Code for Sustainable Homes and makes recommendations as to the most appropriate technologies for the site (in this instance photovoltaic panels). It is indicated however that the predicted carbon dioxide emissions from the development could be reduced by 10% through the use of the proposed on-site renewable energy equipment. The development would therefore not accord with the target of 25% set out in the London Plan within Policy 5.2. Consideration should however be given in this case to the fact that a planning permission already exists for the site which was granted prior to the adoption of the 25% target. Staff consider the proposal to be acceptable in this respect and conditions could be imposed to ensure the development achieves this reduction.

5.14.3 The applicant has designed the scheme to meet Level 3 for the Code for Sustainable Homes. Policy DC46 states that major developments should achieve Level 4; however, the Council currently has this policy on hold due to the current economic climate. Staff consider that Level 3 would therefore be acceptable.

5.14.4 The site currently consists of the River Rom culvert, poor quality soft landscaping and hard standing and is considered to be of poor ecological value. Staff consider that the proposals would not be harmful to ecology. Any planting that would be located within the River Rom buffer zone would be restricted to UK native species, this is secured by condition.

#### 6. Conclusions

6.1.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and is judged to provide a suitably high quality living environment.

6.1.2 The design, scale, bulk and massing of the proposed building is considered to be acceptable and the height of the corner element is considered to be justified. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.

- 6.1.3 The proposal makes provision for 66% of the units to be provided as affordable housing, which complies with Policy DC6 of the LDF. However, the applicant has submitted an Economic Appraisal Tool assessment to justify the amount of affordable to be provided as required by Policy DC6 and the London Plan. The viability assessment has also been provided to justify the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard.
- 6.1.4 Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

## **IMPLICATIONS AND RISKS**

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

Planning and other agreements will need to be prepared.

### **Legal implications and risks:**

Legal resources will be required to prepare and complete the 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. The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

## **BACKGROUND PAPERS**

Application forms, site plan, received 4<sup>th</sup> January 2012.

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**8**

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

15 March 2012

**Subject Heading:**

**P1914.11 – 64 South Street, Romford**

**Alteration of existing buildings including removal of front canopy, replacement shop fronts and full restoration of front elevation. Extension of existing building to the rear at first floor up to four storeys in height to produce 9 no. 1 and 2 bedroom flats and 4 self-contained office units. (application received 9<sup>th</sup> January 2012).**

**Report Author and contact details:**

**Helen Oakerbee, 01708 432 800  
helen.oakerbee@havering.gov.uk**

**Policy context:**

**Local development Framework**

**Financial summary:**

**None**

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

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[ ]
Providing economic, social and cultural activity in thriving towns and villages	[ ]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[ ]

## SUMMARY

This application seeks permission for the alteration of existing buildings including removal of front canopy, replacement shop fronts and full restoration of front elevation. Extension of existing building to the rear at first floor up to four storeys in height to produce 9 no. 1 and 2 bedroom flats and 4 self-contained office units.

## 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:

- The prevention of any future occupants of the development, save for blue badge holders, from applying for residents parking permits within any current or future Controlled Parking Zone or other such measure affecting the locality of the application site.
- That the developer/owner or party entering into the planning agreement bear the Council's legal fees in respect of the Section 106 agreement irrespective of whether or not the agreement is completed.

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 accord 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. 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. Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of for the treatment of the first floor courtyard, which shall include details of screening to the terraces of units 6 and 7 and thereafter the development shall be constructed with the approved materials.

Reason:

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

5. 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 Development Control Policies Development Plan Document Policy DC61.

6. 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 Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

Reason:-

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

7. 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.

8. Secured by Design: Prior to the commencement of the development hereby permitted, a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the aforementioned 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 residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 and DC63 of the Development Control Policies Development Plan Document Policy DC61.

9. Refuse management plan: Prior to the commencement of works, a refuse and recycling management plan shall be submitted and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out with the approved management plan.

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

10. Use class: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use of the two ground floor retail units hereby permitted shall be for retail (Class A1) and the first and second floor space hereby permitted shall be used for office accommodation (Class B1(a)) only and shall be used for no other purpose(s) whatsoever, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. Hours of use: The two retail units at ground floor shall not be used for the purposes hereby permitted other than between the hours of 08:30 and 19:00 on Mondays to Sundays and the first floor office units between 09:00 and 19:00 on Mondays to Saturdays and between 10:00 and 18:00 on Sundays 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.

12. 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, in order that the development accords with Interim Planning Guidance.

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

13. Piling method statement: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved method statement.

Reason: The proposed works will be in close proximity to the underground water and sewerage utility infrastructure. Piling has the potential to impact

on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Development Services on 0845 850 2777 to discuss the details of the piling method statement.

## **INFORMATIVES**

### **1. Reason for approval:**

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC33, DC30, DC32, DC33, DC36, DC53, 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.

### **2. 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.

### **3. In aiming to satisfy condition 8 the applicant should seek the advice of the Police Crime Prevention Design Advisor (CPDA). He can be contacted through the London Borough of 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 discharging of community safety condition(s)**

### **4. With regards to surface water drainage it is the responsibility of the 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.

5. The applicant is advised that there are public sewers crossing the site. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. Thames Water Developer Services can be contacted on 0845 850 2777 to discuss the options available at this site.
5. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Ground water discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Ground water permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on-line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the water Industry Act 1991.
6. 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.
7. 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.
8. 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.

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

- 1.1 No. 64 South Street is a locally listed building situated within Romford town centre. Whilst outside the boundary of the conservation area, the building is

considered to make a positive contribution to the street scene. The property was originally the Romford Post Office, built in 1902, in red brick with stone dressings to the windows and doors, and two prominent decorative stone gables which display King George V's monogram just below the parapet level.

- 1.2 The site lies within Romford Town centre and is currently used as a bar/restaurant with ancillary office and storage space within use classes. The building has been altered from its original construction by the addition of a projecting front canopy with signage, replacement timber shop fronts, and demolition of an original entrance porch.
- 1.3 The wider locality is predominantly commercial in character, with the Liberty Shopping Centre opposite the site and the Brewery development to the rear. There are residential units above commercial spaces in South Street; these are accessed from the rear in Exchange Street.

## **2. Description of proposal**

- 2.1 Full planning permission is sought for the restoration and refurbishment of the front elevation. A fourth floor roof extension would be constructed over the roof office building measuring 2.5m high, 6.2m deep and 14.8m wide. The original building would be converted to provide 2 retail units at ground floor with 7 residential units above.
- 2.2 Further extensions to the rear of the building include the provision of a central courtyard over which there would be single and two storey (total three storey) accommodation to provide four office units and two residential maisonettes.
- 2.2 The front facade of the building would be restored and repaired and includes the following works: removal of the existing projecting canopy onto South Street. Replacement shop fronts. Replacement timber sash windows, repair and make good of the existing stone facade and brickwork. Repair of roof and installation of conservation roof lights.
- 2.3 There would be a glass box side extension facing South Street, in place of the existing extended shop front, this serves as access to the residential units and office accommodation on the upper levels.
- 2.4 The building would be arranged as follows:

Ground floor: two A1 retail units measuring 435 square metres and 420 square metres respectively. These have access onto South Street and are serviced from Exchange Street. The site has authorised use for A1/A3 purposes, so the provision of the two a1 units does not require planning permission. To the south is an extension giving access for the upper floors via a staircase and lift and additionally provides an area for refuse storage. This is arranged independently from the two retail units. The site on the upper floors is arranged as follows:

First floor: The stairs and lift from the ground floor extension open onto a first floor courtyard. This is landscaped and has two small office units measuring 30 square metres; these are positioned against the northern boundary. To the rear of the courtyard against the western boundary are two larger office units measuring 274 square metres and 166 square metres respectively. To the southern boundary within the courtyard are the lower level of two residential maisonettes. To the eastern boundary of the courtyard are a set of stairs rising one half level to a raised deck, this gives access to 1 no. 2 bedroom flat and 2 no. 2 bedroom flats, these are located within the original post office building and have an outlook over South Street and raised view over the courtyard. Cycle storage provision is made by the raised deck that serves unit 1-3.

Second floor: At second floor are the upper levels of the maisonette units and larger rear office units within the courtyard and provision of 2 no. 2 bedroom flats within the original post office building. These are accessed from an external walkway over the raised podium of the first floor and share the same access staircase and lift. Both flats have a private terrace set behind the parapet wall of the post office building.

Third floor: In an extension over the post office building to create a fourth level of accommodation, there are a further 2 no. 1 bedroom flats. These are accessed from a third floor level external walkway accessed from the staircase and lift that serve the whole development. Both of these flats have provision for an east facing roof terrace these are set behind the pitched roof of the post office building.

### **3. Relevant History**

3.1 P1407.97 – change of use to a Brannigans live entertainment venue together with additional building at first floor – approved.

P0083.99 – variation of condition 2 of planning permission P1407.97. 0800-0130 Monday to Saturday and 0800-2300 Sundays – approved.

P0762.00 – Variation of condition 2 of planning permission P1407.97 to permit permanent extension of opening hours to 0800-0130 Monday to Saturday and 0800-2300 Sundays – approved.

P1364.10 – Variation of condition 1 of P0762.00 for the permanent extension of opening hours 0800 to 0320 (the following morning) on Fridays and Saturdays, and 0800 to 0220 on all other days – approved.

P0640.11 – Alterations to shop front and variation of condition 1 of P0762.00 to extend opening hours from 0800-0320 Friday and Saturday and 0800-0220 all other days, to 0800-0430 Thursday to Saturday and 0800-0330 Sunday to Wednesday – refused.



P0036.12 – Part change of use to A5 – currently under consideration.

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

- 4.1 Neighbour notification letters were sent to 31 properties. No representations have been received.
- 4.2 The Highways Authority have no objections but require a restriction of future occupants to apply for parking permits and a financial contribution of £13,000 for street improvement works, please see paragraph 5.8.7 of this report.
- 4.3 The Council's Heritage Officer recommends approval of the application.
- 4.4 Environmental Health require the submission of a land contamination report.

#### **5. Staff Comments**

- 5.1 The issues for consideration in this case are the principle of development, density, layout, design and restoration of the locally listed building, impact upon residential amenity, highway and parking.
- 5.2 PPS1, PPS3 and Policies DC2, DC3, DC32, DC33, DC36, DC53, DC55, DC57, DC58, DC59, DC60, DC61, DC72 of the LDF Core Strategy and Development Control Policies DPD are considered relevant.
- 5.3 Policies ROM10, ROM14, ROM15, ROM20 of the Romford Area Action Plan are relevant.
- 5.4 The adopted Residential Design and Heritage SPD are also considered relevant.
- 5.5 London Plan Policies 3.3, 3.4 3.5, 3.8, 3.9, 6.13, 7.3, 7.4, 7.6 and 7.8 are also considered relevant.
- 5.6 Principle of Development
  - 5.6.1 The development proposes a mixture of commercial and residential accommodation. The site lies within Romford Town Centre, where ROM14 of the Romford Area Action Plan acknowledges a general presumption in favour of housing provision within the town centre.
  - 5.6.2 ROM15 states that there is a need within the urban part of the Romford PTAL zone for development to include family accommodation incorporating two or more bedrooms, or provision of family accommodation at ground floor level with enclosed private amenity space within a flat or maisonette development.

- 5.6.3 PPS1 encourages a mixture of uses within town centres, which can assist in creating vitality, diversity and a reduction in the need to travel. PPS1 also seeks to ensure that housing is available where jobs are created and encourages the provision of a mixture and range of housing. PPS3 encourages high quality residential development with access to a good range of facilities. Re-use of previously developed land is also encouraged.
- 5.6.4 Policy CP1 indicated that, due to high levels of housing need, it is important to meet the needs for new housing and gives a target for a minimum of 535 homes to be built per year. Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 970 per year) to be built on sites which are not designated for other purposes.
- 5.6.5 The principle of residential development on this site is therefore considered acceptable.
- 5.6.6 Commercial space would be retained at ground floor, this has been confirmed by the applicant that it would be in A1 usage. The site currently has an authorised use of A1/A3. The current layout of the facility is not appealing to current retailers, and it is proposed to reconfigure the ground floor to provide two conventionally shaped retail units which should be more attractive to prospective retailers. Staff consider that this is in line with ROM10 which promotes larger, high quality retail units within South Street.

## 5.7 Density and Layout

- 5.7.1 The site is located within a high ranked Public Transport Accessibility Zone (PTAL 5-6). Within this zone, Policy DC2 refers to housing density of between 240-435 dwellings per hectare. The site has an area of 0.1 hectares and the proposal for 7 residential units would have a density of 70 dwellings per hectare. This is significantly below that of the stated range, however, density is not the only measure of acceptability and given the constraints of the site, Staff are considered that a density of 70 dph is acceptable in this instance.
- 5.7.2 Policy 3.8 of the London Plan states that DPD policies should 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 DC2 also recommends a mix of housing types. In this instance, a mixture of 1 and 2 bedroom flats are proposed. This is considered to apply with the aims of Policy DC2 and 3.8 of the London Plan in respect of dwelling mix.
- 5.7.3 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. Table 3.3 states provides the following standards for flats: 1 bed, 2 person units, 50 square metres. 2 bed, 3 person units, 61 square metres

and for 2 bed, 4 person units 70 square metres, for 3 bed 4 person units 74 square metres and 3 bed, 5 person dwellings 86 square metres.

- 5.7.4 The proposed 1 bed units have an internal floor area of between 50.5 square metres and 61 square metres. The 2 bed units have a floor area of between 75 square metres to 80 square metres. The maisonette units are shown with 2 bedrooms and a study/ third bedroom. These have a floor area each of 100 square metres. These are all in accordance with the London Plan standards and are therefore acceptable.
- 5.7.5 In respect of amenity space provision, the Council's Residential Design SPD 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. There are no space standards for amenity space, however, 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.
- 5.7.6 A communal courtyard is provide at first floor, this would be landscaped and measure 133 square metres. This courtyard would be set above the main ground floor activity in South Street and screened from surrounding uses. Staff consider that this would provide a secluded high quality communal amenity area. Although it would be shared with the office units and therefore not completely private.
- 5.7.7 Units 1, 2 and 3 on the raised first floor would have no private amenity area, although they would have access to the communal courtyard. Staff recognise that while there is no scope for any provision of private amenity space this is a town centre location, where potential occupants may not need nor want amenity space and would be aware of this layout prior to occupation. The two maisonettes (unit 6-7) each have a secure terrace area on the first floor, this measures 9.8 square metres and 10.5 square metres respectively.
- 5.7.8 Units 4 and 5 on the second floor have private balconies measuring 5.77 square metres and 5.25 square metres. Unit 6 and 7 have a second floor balcony measuring 5 square metres each. In addition to their lower floor terraces, unit 6 has 14.8 square metres of amenity space and unit 7, 15.5 square metres. Units 8 and 9 on the third floor roof extension each have a terrace measuring 12.7 square metres and 9.6 square metres respectively.
- 5.7.9 In terms of layout policy DC4 states that subdivided or converted residential units should have a safe secure access form the street and decent outlook and aspect. The residential units are accessed from South Street via a new glazed extension which would infill the gap currently taken up by the extended club shop front between the original post office building and adjacent building. This is considered to be a safe and secure access.

5.7.10 The policy further states that living rooms should not abut the bedrooms of adjoining units. The layout here is acceptable in this regard.

## 5.8 Design

5.8.1 The development is formed from three key principles; the first is the restoration of the locally listed South Street facade, the second is the development of a shared internal courtyard and third, the improvement of the rear elevation facing Exchange Street. Each of these are discussed in turn.

### Restoration of locally listed South Street facade:

5.8.2 ROM20 of the Romford Area Action Plan states that high quality design-led development will be required. The proposals here include the restoration of the locally listed facade of the former post office. This includes the removal of the projecting canopy and existing shop front; Replacing all existing unoriginal windows with timber sashes; Cleaning and repair of the stone work and brickwork; Installation of conservation style roof lights into the grey slate roof and general repair of the building.

5.8.3 This is a highly prominent building in the streetscene and which at present is characterised by unsympathetic alterations. The proposals to renovate and conserve the building facade is welcomed by Staff as this would make a significant positive contribution to the character and appearance of South Street. It would also revitalise a historically important building, worthy of preservation.

5.8.4 Historic photographs reveal that the ground floor was originally arranged with tall slender windows with ornate stone portico. Unfortunately, none of these original details survive. The existing heavy timber shop fronts have a dated appearance and detract from the original proportions of the building. It is proposed to replace these with large glazed frontages within slim powder coated aluminium frames. This would provide the contemporary appearance of a modern town centre retail unit. A stone frame would be installed around the edge of the shop fronts to match the existing stone work. These works, whilst contemporary in nature are considered to be of a high quality which restore the elegant proportions of the building.

5.8.5 Staff consider that these materials proposed are acceptable, however, samples are requested via condition. Also requested via condition is a method statement for the works to the front of the building as it is currently unclear how much repair work is required or what damage to the building has been caused with the installation of the canopy and existing shop fronts.

5.8.6 The removal of the existing shop fronts would include the extension which infills the gap between main building and No. 66 South Street. This would be replaced with a glass fronted extension which would serve as the residential entrance. This has a highly contemporary appearance and it would also allow for the original flank elevations of the post office building to remain

visible. This is recessed by a couple of brick courses from the main shop fronts so that it appears a subordinate feature to the building. The contemporary appearance and use of glass would also complement the stone work and glazing within the restored post office building and provide a positive contribution to the appearance of South Street.

- 5.8.7 In public realm terms, Staff consider that the restoration of the building would make a significant improvement to the general appearance of the streetscene and serve as a catalyst for regeneration for improvement works in South Street. Representations received from the Highways Authority request a financial contribution of £13,000 for street improvements. This funding would not be used to improve the road network, but be used for pedestrian improvement in South Street i.e. through new seating or paving. Separate discussions with the Council's Regeneration Service have not resulted in the request of any financial contribution as the restoration and repair to the building is considered to be of a higher value than additional street works, of which there is existing improvements in South Street currently taking place. Staff consider that a financial contribution of £13,000 may compromise the viability of the scheme which in turn could result in a less successful restoration of the building. It is on this basis that the contribution is not sought.

#### Courtyard

- 5.8.8 The existing site behind the post office building is filled with a large pitched roof that was added as an extension some years ago. This covers the bar and dance floor areas and is not an original feature, it is also visible across roof tops in Exchange Street and appears to be in a poor condition needing repair. It is proposed to remove this large area of pitched roof to create a first floor open courtyard. This would not be visible from either South Street or Exchange Street. The courtyard is shown indicatively as being heavily landscaped, similar to a roof garden. This would provide screening for the maisonettes and an area of tranquillity and green space in a busy town centre.
- 5.8.9 The courtyard would be developed with the creation of two small office units on the northern boundary. These are arranged on a single level and are accessed from the courtyard. These are arranged with a monopitch roof with roof lights and are shown as being clad in timber on the elevations. To the southern boundary of the courtyard, two maisonettes would be created. They would be faced in timber with large area of glazing and projecting glazed balconies and finished with monopitch roofs. These would be partially visible from Exchange Street, but not from South Street. To the rear of the first floor courtyard are two larger office units, these are clad in timber on the internal courtyard facing elevation and feature large panels of glazing. The eastern edge of the courtyard that forms the rear of the post office building would be dominated by the external staircase which wraps around the lift shaft, off which horizontal glazed decks protrude from the elevation. These face into the courtyard and would be visible from surrounding view points on Exchange Street.

- 5.8.10 As described, all elevations facing the courtyard are shown as being clad in timber with large elements of glazing. The areas of timber are punctuated with cladding which breaks up the elevation. This represents a change in style from the traditional facade. These courtyard facing elevations would not be visible from public view points. Staff consider that they are of a high quality contemporary appearance. The timber cladding is also likely to remain in good condition as it would be protected unlike a traditional exposed timber clad facade.
- 5.8.11 Staff consider that the design is of an exemplar quality and of a workable layout, although a condition is requested for all materials and a scheme for the landscape treatment of the courtyard.

#### Exchange Street Improvements

- 5.8.12 Turning to the rear of the site, the existing site is present with a collection of extensions and alterations to the building which have an untidy appearance. This is typical of buildings in Exchange Street which have been developed over time. The proposals to construct two storey office units here above the ground floor retail accommodation would result in a three storey block facing Exchange Street. This is considered acceptable, where the building heights facing this side of South Street range from 1-3 storey and opposite lies the much taller Brewery development. The highway facing elevations of these two units are to be clad in facing brick, punctuated by glazing. The second floor of this accommodation is set back from the highway by 7.5m -8.6m depending on the point of measurement, although the projecting staircase reduces this to a minimum of 4m. This recessed third floor reduces the overall massing of the building when viewed from Exchange Street. The alterations here would improve the quality and appearance of this section of Exchange Street which is readily visible from the pedestrian link between the Brewery and South Street adjacent to the Starbucks and contribute towards the ongoing improvement of this link.

#### 5.9 Impact on Amenity

- 5.9.1 The existing premises has an authorised use for a bar until 03:20am on Fridays and Saturdays and until 02:20am all other nights. Staff note that the existing facility raises concern from the Metropolitan Police and Community Safety unit, who have issued 7 day closure notices on the site (under Section 19 of the Criminal Justice and Police act 2001). Representations received from the Council's Crime Prevention Design Advisor state that the site is located with the Romford Town Ward which suffers from significantly higher rates of all types of crime (burglary, criminal damage, drug offences, robbery, theft and handling and violence) than is average for the borough. Crime levels are also generally localised to the South Street Area which has the boroughs highest provision of late night establishments.
- 5.9.2 It is considered that the removal of this facility to provide retail accommodation with a mixture of residential and office accommodation above would remove the existing problems which the site creates in terms of

community safety and help towards reducing the existing concentration of late night establishments in South Street.

- 5.9.3 It is not considered that the closure of this facility would lead to an adverse impact upon the night time economy of Romford, where there are other numerous restaurants, bars and public houses.
- 5.9.4 There are numerous residential units in close proximity to the application site. Staff consider that the removal of the existing authorised late night use would result in an improvement of residential amenity.
- 5.9.5 The site would have a mixed use, incorporating retail at ground floor, residential on the first to third floors and office units on the first and second floors. The site has been arranged with the residential units located towards the east of the site and the office accommodation towards the west facing Exchange Street, which serves as a servicing and access road for both South Street and the Brewery development. This street regularly has large delivery vehicles parked and air conditioning units and ventilation equipment fronting onto it and as such has high ambient noise levels. The provision of the residential units away from this frontage is considered acceptable. The construction of the office units here would also buffer noise from Exchange Street.
- 5.9.6 Given this is a town centre location, ambient noise levels will naturally be higher than other locations, although staff consider that the screened first floor courtyard would provide an area of relative seclusion and quiet away from the activity from surrounding uses.
- 5.9.7 With regard to the mixture of uses within the site, the proposals are for A1 retail at ground floor, with the introduction of residential above, Staff consider that a condition be attracted which restricts the use class from any change. The office units are relatively small scale, and although it is unknown how many people would utilise these it is not considered that this would be so significant that it would adversely compromise the amenity of the residential occupiers. It is also recommended that their use class is restricted, so that the Council has control over any future changes.
- 5.9.8 In terms of the hours of use, the applicant has not indicated hours for either the retail use or the office hours. Staff consider that hours of between 08:30 and 19:00 for both retail units 7 days a week and between 09:00 and 19:00 Monday to Saturdays and between 10:00 and 18:00 on Sundays for the first floor office units.
- 5.9.9 With regard to overlooking and privacy. The maisonette units are arranged with the bedrooms on the lower level of the courtyard with kitchen and living rooms above. The bedrooms are screened with a private terrace and landscaped boundary beyond. This arrangement is considered acceptable and would provide adequate privacy for future occupants. The upper level of these maisonette units face north and would have views over Exchange Street, which has several rear accesses to residential units in South Street.

There would be no direct overlooking of other properties in this instance and this raises no objection from Staff.

5.9.10 The bedroom window of unit 1 overlooks the courtyard and is the sole source of light for this room. This unit is raised above the courtyard over the raised deck which stems from the staircase, and Staff consider this to be an acceptable relationship which affords good levels of privacy.

5.9.11 Office unit 1 is located adjacent to the bedroom of unit 1. This residential unit is located at a higher level. Staff do not consider that this would result in a loss of amenity given the ability to control hours of use of the office and insertion of insulation into the dividing wall. It is noted that there is an element of buyer beware with this unit, as one would be aware of its layout prior to occupation.

## 5.10 Highway/Parking

5.10.1 The site has a PTAL level of 5-6 in a urban setting, where in this locality a parking level of less than 1 space per unit should be provided. This is echoed in the London Plan, where Policy 6.13 encourages parking of less than 1 space per unit for flatted developments. The development proposed would provide no off street parking for either the residential or office accommodation.

5.10.2 Staff consider that a car free scheme would be acceptable in this location, provided the ability to apply for parking permits is removed, with the exception of blue badge holders. This is to be secured by a legal agreement.

5.10.3 The 4 office units also make no provision for car parking. There would be a total of 500 square metres of office space. Current parking standards, as set within DC33, state that a B1 site requires 1 parking space per 100 square metres of gross floor space, which equates to a parking requirement of 5 parking spaces. This policy makes no differentiation between the urban town centres and rest of the borough, where parking demand will vary significantly.

5.10.4 On street car parking is controlled in this location and across the town centre, and it is considered that there would be no significant additional demand for on street parking given the level of surrounding provision available, which is listed below.

Liberty Centre – 850 spaces

The Mall – 996 spaces

Brewery multi storey and surface – 1406 combined spaces

Angel Way – 500 spaces

Town Hall – 61 spaces



## 5.11 Other issues

5.11.1 Representations received from the Crime Prevention Design Advisor state. A Secured by design condition has been attached accordingly as requested by the CPDA.

5.11.2 Cycle storage provision has been made within the first floor courtyard. This is indicatively shown as being in a timber structure which is located adjacent to the raised deck that serves units 1-3. Cycles would need to be brought to the first floor using the stairs or lift, there is no provision nor scope for future provision at ground floor for cycle storage. Staff consider the arrangement to be acceptable, but require further details by condition.

## 5.12 Refuse and recycling

5.12.1 The retail units and office units would be serviced from exchange Street. This raises no objection, as this is a servicing road which serves adjacent units in South Street and the Brewery development opposite.

5.12.2 The residential units are allocated an area for refuse and recycling storage at ground floor. This is located behind the entrance and entry staircase/ lift. Comments received from the Council's StreetCare team have raised concern over the access arrangement due to the tourist information centre which is being erected in South Street. Whilst this is being erected, access still remains in South Street, although is currently blocked due to the repaving of the street. Staff recommend that a condition is attached which requires detail of a refuse management plan.

## 6. Conclusions

6.1.1 In conclusion, Staff consider the proposals to be acceptable, as they would involve the preservation of a highly prominent locally listed building within the town centre. The layout and development of the central courtyard is innovative and high quality. The rear extensions facing Exchange Street would improve this elevation which historically has had an untidy, poorly maintained appearance.

6.1.2 The mixture of uses within the site is acceptable for this town centre location, although it is recommended that their uses be conditioned with hours of use accordingly.

6.1.2 Staff are satisfied with a car free scheme, subject to the restriction of parking permits for the residential units.

## **IMPLICATIONS AND RISKS**

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

Planning and other agreements will need to be prepared.

**Legal implications and risks:**

Legal resources will be required in drafting the Section 106 agreement.

**Human Resources implications and risks:** None

**Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity. The proposals would provide a mixture of residential units contribute towards the aims of mixed communities and uses within the town centre.

**BACKGROUND PAPERS**

Application forms, site plan, received 9<sup>th</sup> January 2012.

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

15 March 2012

**Subject Heading:**

**P1558.11 – Plot 1, Former Whitworth Centre, Noak Hill Road, Romford**

**Demolition of existing buildings and redevelopment of the site to create 144 no. one, two, three and four bedroom houses and apartments, plus associated roads, paths, car parking, garages, other ancillary structures and landscaping. (Application received 27<sup>th</sup> October 2011 and revised plans received 20 January, 27 February and 2 March 2012).**

**Report Author and contact details:**

**Helen Oakerbee 01708 432800  
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**Policy context:**

**Local Development Framework  
London Plan, Planning Policy  
Statements/Guidance Notes**

**Financial summary:**

**None**

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

- |   |                                     |
|---|-------------------------------------|
| Ensuring a clean, safe and green borough  | <input type="checkbox"/>            |
| Championing education and learning for all                                      | <input type="checkbox"/>            |
| Providing economic, social and cultural activity in thriving towns and villages | <input checked="" type="checkbox"/> |
| Value and enhance the life of our residents                                     | <input checked="" type="checkbox"/> |
| Delivering high customer satisfaction and a stable council tax                  | <input type="checkbox"/>            |

## SUMMARY

The application is for the demolition of the buildings forming part of the former Whitworth Centre site and residential development of 144 units, comprising a mix of houses and apartments. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. A viability assessment has been submitted by the applicant to justify the level of affordable housing and the amount of Section 106 contributions arising from the development and, following independent appraisal, has been found to be sound. The proposal is judged to be acceptable in all other material respects and, subject to a legal agreement and conditions, it is recommended that planning permission is 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:

- The provision on site of 15% of the units within the development (comprising 20 no. two bed apartments and 2 no. 1 bed apartments) as affordable shared ownership units and should any owners of shared equity units staircase to 100% equity provision shall be made for any subsidy (if relevant) to be recycled for alternative affordable housing provision in accordance with Annexe B of PPS 3 .
- The payment of a financial contribution within a timeframe acceptable to the Council of £871,056, to be used for additional primary and secondary school places within the Borough and local highway improvements, the apportionment of such payments to be determined by the Head of Development and Building Control in consultation with the Heads of Streetcare and Head of Learning and Achievement.
- A travel plan to encourage the use of sustainable modes of transport, including a scheme for submission, implementation, monitoring and review.
- The contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.

- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

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

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

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

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans and documents:

Location Plan PH107-P01 rev. B  
 Proposed Development Layout PH107-P02 rev. F  
 Detailed Development Layout PH107-P03 rev. D; PH107-P04 rev. C;  
 PH107-P05 rev. C  
 Boundary Treatment Details PH107-P06  
 Colour & Materials Layout PH107-P07 rev. D  
 Refuse Strategy PH107-P08 rev. D  
 Highways Detailed Layout PH107-P09 rev. D  
 Proposed Levels (Preliminary) PH107-P10 rev. C  
 Street Scene Elevations PH107-03-10 rev. C; PH107-03-11 rev. C; 2 rev. C;  
 13 rev. C; rev. B and 15 rev. C  
 Proposed Section PH107-03-16 rev. B  
 House Type Plans and Elevations PH107-51-01;02; 03; 04; 07; 08;09 rev. A  
 10 rev. A; 11 rev. A; 21; 22; 23; 24; 12 rev. B; 13; 05 rev. A; 06; rev. B; 17  
 rev. B; 18 rev. B; 19 rev. B; 15  
 Bin Store and Timber Pergola, Plans and Elevations PH107-51-20  
 Garage Types Sg1 and Sg2, Plans and Elevations PH107-51-25  
 Garage Sg3, Plans and Elevations PH107-51-27  
 Plots 4 to 14, Elevations PH107-61-07 rev. D  
 Plots 4 to 14, Floor Plans PH107-61-08 rev. B  
 Plots 56 to 67, Elevations and Sections PH107-61-04 rev. A  
 Plots 56 to 67, Ground Floor and First Floor Plans PH107-61-05  
 Plots 56 to 67, Second Floor and Roof Plans PH107-61-06  
 Plots 114 to 127, Elevations and Sections PH107-61-01 rev. A  
 Plots 114 to 127, Ground Floor and First Floor Plans PH107-61-02  
 Plots 114 to 127, Second Floor and Roof Plans PH107-61-03  
 Proposed Landscaping Layout PH107-LS-01 rev. C; 02 rev. C; 03 rev. C; 04  
 rev. B  
 Affordable Housing Statement (dated 19 December 2011)  
 Air Quality Assessment (reference DMB/770005/R1/F)

Archaeological Desk Based Assessment (dated March 2011, updated July 2011)  
Design and Access Statement (dated August 2011)  
Ecology Scoping Survey and Biodiversity Statement (dated 01 March 2011)  
Flood Risk Assessment (reference SJC/662625/JOH)  
Addendum to the Flood Risk Assessment (letter dated 19 January 2012)  
GLA Development Control Toolkit (dated January 2012)  
Landscape Management Plan (reference JCN/1044/11)  
Noise Impact Assessment (reference DMB/770005/R1/MCH)  
Phase II Geoenvironmental Report (reference DMB/770005/R3)  
Safer Places Statement  
Site Waste Management Plan  
Sustainable Design, Energy and Construction Statement  
Transport Statement (reference TC/662625/LAB rev. A)  
Travel Plan (reference 2011.397 rev. A)  
Tree Survey, Arboricultural Implication Assessment and Method Statement (ref. 2485)  
Written Scheme of Investigation for Archaeological Trial Trenching (dated June 2011)

Reason: To accord with the submitted details and LDF Development Control Policies Development Plan Document Policy DC61.

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

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. Car Park Pergolas – The pergolas within the car parking area areas shall be erected prior to the first residential occupation of the relevant buildings and shall be permanently retained thereafter.

Reason: To enhance the visual amenities of the development in accordance with the LDF Development Control Policies Development Plan Document Policy DC61.

5. 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.

6. 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 their 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.

7. Works to Protected Trees: Works on site shall be carried out in accordance with the Haydens Tree Survey, Arboricultural Implication Assessment & Method Statement, dated 14 April 2011 and received on 17 October 2011.

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

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 – The development shall be carried out in accordance with the details of boundary treatment shown on drawing numbers PH107-P02E and PH107 P06 hereby approved unless alternative drawings are otherwise submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

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 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.

12. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

13. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority outlining details of how the recommendations and associated habitat enhancement measures set out in the submitted Ecological Scoping Survey and Biodiversity Statement dated February



2011, received 17 October 2011 will be implemented. The development shall thereafter be carried out in accordance with the agreed details.

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

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

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

16. 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.

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

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

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

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

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

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

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

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

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

18. Archaeology - A) the applicant should secure the implementation of a programme of archaeological field evaluation and survey in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.  
B) The results of the field evaluation should inform a mitigation strategy to either conserve archaeological assets or ensure their recording through excavation prior to the development.  
C) The investigation results should be assessed, any significant results analysed and published, and the archive securely deposited.  
The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority."

Reason: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological evaluation to inform determination of any detailed planning consent.

19. Sustainability - No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

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

20. Renewable energy - The renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the residential occupation of any part of the development. Thereafter, it shall be permanently retained.

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

21. 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.

22. Flood Risk - The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) letter reference JNR/662625/MB dated 19 January 2012 compiled by MLM Consulting and the MLM On-Site civil Engineering General Arrangement drawings, 1 of 2 and 2 of 2, reference 662625/301 (Rev. P1) and 662625/302 (Rev. P1) respectively which includes the following mitigation measures detailed within the FRA:

- Provision of primary above ground surface water storage with associated overflow weir to secondary underground storage system.
- Maximum restricted surface water discharge rate from Plot 1 of 43.5 litres per second (approximately 12.9 liters per second per hectare for a 1:100 year storm event).

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these.

23. Surface Water Drainage - Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological 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.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

24. Details of ground levels - Prior to the commencement of the development details of the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, amenities of adjoining properties, and appearance of the

development. Also in order that the development complies with Policy DC61 of the LDF Development Control Policies Development Plan Document

25. Highway Alterations - The proposed alterations and additions to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

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

26. Highway Licence - The necessary agreement, notice and/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.

27. Road Safety Audit (RSA) The changes to the access junction on Noak Hill Road should be subjected to the 4-stage full road safety audit procedure as defined in HD 19/03 of the Design Manual for Roads & Bridges and recommendations reasonably dealt with. A Stage 2 RSA must take place prior to commencement of development.

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

28. Site Waste Management – The development hereby approved shall be carried out in accordance with the submitted Site Waste Management Plan received on 27 October 2011 unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable development practices.

29. Sub-station Noise – The houses hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and the flats 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'

## INFORMATIVES

1. The applicant is advised that four additional private fire hydrants will be required by the London Fire Brigade (Water Office).
2. In order to discharge condition 22, the Environment Agency requires the following information to be provided:
  - A) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations, indicate any primary and secondary attenuation features and it should also show invert and cover levels of manholes.
  - B) Confirmation of the critical storm duration.
  - C) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
  - D) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge clearly stated.
  - E) Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.
3. 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. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
4. The developer, their representatives and contractors are advised that this 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. In aiming to satisfy condition 10 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.
6. The development of this site is likely to damage archaeological remains. An archaeological field evaluation will establish the extent and significance of

any surviving remains and enable the mitigation of the impact of the development to be planned as part of detailed planning consent.

**7. Reason for Approval:**

The proposal is considered to be in accordance with Policies CP1, CP4, CP9, CP10, CP15, CP17, CP18, DC2, DC3, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC67, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document. The provision of affordable housing while not in strict accordance with Policies CP 2 and DC6 is considered acceptable having regard to the viability assessment submitted by the applicant and the provision of shared equity units only is on balance considered to be acceptable as it would complement the existing and substantial provision locally of affordable rented units.

In addition, the proposal is considered to comply with Policy SSA2 of the Site Specific Allocations DPD, as well as the Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD, Heritage SPD and Sustainable Design and Construction SPD.

The development is considered to accord with the provisions of PPS1, PPS3, PPS5, PPS9, PPS10, PPG13, PPS22, PPS23, PPG24 and PPS25 (Development and Flood Risk), as well as Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 5.2, 5.3, 5.7, 5.12, 5.13, 5.16, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 6.14, 7.3, 7.4, 7.6, 7.8, 7.14, 7.15, 7.19 and 8.2 of the London Plan. The proposal is considered to be consistent with Policies 3.9 and 3.12 of the London Plan, which requires the maximum reasonable amount of affordable housing to be sought. A development viability appraisal has been submitted with the application, justifying the amount of affordable housing provided.

**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 has an area of 03.22 hectares and is located on the south-eastern side of Noak Hill Road. To the immediate east of the site is a grassed area of open space, which has been used in the past (although not recently) as playing fields. Further east of this are residential properties in Hitchin Close and Sevenoaks Close, beyond which Noak Hill Road takes on a more rural character and is designated Green Belt land. West of the site is Noak Hill Road, which is generally characterised by residential development. There is a travellers site located on the western side of Straight Road close to the junction with Noak Hill Road. South of the site there are residential properties in Appleby Drive and Stephens Close. To its immediate south-western corner the site is adjoined by an electricity sub-station. Opposite the site, to the northern side of Noak Hill Road, is the former Broxhill Centre. This is a dilapidated, vacant three storey building, originally constructed as a school although more recently used as Council offices and for community purposes. There are existing sports facilities within the Broxhill site, including a bowls club. The Broxhill Centre is also situated within the Metropolitan Green Belt.
- 1.2 Levels across the site vary significantly. Generally the site rises to the south, gradually levelling off towards the southern boundary. There is also a fall in levels from the west to the east of the site. Neighbouring properties in Appleby Drive are sited on a lower level than the application site. The site is subject of a Tree Preservation Order (7/10), which principally protects a group of trees to the southern side of the site and individual trees to the northern and western site boundaries. There are a number of buildings within the site, ranging up to three storeys in height. The site was originally used for education purposes when first developed in the 1960's. More recently it has been used as Council offices. The buildings on the site are all vacant. There is extensive hard surfacing within the site, particularly to its north-west and western sides.
- 1.3 Vehicular access to the site is currently taken from Noak Hill Road. There is a mini-roundabout at the entrance to the site. The existing access is situated approximately 150m from the signal controlled junction of Noak Hill Road with Broxhill Road and Straight Road. There is an existing pedestrian footbridge spanning Noak Hill Road.
- 1.4 The site is allocated for development in the Site Specific Allocation Development Plan Document (DPD) and subject of Policy SSA2. The site has been removed from the Green Belt on the basis of the requirements of Policy SSA2.



## **2. Description of Proposal**

- 2.1 The application proposes the removal of all existing buildings from the site. The existing footbridge across Noak Hill Road is also proposed to be removed and buildings on the site of the former Broxhill Centre, opposite the application site, will also be demolished under separate contractual arrangements.
- 2.2 The application proposes re-development of the site to create 144 new dwellings. The application relates principally to land on the western side of the Whitworth Centre site and is referred to within the application as Plot 1. The layout of the proposed development is designed so as not to preclude future development to the eastern side of the site.
- 2.3 The application proposes the retention of the existing site access from Noak Hill Road. The access would however be altered and the existing mini-roundabout modified to improve the junction with Noak Hill Road and improve visibility. A new pedestrian crossing is also proposed some 300m west of the site vehicular access across Noak Hill Road.
- 2.4 From the site entrance, the main access route will run in a southerly direction, with a spine road extending westwards from the main route across the centre of the site. There will be changes to the levels across the site from the current situation. Most notably, this will result in the finished floor level of the proposed houses fronting Appleby Drive being, on average, some 300mm to 500mm higher than current ground levels. Flanking the entrance to the site, it is proposed to construct two apartment blocks, each 2.5 storeys high, including accommodation within the roof. The blocks are generally of traditional design, finished externally with a combination of brick and white Marley Eternit Cedral Weatherboarding and tiled pitched roofs. Each block contains 12 units, some with balconies, and the remainder with access to communal amenity areas. The majority of the flats have two bedrooms. Parking for the flats is located within courtyards adjacent to the blocks, including some covered pergolas. Parking is provided at a ratio of one space per flat with a couple of visitor parking bays. A third apartment block is proposed at the western end of the site, fronting on to Straight Road. This takes a similar design approach to the other apartment blocks, although it is designed to turn the corner of the site from Straight Road on to Noak Hill Road. External materials are the same as for the other apartment blocks and parking is also provided in separate courtyards behind the block, at a ratio of one space per flat.
- 2.5 The remainder of development within the site is single family housing, ranging between 2, 3 and 4 bedrooms. The houses are a mix of architectural styles, although built on traditional lines, ranging between short terraces, semi-detached and linked semi's and detached housing. A number of the dwellings within the development front onto Straight Road and Noak Hill Road. In addition, the development includes short terraces of dwellings directly fronting on to Appleby Drive. The development proposes a range of different house types, having separate external materials,

detailing etc. The houses are almost all two storey, although they generally have steep roof pitches, which could potentially accommodate roof space accommodation in the future. There are 14 wheelchair accessible units within the development. External materials have been submitted and comprise multi red and buff coloured bricks and red roof tiles, with some units within the development finished with Marley Eternit Cedral Weatherboarding. Windows, fascias and soffits are proposed to be white uPVC with black rainwater goods.

- 2.6 In respect of parking arrangements, all of the dwellings have off street parking. Some dwellings have parking within the front curtilage, others have garages/carports to the side of the house enabling in-tandem parking. Additionally, some houses are provided with parking within rear or side courtyards, some with covered pergolas, such as plots 1-3, 18-20 etc. The houses fronting Appleby Drive will have parking spaces within the front curtilage accessed directly from Appleby Drive. The dwellings either have one or two parking spaces per unit (one space per unit is provided for each flat) giving a parking ratio of 1.45 spaces per unit across the development as a whole.
- 2.7 The development includes the retention of TPO trees to the southern side of the site, which will be maintained within an undeveloped, landscaped area. Two protected oak trees to the western side of the site will also be retained. A scheme of hard and soft landscaping is proposed throughout the site.
- 2.8 The application is accompanied by a suite of supporting documents including a planning statement, heritage statement, viability appraisal, arboricultural study, bat survey, contamination desk study, daylight/sunlight assessment, design and access statement, energy statement, flood risk assessment, noise assessment, sustainability statement and transport assessment and travel plan.

### **3. Relevant History**

- 3.1 The site was originally developed as a secondary school but has subsequently been used as an adult education college and, more recently, as offices. The buildings on the site are now currently un-used.
- 3.2 Previous applications which are of specific relevance to the application:

Z0004.11 EIA screening opinion for demolition of the Whitworth Centre and residential development – EIA not required.

D0199.11 Determination whether prior approval is required for the demolition of the Whitworth Centre – Prior approval required and granted subject to conditions.

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

4.1 The application has been advertised on site and in the local press as a major development and neighbour notification letters have also been sent to 725 local addresses. 13 letters of representation have been received objecting to the proposal on the following grounds:

- building was originally a grammar school – loss of schools and open space for housing is unacceptable
- where will children go to school or for recreational facilities
- should not be building on areas of open space
- site not large enough for amount of housing proposed
- proposal will add to parking difficulties in Appleby Drive and remove existing on street parking places
- Appleby Drive unsuitable for works traffic
- difficulties with refuse collection in Appleby Drive, should perhaps be a one way road
- new properties will create extra noise
- footpaths into Appleby Drive will create congestion areas and rat runs and be unsafe
- loss of light to properties in Appleby Drive and Stephens Close and loss of privacy through interlocking
- thought this was Green Belt land
- proposal will devalue property
- better public consultation should have been carried out
- loss of privacy
- increase in traffic, noise and fumes
- dangerous traffic conditions on Noak Hill Road would be increased
- smells will affect people's wellbeing
- should take care that green area does not become place for anti-social behaviour
- do not agree with Council's Site Specific Allocation policy and who was consulted on this?
- no need to build on the open space as does not form part of Borough's housing capacity target
- is local infrastructure sufficient?
- should retain a landscaped buffer zone instead of developing entire site to contribute to natural environment and bio-diversity.

4.2 English Heritage (GLAAS) advises that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken.

4.3 The Borough Crime Prevention Design Advisor has met with the applicant to discuss areas of concern and the proposal has been revised to address these matters. On this basis no objections are raised to the development subject to conditions relating to community safety.

4.4 Environmental Health request conditions relating to land contamination, noise insulation and working hours if permission is granted.

- 4.5 Highways raise no objection to the proposals and are satisfied in principle with the proposed highway works. They require a minimum of 1.5 spaces average across the development and have requested a contribution of £144,000 towards highway improvements locally.
- 4.6 Thames Water have no objections to the impact on sewerage infrastructure.
- 4.7 The Fire Brigade (Water) require the installation of four additional hydrants.
- 4.8 The Fire Brigade (Access) has commented that the access to some plots does not appear to meet Building Regulations standards.
- 4.9 The Environment Agency objected to the originally submitted proposals on the basis that the Flood Risk Assessment was inadequate. Further discussions have taken place between the application and the Environment Agency and revised proposals have now been submitted. The Environment Agency has now confirmed that the revised proposals are acceptable.

## **5. Relevant Policies**

### **5.1 National Planning Policy**

PPS1 (Delivery Sustainable Development), Planning and climate Change (Supplement to PPS1), PPS3 (Housing), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPG13 (Transport), PPS22 (Renewable Energy), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise), PPS25 (Development and Flood Risk) are material planning considerations.

### **5.2 Regional Planning Policy**

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations) of the London Plan are material considerations.

There is also a range of Supplementary Planning Guidance to the London Plan.

### 5.3 Local Planning Policy

Policies CP1, CP2, CP4, CP9, CP10, CP15, CP17, CP18, DC2, DC3, DC6, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC67, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

Policy SSA2 of the Site Specific Allocations DPD is also a material consideration.

In addition, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD, Heritage SPD and Sustainable Design and Construction SPD are material considerations.

## **6. Staff Comments**

6.1 The issues arising from this application are the principle of development, the density and layout of the new development and the impact of its design, scale and massing on the character and amenity of the locality, the quality of the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues, affordable housing and the impact on community infrastructure.

### **6.2 Principle of Development**

6.2.1 The application site is identified within the Site Specific Allocations (SSA) DPD as a development site. Policy SSA2 refers specifically to the site. This policy treats both the site of the former Whitworth Centre and also the Broxhill Centre, which is situated on the northern side of Noak Hill Road, as a single development site. Although the application site was formerly within the Metropolitan Green Belt it was de-designated as part of the LDF process due to the developed nature of much of the site and the contribution it is able to make to housing delivery targets in the Borough. However, to avoid unchecked urban sprawl and the merging of green belt into neighbouring developed area the revised Green Belt boundary was drawn along Noak Hill Road, excluding the Whitworth Centre site. This enabled the existing quantum of development north of Noak Hill Road, to be transferred to south of Noak Hill Road but also enabled the re-provision of the playing field on the Whitworth Centre site as part of a new and improved public open space on the Broxhill Centre site.

6.2.2 The Broxhill Centre and Whitworth Centres sites are therefore treated as one SSA, with the public open space and park facilities on the Broxhill Centre required to be provided through cross subsidy from the redevelopment of the Whitworth Centre. The applicant is required, through separate contractual agreement with the Council, to demolish the existing

buildings on the Broxhill site and also to remove the existing footbridge over Noak Hill Road. The Council is committed to the works to the Broxhill site to provide enhanced leisure facilities.

- 6.2.3 By virtue of the SSA and the linked works to the Broxhill centre the proposal is considered to be acceptable in principle in land use terms. The proposal would contribute to the provision of housing within the Borough and therefore complies in principle with Policy CP1 of the LDF, the SSA and Policies 3.3. and 3.4 of the London Plan.
- 6.2.4 The former Whitworth centre building was originally constructed as a school in the 1960's, with various alterations since it was first built. Consideration has previously been given to the acceptability of demolition of the existing building under a related EIA screening opinion (Z004.11) and prior approval request for demolition (D0199.11) and loss of the buildings has been judged to be acceptable. Prior approval has also been given for the demolition of the former Broxhill centre buildings. The buildings on the application site are not considered to be of any significant architectural or historic value and redevelopment of the site is considered to be acceptable in principle. There are trees which will be lost from the site but those of most significant amenity value will be retained. There is, therefore, no objection to the principle of residential development on this site.

### **6.3 Density and Site Layout**

- 6.3.1 With regard to Development Control Policy DC2, this site is outside the PTAL zone identified on the proposals map and therefore is classified as 'rest of the borough' where a density range of 30-50 units per hectare applies. The application site has an area of 03.22 hectares and proposes 144 new dwellings. This equates to a development density of 44.7 units per hectare and is within the range specified both in Policy DC2 and SSA2.
- 6.3.2 In addition to density requirements and the works to the Broxhill Centre, Policy SSA2 sets out the following criteria that new development is expected to achieve:
- In its design, layout and boundary treatment the residential development at the Whitworth Centre minimises its impact on the Green Belt to the north by using a lower building profile and achieves a more sympathetic boundary treatment than currently exists.
  - Pedestrian and cyclist links are provided through to Appleby Drive to enable convenient access to Harold Hill District Centre.
- 6.3.3 The development proposes a mix of houses and flats and provides units ranging from 1 to 4 bedrooms, with the majority of the units providing family housing. This complies in principle with the aims of Policy DC2 in respect of dwelling mix. Internal unit sizes comply with Policy 3.5 of the London Plan.

- 6.3.4 In respect of site layout, the application proposes a relatively conventional arrangement with a central access road running southwards from the principal access on Noak Hill Road and a spine road extending westwards through the development from which cul-de-sacs and parking areas lead off. The layout of the site is considered to be acceptable in principle and to lead to a reasonably spacious arrangement of the dwellings. The units to the Noak Hill Road and Straight Road frontage of the development are set back from the site boundaries within landscaped settings, which is considered to accord with the requirements of Policy SSA2 in terms of respecting the proximity of the development to the Green Belt and the quality of the boundary treatment.
- 6.3.5 The principal access to the development is from Noak Hill Road, where the current site access is situated. This is considered acceptable in principle from a layout perspective. The development proposes a flatted block, 2.5 storeys high, on either side of the principal access to the development. In terms of forming a 'gateway' into the development this is considered to be acceptable. Issues relating to the scale, massing and design of the flats will be addressed elsewhere in this report. The remainder of the development is principally family housing, although there is an additional flatted block to the western side of the site. In layout terms, Staff consider the arrangements of the buildings to be acceptable, with a reasonable degree of spaciousness from the site boundaries, commensurate with surroundings. The dwellings to the north and south facing boundaries are outward facing, providing a strong active frontage to the development and, in particular, creating a streetscape to the northern side of Appleby Drive.
- 6.3.6 Each of the dwellings has access to private, screened amenity space of adequate size, which is considered to meet the requirements of the Residential Design SPD. The flatted units are set within landscaped settings, which are considered to be acceptable. Some of the flats have external balconies, although the architects have elected not to provide all flats with balconies for aesthetic reasons and also because the flats face onto heavily trafficked road (Straight Road and Noak Hill Road). The development includes a landscaped area, where a number of TPO trees have been retained, but no designated children's play facilities. Staff consider, on balance, this to be acceptable as the development will facilitate the provision of enhanced sports and leisure facilities on the Broxhill Road Centre to the north of the site which will adequately compensate for an absence of communal play facilities within the development itself.
- 6.3.7 One of the key objectives of Policy SSA2 is to ensure pedestrian and cyclist links through the site, giving access to the proposed sports facilities to the north and through to Appleby Drive and local amenities to the south. The development provides three points of access through the site from Appleby Drive and will include the provision of a new pedestrian crossing across Noak Hill Road. Staff therefore consider the proposal responds well to the requirement for connectivity between the site and surrounding facilities and complies with Policies DC33 and 34 as well as Policies 6.9 and 6.10 of the London Plan.

- 6.3.8 Although Staff are aware of the concerns of local residents regarding the potential for anti-social behaviour, particularly around the landscaped area on the southern side of the site, the advice of the Borough Crime Prevention Design Advisor has been sought and the proposals have been revised to accord with the advice given, including to make the proposed parking courtyards safer by ensuring they benefit from natural surveillance and restricted access. Staff are satisfied that all reasonable measures have been undertaken to make the development as safe as possible and recommend conditions relating to Secured by Design and other community safety measures.
- 6.3.9 It is noted that the layout of the development does rely to some extent on the provision of rear parking courtyards. Whilst it is acknowledged that this is not always preferable to parking within the curtilage of residential dwellings, Staff remain satisfied that this element of the proposals responds positively to issues raised by the Borough Crime Prevention Design Advisor and will operate acceptably in the future.
- 6.3.10 Detailed proposals for the hard and soft landscaping of the site and ongoing maintenance have been submitted with the application. In respect of hard surfacing the main road and parking areas will be finished with asphalt with the spine roads and cul-de-sacs surfaced with brindle block paving. Details/samples of the materials should be submitted through condition. In respect of soft landscaping, it should be noted that planting indicated on the development layout plan is largely indicative and does not entirely match that shown on the submitted landscaping drawings. Staff have based their consideration of soft landscaping on the specific landscaping drawings and sought advice from the Council's Trees and Landscaping Officer. The proposal seeks to largely maintain TPO trees within the site and the detailed landscaping proposals are considered to be acceptable. The development is therefore considered to accord with the Trees SPD and Policy DC60 of the LDF.
- 6.3.11 The development is designed to Lifetime Homes standard and 14 of the units are designed to be adaptable to wheelchair housing standards. Accordingly the scheme is in accordance in principle with Policy DC7 of the LDF and the requirements of Policy 3.8 of the London Plan.

#### **6.4 Design and Visual Impact**

- 6.4.1 The principal entrance to the site will be flanked by an apartment block either side of the access. Each building is roughly L-shaped, turning the corner into the site from Noak Hill Road. The apartment blocks have been designed with accommodation on three floors but with the upper floor accommodation within the roofspace, thereby giving the impression of a two and a half storey building. Staff have discussed the design of the entrance blocks at length with the scheme architects and are satisfied that the height of the buildings is the minimum that can be achieved, whilst still giving the entrance buildings sufficient scale to mark the principal entrance to the site.



The buildings exhibit a traditional design approach with tiled roofs and a brick and weatherboarded external finish and a curved glazed balcony design. Staff are satisfied that the scale and massing of the entrance buildings and their design and external appearance will give a suitably high quality appearance to the development in the streetscene and will acceptably complement the character of the nearby Green Belt.

- 6.4.2 There is one other flatted block within the development, which is situated on the western side of the site on plot nos. 4-14. The design of this block has been revised in response to staff concerns about the appearance of the block, its inward facing appearance and shortage of private amenity space for occupiers. The revised plans have re-designed the building with a central weatherboarded section flanked by two, brick built subservient wings. Additional detail has been provided to the front elevation by way of metal Juliette balconies. Glazed balconies have been added to the inward facing elevations of the building. Staff are now satisfied that this element of the proposed development will have an acceptable impact in the streetscene.
- 6.4.3 The remainder of the proposed development comprises a range of family housing, of 2, 3 and 4 bedrooms. The development includes a number of different house types, although there are also design variations, within each type. However, they are all of a traditional design, constructed predominantly of red or buff coloured brick externally with red or grey tiles. A number of dwellings within the development (27) are finished externally with weather boarding rather than external brick.
- 6.4.4 The proposed dwellings are predominantly two storey, although many have a steep roof pitch, which would potentially enable accommodation to be provided in the roofspace in the future. The dwellings within the development are considered to be acceptable in terms of scale and massing, although it is acknowledged that they appear somewhat tall, despite their two storey nature, owing to the steepness of the roof pitch. Staff have applied judgement to the issue of whether the height and design of the dwellings is acceptable, particularly in the Appleby Drive streetscene, where their height in comparison to existing houses is accentuated by a change in ground levels. It is considered however that the development will, by nature of the number of units proposed, create its own character, such that the units will be compatible with those around it within the development site and need not necessarily fully reflect the height of surrounding buildings.
- 6.4.5 The proposed development is considered to be acceptable in terms of scale and massing and will create residential units of sufficient variety in design and appearance.
- 6.4.6 Details of boundary treatment have been submitted with the application. These details are considered acceptable in principle and should be secured through conditions.

## **6.5 Impact on Amenity**

- 6.5.1 The nearest residential properties to the development are those in Appleby Drive and Stephens Close. A number of concerns have been raised by residents in these roads in respect of the proposed development.
- 6.5.2 The development proposes short terraces of houses which face on to Appleby Drive. The facing distance between these houses and existing dwellings in Appleby Drive is in the region of 22m, which is not an uncommon relationship in suburban areas and is not therefore judged to result in a material loss of privacy or amenity to existing residents. It is acknowledged that the proposed houses are tall and also on higher ground than houses on the south side of Appleby Drive. However, given the separation distance and the position of the new housing to the north it is not considered any material loss of light or visual intrusion would occur.
- 6.5.3 The proposed houses facing Appleby Drive are indicated to have a finished floor level that is some 0.5 m than the street level on the opposite side of the road, increasing to some 1m higher than the opposite street level as the terrace moves further westwards. This difference is not insignificant, particularly as the existing houses on the south side of Appleby Drive are, in turn, lower than street level due to the slope of the ground. Staff have considered whether this differential in levels would result in material harm to neighbouring residential amenity by way of interlooking or loss of privacy but are satisfied that given the face to face distance of some 15m across a public highway that this would not be a materially unacceptable relationship. It is noted that proposed floor level details are only preliminary at this stage, subject to further site investigation works, and it is therefore recommended that the matter of proposed levels be subject to a condition so that this can be controlled in the future.
- 6.5.4 Houses in Stephens Close, particularly nos. 1-7 are closer to the application site and are also situated on lower ground level than the site. However, at present, no development is proposed directly in front of these houses. The nearest relationship is between the house on plot 179 and no.1 Stephens Close. The house on plot 179 has a south facing front elevation but is not directly opposite no.1 Stephens Close and it is not considered it would give rise to material loss of privacy, nor due to its position to the north of Stephens Close, would it result in material loss of light.
- 6.5.5 It is acknowledged that residents have raised concerns regarding the impact of the development on traffic and particularly parking in Appleby Drive. It is accepted many residents park on street on the north side of Appleby Drive, where there are presently no parking restrictions and some of this on street parking capacity would be lost due to the driveways of the proposed new dwellings. Also, the majority of new dwellings fronting Appleby Drive would be 3 bed houses but with only one parking space per dwelling.
- 6.5.6 Staff have considered whether this constitutes sufficient grounds to refuse the application but conclude that it is not. This is based on the fact that

parking provision for the development as a whole is within the required level of 1-1.5 spaces per unit set out in Policy SSA2, that this is public highway where there is no established right of parking and that there are still areas where on street parking could take place (for example outside the proposed landscaped area in front of the Appleby Drive greensward). It is noted that some existing residents already have off street parking and furthermore that prospective occupiers of the dwellings would be aware of the parking situation when deciding whether to purchase one of the properties. Having regard to all of these factors, in particular the fact that the amount of parking complies with the requirement of Policy SSA2, Staff conclude refusal on these grounds could not be supported.

6.5.7 Given that the development proposals only extend to the western side of the Whitworth Centre site and playing fields, the development proposed is not considered to materially impact on residents to the east of the application site. There are no residential properties immediately north of the site and the traveller site to the western side of Straight Road is sufficiently far from the site not to be materially affected. The nearest properties to the south-west of the site in Straight Road and Appleby Drive are sufficiently separated from the application site that no material harm to amenity is considered to result.

6.5.8 Staff have also given consideration to the living environment for future occupiers of the development, in particular proposed plot 1, which is situated adjacent to an existing electricity sub-station. The sub-station is enclosed by a high brick wall, some 4.8m, which would dominate a large part of the rear garden of the proposed dwelling. The proposals have been revised to address this issue as far as possible, by moving the dwellings on plots 1-3 further towards the western site boundary. This results in a marginally less dominant impact on the rear of the property to plot 1. Staff consider that the resultant living environment would not be materially unacceptable and that this would essentially be an issue for a prospective purchaser to take into consideration. A condition relating to sound insulation requirements for the construction of the new development is recommended to ensure that noise from the sub-station does not materially harm the amenity of occupiers of the adjacent plot.

## **6.6 Environmental Issues**

6.6.1 The application site is located in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted with the application and includes measures for sustainable water run off (SUDS). In principle this accords with LDF Policy DC49 and Policies 5.12 and 5.13 of the London Plan. The Environment Agency has confirmed there are no objections to the development but have requested planning conditions.

6.6.2 A land contamination desk top and site investigation study have been carried out. A condition is recommended in respect of land contamination issues.

- 6.6.3 The proposal is not considered to give rise to any significant noise issues subject to conditions required by Environmental Health.
- 6.6.4 An energy strategy and sustainability statement have been submitted with the application. The energy strategy indicates that the development will at a minimum meet Code for Sustainable Homes Level 3 with a reduction in emissions achieved to meet Code Level 4. It is recommended that the aims of these statements be secured by condition. This will also accord with Policies DC50 and DC51 of the LDF and Policies 5.2, 5.3 and 5.7 of the London Plan.
- 6.6.5 An Ecological Scoping Survey and Biodiversity Statement has been submitted with the application. A walkover of the site has been undertaken and does not indicate the presence of any rare or protected species, including the presence of bats. The report does make recommendations relating to the impact of development on nesting birds and bats and opportunities for bio-diversity enhancement. It is therefore recommended that a condition be imposed requesting details of how the measures recommended in the report will be achieved.
- 6.6.6 English Heritage (GLAAS) advise that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken. This will accord with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

## **6.7 Parking and Highway Issues**

- 6.7.1 The application proposes a total of 209 parking spaces, which equates to some 1.45 spaces per unit. This is within the range identified in Policy SSA2 (1-1.5 spaces per dwelling) as acceptable. The site has a PTAL rating of 1 and Highways have indicated that a minimum parking ratio of 1.5 spaces per unit would be preferred. Of the spaces within the development, the flatted accommodation (35 units) has one parking space per unit; the remaining dwellings within the development have either one or two parking spaces per unit, creating the overall ratio of 1.45 spaces average per dwelling. Staff consider the parking spaces to be acceptably laid out within the site and to be adequate to serve the proposed development. Whilst the amount of parking is not consistent with the Council's policies set out in Policy DC2, it is consistent with the London Plan (Policy 6.13 and the Mayor's draft Housing SPG) and the Site Specific Allocation for the development and accords with PPS3. A travel plan will form part of the development and will enable opportunities for more sustainable forms of travel to be implemented. Cycle parking can be required by condition to ensure it complies with LDF standards.
- 6.7.2 In terms of impact on road capacity and junctions Highways have no objections to the proposals. Highways are satisfied with regard to data relating to trip generation and capacity and acknowledge that this is an opportunity to improve the capacity and safety of junctions. The proposed new access roundabout is considered to be acceptable from a Highways

perspective. There is a requirement for a new pedestrian crossing on Noak Hill Road. This is however proposed to be provided through a separate contractual obligation as part of the land sale.

- 6.7.3 Highways have advised that a contribution of £144,000, to be secured through Section 106 agreement, is required in connection with the development. This is an addition to the provision of a pedestrian crossing which the developer is required to provide owing to the proposed removal of the footbridge. The contribution would be used for improvements to road junctions in the vicinity of the site, such as Straight Road and Lower Bedfords Road, and reflects proposals currently being looked at through Transport for London schemes.
- 6.7.4 A refuse collection strategy has been submitted with the application. The details are acceptable in principle. However, it is considered that a condition will still be required securing details of refuse storage facilities. Additional fire hydrants have been requested by the Fire Brigade and concerns raised about access to some of the units. The applicant has confirmed that these concerns have been discussed with the Fire Brigade and proposals revised to respond to their comments. The Fire Brigade will be consulted on the revised proposals and Members will be advised of any issues raised.

## **6.8 Affordable Housing**

- 6.8.1 The application provides a total of 144 units, of which it is proposed that 22 will be provided as affordable housing (15%). These 22 units will comprise 20 no. 2 bed apartments and 2 no. 1 bed apartments and are proposed to be provided as Shared Equity homes for sale. The Affordable Housing Statement submitted with the application indicates that this will address issues of local need and help to counteract the imbalance of social rented housing in this part of the Borough.
- 6.8.2 A viability appraisal has been submitted with the application to demonstrate the amount of affordable housing provision which can be supported by the development. The viability appraisal has been independently assessed and concludes that, based on the agreed purchase price for the land, the applicants could not be expected to provide additional affordable housing beyond that proposed.
- 6.8.3 Housing raised concerns that the affordable housing type, which is proposed under a specific model used by the developer (the “WHI” model) is not a traditional shared ownership model and questioned whether this would provide truly affordable housing to Borough residents. The independent appraisal of the viability statement indicates that if a traditional shared ownership model were used instead of the WHI model proposed, this would further reduce the viability of the scheme by approximately £559,662. As the scheme, as currently proposed, produces a deficit of some £1, 987, 851 it is not considered viable to further request that the developers revise the proposed model of shared ownership. The proposal

is considered to provide a form of shared ownership housing that is recognised by PPS3 and Staff acknowledge that the proposal does enable a more balanced socio-economic mix than is traditionally the case in this part of Harold Hill. Staff therefore consider that the proposal does not conflict with planning policy and is further justified through the viability appraisal submitted with the application.

## **6.9 Education**

- 6.9.1 The proposed development is considered to result in additional demand for both primary and secondary school places locally and Education have requested a maximum contribution of £1,509, 526.01 to meet the cost of the additional places.
- 6.9.2 In respect of the viability of the development, the appraisal submitted with the application proposes a contribution of £6,049 per unit, totalling £871,056 in contributions. Given that Highways have also requested a contribution of £144,000 it is clear that the amount offered by way of S106 contributions is substantially below that required for education and highway purposes combined.
- 6.9.3 Following an independent review of the viability appraisal, Staff consider that it has been demonstrated that the development cannot support an increase in Section 106 payments above that proposed. Staff therefore recommend that a maximum S106 contribution of £871,056 be sought through the development to be apportioned between the requirements of Highways and Education. Staff request that authority be delegated to the Head of Service to negotiate and agree with the relevant departments how the highway and education contributions shall be apportioned

## **7. Conclusion**

- 7.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. The design, scale, bulk and massing of the proposed buildings is considered to be acceptable and the detailed scheme to accord with the criteria in Policy SSA2. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.
- 7.2 The proposal makes provision for 15% of the units to be provided as affordable housing, which falls below that required by Policy DC6 of the LDF and London Plan policies. However, the applicant has submitted a viability assessment to justify the amount of affordable to be provided as required by Policy DC6 and the London Plan. The viability assessment has also been provided to justify the amount of Section 106 contributions arising from the development and independently appraised and verified.

7.3 The viability appraisal submitted with the application is considered to justify the proposed amount and model of affordable housing proposed and the amount of Section 106 contributions offered. The proposal is therefore judged to be acceptable, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

## IMPLICATIONS AND RISKS

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

The application site comprises land which has been disposed of by the Council.

### **Legal implications and risks:**

Legal resources will be required to prepare and complete the legal agreement.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

## BACKGROUND PAPERS

Application forms, plans and supporting statements received 27 October 2011 and revised plans received 20 January, 27 February and 2 March 2012.

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**10**
**REGULATORY  
SERVICES  
COMMITTEE**
**REPORT**

15 March 2012

<b>Subject Heading:</b>	P1762.11 – The Chafford School, Lambs Lane, South Rainham – Canopy structure (received 24 November 2011)
<b>Report Author and contact details:</b>	Helen Oakerbee Planning Control Manager (Applications) helen.oakerbee@havering.gov.uk 01708 432800
<b>Policy context:</b>	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
<b>Financial summary:</b>	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 checked="" 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"/>

<b>SUMMARY</b>
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The proposal relates to an application for a canopy structure to enable greater use of the outdoor areas at the school. The site is Council-owned and in the Metropolitan Green Belt. Staff consider that the proposal would accord with Green Belt, community and environmental policies contained in the Local Development

Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

## RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

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

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

2. NSC01 The development shall be built in accordance with the external materials details identified in the application.

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

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

**Reason:** The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

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

## INFORMATIVES

1. INF23 Reason for approval:  
The proposal accords with Policies DC26, DC29, DC33, and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policies 3.18 and 7.16 of the London Plan (2010) and PPG2: Green Belts and DC45 insofar as the very special circumstances submitted are judged to be sufficient to allow the development.

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

### REPORT DETAIL

#### 1. Site Description

- 1.1 The site currently comprises The Chafford School. To the rear of the 1- and 2- storey main building adjacent to the refectory is a large area of hardstanding with some tree planting and picnic tables/benches. This area is mainly used in connection with the refectory as an outdoor eating area. There is a large playing field area to the north east of the application site, beyond the existing building group. The site is within the Metropolitan Green Belt.
- 1.2 With the exception of the R J Mitchell school itself and the adjoining Brady Primary School, the surrounding area mainly consists of 2-storey residential properties to Lambs Lane South and Wennington Road.

#### 2. Description of Proposal

- 2.1 The proposal is to provide a separate canopy located adjacent to the rear of the one-storey refectory section. It would be 11.8m deep and 17m wide, extending to just inside the return buildings either side and would have a roof which slopes slightly away from the refectory such that it would be just over 3m high closest to the building and 2.65m at its furthest extent.
- 2.2 The materials would be metal alloy uprights and roof “beams” and a translucent glass polyester profiled sheeting with ultra violet filter.
- 2.3 It is proposed that the canopy structure would enable greater use of the outdoor eating area during both inclement weather and during higher temperatures. Some trees would need to be removed and it was indicated at

the site visit that it is intended to provide replacements as necessary beyond the edge of the canopy.

### **3. History**

3.1 None relevant

### **4. Consultation/Representations**

4.1 58 neighbouring and nearby properties were notified of the application, a press notice was published and a site notice was posted. No replies have been received.

### **5. Staff Comments**

5.1 The issues in this case are the principle of the development, the impact on the open character of the green belt, the impact of the development in the street scene, impact on the amenities of nearby residential occupiers and highways/parking. Policies DC26, DC29, DC33, DC36, DC45, DC55 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant. Also relevant are London Plan Policies 3.18 and 7.16 and PPG2: Green Belts.

#### *Principle of development*

5.2 The proposal is for a canopy covering 200 sq.m of existing hardstanding in an existing courtyard area.

5.3 Policy DC29 indicates that educational premises should be of a suitable quality to meet the needs of residents. It is considered that the provision of a canopy within the school grounds would improve the facility for pupils and that this would accord with this policy in principle.

5.4 Policy DC45 indicates that new buildings in the green belt are inappropriate in principle if they do not relate to an appropriate use. Schools are not of themselves an appropriate use within the Metropolitan Green Belt. The proposal would therefore be for development which is inappropriate in principle. Before considering any very special circumstances, it is necessary to consider whether any other harm would arise from the proposal.

#### *Open Character of the Green Belt*

5.5 The proposed canopy, while relatively large at over 200 sq. m., would span between the existing buildings within the courtyard area and would not be visible due to its limited depth in relation to the buildings to either side and as other buildings surround the existing enclosed outdoor seating area. Whilst the canopy would not be visible from public viewpoints, the proposal would increase the built form within the green belt. Staff nonetheless consider that, since the development would not extend outside the existing

group of school buildings, it would not result in harm to the open character of the Metropolitan Green Belt. As a result it is considered that this represents very special circumstances which would outweigh the in principle harm to the Green Belt.

#### *Impact in the Street Scene*

- 5.6 The proposed canopy would be located behind existing school buildings such that it would not be visible from either Lambs Lane South or Wennington Road. It is considered that there would be no impact on visual amenity in the streetscene.

#### *Impact on Residential Amenity*

- 5.7 There would be no increase in the number of children at the school in relation to the provision of the canopy over the existing outdoor seating area. Staff do not therefore consider that there would be any impact on residential amenity.

#### *Highways*

- 5.8 The proposal is for an outdoor canopy ancillary to the existing use of the school.
- 5.9 Annex 5 of the LDF Core Strategy and Development Control Policies DPD indicates that 1 space would be required for each staff member. It is not proposed for there to be any increase in the number of children or staff at the school due specifically to the provision of the canopy. Staff do not consider that any additional parking spaces are necessary.

#### *Special Circumstances Case*

- 6.1 The school have identified that there is a need for the provision of a cover over an existing outdoor seating/hardstanding area which is used currently in connection with the refectory. The provision of the canopy would also enable out door lessons and other outdoor activities both in inclement weather and during periods of higher temperatures. The canopy would provide an outdoor learning opportunity which would be in accordance with OFSTED requirements that outdoor learning takes place on a day to day basis to enable the delivery of the national curriculum.
- 6.2 Staff recognise that canopies have been provided at many schools in the Borough, including the adjoining Brady Primary School which is also within the Green Belt, and that Chafford School is among the last to provide what will be a multi-purpose canopy. Together with the very limited resultant impact upon the openness of the Green Belt, Staff consider that this would comprise the very special circumstances required to warrant an exception from policy.

6.3 Members may agree that the demonstrated need for such a sheltered facility amounts to the very special circumstances required.

**7. Conclusions**

7.1 Staff consider that the proposal would be inappropriate development in the green belt. In line with PPG2 Green Belts, very special circumstances must be demonstrated which outweigh the presumption against inappropriate development. The proposal would not result in any harm to the open character of the green belt or any harm to any other area of planning significance.

6.2 The proposal would accord with Policy DC29 in relation to providing a quality school environment. Staff therefore recommend that planning permission is granted.

**IMPLICATIONS AND RISKS**

**7. Financial Implications and risks:**

7.1 None

**8. Legal Implications and risks:**

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

**9. Human Resource Implications:**

9.1 None

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

10.1 The Council's planning policies are implemented with regard to Equalities and Diversity. In particular, in providing a covered outdoor space in the existing school grounds, this would be to the benefit of local school children.

**BACKGROUND PAPERS**

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

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

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

15 March 2012

<b>Subject Heading:</b>	<b>A0065.11 – Lamp-posts on London Road between junction with St Edward’s Way/Waterloo Road and Jutsums Lane, Romford - Display of 18 non-illuminated PVC lamp post banner signs (application received 02/11/2011).</b>
<b>Report Author and contact details:</b>	<b>Helen Oakerbee, 01708 432 800 helen.oakerbee@havering.gov.uk</b>
<b>Policy context:</b>	<b>Local development Framework</b>
<b>Financial summary:</b>	<b>None</b>

**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 type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

**SUMMARY**

This report concerns an application for advertisement consent for the installation of 18 non-illuminated PVC banner signs. This proposal is put forward before the Committee due to the application site being on Highway Land. It is considered that

the proposal would be acceptable in terms of advertisement and urban design policies. Express Advertisement Consent is therefore recommended to be granted.

## RECOMMENDATIONS

That express advertisement consent is granted subject to the following conditions:

1. This consent is granted for a period of five years commencing on the date of this notice.

Reason:-

To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

2. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway, (including any coastal waters) or aerodrome (civil or military).

Reason:-

To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

3. Any advertisements displayed, and any site used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason:-

To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason:-

To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

5. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason:-

To comply with the provisions of the Town and Country Planning (Control of Advertisements)(England) Regulations 2007.

6. The display of advertisement hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

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

## **INFORMATIVE**

1. Reason for Approval

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC32, DC61, DC65 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.

2. The applicant is advised that planning approval does not constitute approval for affixing anything to lamp columns for which a separate licence is required from the Council as Highway authority under the Highways act 1980 as amended by the New Road and Streetworks act 1991.
3. The applicant is advised that planning approval does not discharge the requirements under the New Roads and Street Works Act 1991, the Traffic Management Act 2004 and Section 115 of the Highways Act 1980 under which licence may be required.
4. Formal notifications and approval will be needed for any works to the Highway Authority Lamp Columns. This shall extend to traffic management, times of working, qualifications of operatives and insurances to work on the public highway.

5. Should a lamp column be damaged or knocked over, the Highway Authority has no mechanism in place to alert an advertising company and it would be for the applicant to monitor the condition of its property.
6. The applicant is advised that a method of fixing to the lamp columns will need to be approved before any works take place.
7. Prior to the commencement of any development, the applicant shall submit in detail for the approval of the Highway Authority a regime for structural testing for the lamp posts and foundations for suitability of banner advertisements of a maximum area of 1.6 square meters. The regime shall seek to give an indication of the residual life of individual columns and the impact of affixing banner advertisements in terms of reducing residual life.
8. Prior to the commencement of any development the applicant shall submit in detail for the approval of the Highway Authority a regime of ongoing structural testing for the lamp posts and foundations where banners are to be fixed.
9. Prior to the commencement of any development the applicant shall submit in detail for the approval of the Highway Authority a regime for ongoing maintenance inspections for the banner advertisements and their fixings. the testing programme should arrange for inspections to take place at agreed intervals from the date the banners are installed.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The site comprises 18 lamp-posts on London Road (A118) from the junction with the A125 (Waterloo Road)/(St Edward's Way) in the east to its junction with Jutsums Lane to the west. London Road consists of 1- 2-, 3- and 4-storey buildings. The majority of this part of London Road is commercial in nature, including a high proportion of car sales buildings. There is an increasing number of residential flatted blocks which adds to the existing stock of mainly two-storey housing. There are also community uses including schools and churches as well as car parks (in part relating to the Romford Greyhound Stadium) and a large park, Cotton's Park which is located to the eastern end of the application site. At the western end of this section of highway is an area of Green Belt.

### **2. Description of proposal**

- 2.1 The application seeks express advertisement consent to display 18 non-illuminated banner signs on lamp-posts on a 520m stretch of London Road between the Brewery Roundabout and the junction with Jutsums Lane. The

banners are to be attached to the lamp-posts and would measure 2.2m high and 0.6m wide with the lowest part of the sign being 3m above ground level.

2.2 The signs would be available to let to local businesses and other companies wishing to advertise for set periods of time.

### **3. Relevant History**

3.1 None in relation to this site.

3.2 On London Road between Coomberwood Drive and Jutsums Lane:  
A0064.11 – 7 non-illuminated banner signs – under consideration.

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

4.1 A total of 362 neighbouring properties were notified in respect of the application. 2 letters have been received raising questions about the signage and raising the following objections:

- Overdevelopment of advertisement signs
- Out of character in the mainly residential area

### **5. Relevant Policies**

5.1 Policies DC61 (Urban Design) and DC65 (Advertisements) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered to be relevant. As are Policies 7.4 (local character) and 7.5 (public realm) of The London Plan (2010) and PPG19 on Outdoor Advertising.

### **6. Staff Comments**

#### **Background**

The banners proposed to London Road are the same as those approved within Upminster Town Centre and in South Street, Romford to promote both national and local businesses and have been used throughout the country as a way of promotion and advertising. The banners have also been used in 20 other London Boroughs and 200 other local authorities across the UK.

6.1 This proposal is put forward before the Committee due to the application site being on highway maintained by the Council as Highway Authority. The issues in relation to the application are the principle of banner signs in this location and their impact upon the character and appearance of the street scene, impact on residential amenity and highways impacts.

## Principle of Development

- 6.2 The lamp posts within the identified site area are situated along London Road which within the 520m length of highway is a mixture of mainly commercial and residential development. In line with Policy DC65, there is no objection in principle to additional signage. The use of the signage would depend on the duration of any contract and the conditions attached to any express consent.
- 6.3 Within the representations received queries were raised as to how the advertisements will be rented and allocated out. The signs would be available on a first come, first served basis. Adverts, before they are allotted, will be displayed on the lamp posts with the contact details of the agency, so that local business can directly make contact to rent advertising space.

## Design/Impact on Street scene

- 6.4 London Road is a road which links Romford Town Centre to the west. It contains two Minor Local Centres at 53-56 and 30-60 London Road and at 257-277 London Road. London Road is however unusual in that there are also other commercial premises including retail, an MOT Service centre and large Vehicle Sales Buildings. It also has three large car parking areas to the main road frontage which are or have been associated with the Romford Greyhound Track which is located to the south of London Road.
- 6.5 While there are only two identified Minor Local centres, there is a relatively high proportion of commercial development along this part of London Road. As a result, there is a high level of shop-front signage (fascia and hanging signs) and, in particular to the car sales buildings, other signage such as sales details in displayed vehicles, banners and bunting. There is also a significant amount of street furniture including bus stops, bus shelters, pelican and other pedestrian crossings and signage relating to on-street parking restrictions (double-yellow lines and bus route) and some street trees. There is a large variety of signage present, including illuminated and non illuminated signs.
- 6.6 The proposed 18 banner signs themselves would measure 2.2m in height and 0.6m across and are non-illuminated. They would be positioned 3m above ground level. Policy DC61 and DC65 requires advertisements to complement the scale, form and architectural composition of individual buildings and wider character of the area. Given the distance above ground and the minimal width of the signs in the context of this highly commercial road, Staff consider that they would not be overly intrusive within the street scene nor alter the character of this street.
- 6.7 There would be 18 banner signs with one to each lamp post along a 520m stretch of highway, on average one per 30m. While some lamp-posts are located closer together, the lamp posts are grouped mainly adjacent to the commercial uses. Staff therefore consider that they would not appear

cramped within the street scene, and will allow for open views along London Road within each curved section.

#### Impact on Amenity

- 6.8 The banner signs are not illuminated. Signs would mainly be located (because of the positioning of the lamp-posts themselves) outside commercial development, however there would be a few located adjacent to residential properties along London Road.
- 6.9 Staff consider that the signs would not result in a loss of light, nor would they alter the outlook from properties, in all, it is considered that the signs would not result in any material harm to neighbouring occupiers' residential amenity.

#### Highway/Parking

- 6.10 The signs are located on the edge of the highway on the lamp posts, where they would be visible to passing vehicles and pedestrians. Policy DC65 states that permission for advertisements will not be granted where they unduly compromise public safety or pose a hazard to traffic. It is therefore considered that the adverts, which are non-illuminated, would not pose a hazard to passing traffic. The banners would also be independent from the pedestrian crossing lights which are located on their own posts or integral with the traffic lights. The banners would be set away from these lights, and therefore not unduly compromise public safety.
- 6.11 StreetCare advise that the proposal, by its very nature, offers potential for driver distraction. It is difficult to quantify at what point this could become a potential reason for refusal however because there is little research in the UK and few technical studies available. Inevitably there is a judgement to be struck. Members should be aware that it is considered that drivers generally under-report distraction when involved in collisions and therefore the true position in reported casualty terms may also be under-reported.
- 6.12 At one end of the range, banners displayed within an environment which is mainly pedestrianised and/or involving slow vehicle speeds is clearly different from for example a dual carriageway situation with higher vehicle speeds and greater risk of accidents occurring as a consequence of driver distraction.
- 6.13 In this case the banners are proposed on a road where a 30 mile an hour speed limit applies and there is a high proportion of commercial properties with a high degree of existing signage. Having regard to vehicle speeds locally and the existing character of the street, Staff do not consider distraction to drivers would be such a significant risk as to justify refusal. However it is acknowledged that Members may wish take a view on the impact of several banners in succession and the potential for distraction, compared to a single stand-alone installation.

- 6.14 StreetCare are concerned about the potential for driver distraction and the consequence on highway safety, however, Staff consider overall that there is insufficient material evidence to substantiate a refusal based on highway safety grounds but recognise that this is an issue on which members may wish to exercise judgement.
- 6.15 While the advertisements will need to be erected, maintained and changed periodically, there are parking restrictions in place with parking only in available locations (on-street with limited stop time), generally outside the commercial properties. It is not considered that there are parking implications arising.

#### Other issues

- 6.16 Matters relating to wind loading/ structural safety of the Lamp-posts themselves are controllable through powers separately available to the Council. Staff's recommendation includes an informative to draw this to the applicant's attention.

#### Conclusions

- 6.17 It is considered that the proposed banner signs are of an appropriate scale and form in relation to the surrounding context and the wider street scene. They would enhance the commercial nature of this part of London Road and would be an indicator to drivers and pedestrians that they are approaching Romford Town Centre. Additionally, the signs are not considered to unduly compromise public safety or pose a hazard to traffic, as they are situated considerable distances apart. Members are however, invited to apply their judgement to this aspect of the scheme.

## IMPLICATIONS AND RISKS

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

None

#### **Legal implications and risks:**

This application is considered on its own merits and highway issues are relevant to the consideration of the application

#### **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**

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

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

15 March 2012

**Subject Heading:**

**P1865.11 – Former Ricon Site, Ashton Road, Romford**

**Outline permission for principle of development of the site for employment generating uses within Use Classes B1(c), B2 and B8.**

**(Application received 15 December 2011)**

**Report Author and contact details:**

**Helen Oakerbee, 01708 432800  
helen.oakerbee@havering.gov.uk**

**Policy context:**

**Local Development Framework**

**Financial summary:**

**None**

**SUMMARY**

The application seeks approval for a range of uses capable of being accommodated at the site to include a number of different configurations of warehousing, distribution and industrial uses. The application is in outline form, within a proposed “parameters plan” with all matters reserved. A maximum total floor area of 4,405 sqm (GIA) is proposed.

The application contains three separate development options capable of being developed within the parameters plan. In the event that approval is granted,

development will be required to proceed in accordance with one of the development options.

The application is put before Committee owing to the proposal being classified as a major application. The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity at the interface with industry, 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) *Reserved matters*: The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved by the Local Planning Authority, showing the access, layout, design and appearance of the buildings and landscaping, including all matters defined as "landscaping" in the Town and Country Planning (Development Management Procedure) (England) Order 2010 (herein after called "the reserved matters").

Reason:

The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

2) All reserved matters details for the for the new buildings hereby approved shall conform to the layout principles illustrated on the Development Parameters Plan (30121-PL-101C), and

- Option 1 (30121/PL/102 C) or,
- Option 2 (30121/PL/103 C) or,
- Option 3 (30121/PL/104 C).

Reason:

The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

3) The total new floorspace constructed pursuant to this planning permission shall not exceed 4,405 sqm (GIA) and no internal works to increase this floor area shall take place.

Reason:

To ensure that the development complies with the maximum floorspace provisions contained within the parameters plan hereby approved.

4) Time limit for reserved matters: Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004)

5) Time limit for commencement of works: The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

6) Phased Development. Prior to the approval of any reserved matters as required by Condition 1 a plan showing the phasing of the development shall be submitted to, and approved by the Local Planning Authority. The development shall be carried out in accordance with the Phasing Plan. In the event that any Option is developed in phases, prior to occupation of the site, a plan must be submitted to and approved in writing by the Local Planning Authority, detailing how the vacant portion of the site will be maintained.

Reason: To maintain an appropriate appearance, and level of amenity of vacant land within the Strategic Industrial Locations within the Borough and to accord Policy DC61 of the LDF Development Control Policies Development Plan Document.

7) Parking and highway provision: The reserved matters shall include full details of the proposed alterations to the Public Highway and the internal access, parking and turning arrangements.

Reason:

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

8) Noise Mitigation. Prior to the commencement of development details of a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions to be made for the control of noise emanating from the site. Such provisions shall be in the form of an appropriate acoustic barrier addressing the western boundary, located to the east of the proposed landscaped area. Such scheme as may be approved shall be implemented prior to first occupation and thereafter retained in accordance with approved details.

Reason:

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

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

**Reason:**

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

10) 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 Development Control Policies Development Plan Document Policy DC61.

11) Landscaping: No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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.

The plants comprising the landscaping shall be of a substantial size on planting (trees at least 3.0 metres high on planting) and all plants capable of forming large specimens when mature

Reason:

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

12) Boundary treatment: No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

Reason:

To protect the visual amenities of the development and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

13) Refuse/Waste: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these details shall include provision for underground containment of recyclable waste.

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 Development Control Policies Development Plan Document Policy DC61.

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

Reason:

In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding

area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

15) 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.

16) Construction Method Statement: 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 Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

Reason:

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

17) Car Parking: Before the development hereby permitted is commenced, details of the extent, construction and surface materials of the parking and other hard surface areas, including an area for the turning of vehicles and a scheme for the parking layout, shall be submitted to, and approved in writing by the Local Planning Authority. Such hard surface areas shall then be constructed in accordance with the approved details prior to the first occupation of any building(s).

Reason:

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

18) **Energy Statement:** No development shall be commenced until the developer has provided an Energy Assessment, which has been agreed with the planning authority showing how the development will meet the on-site renewable energy requirement of 20%. Thereafter the renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason:-

In the interests of energy efficiency and sustainability in accordance with Policy DC50 in the LDF Development Control Policies Development Plan Document and Policies 5.7 of the London Plan (2011).

19) **Sustainability Statement:** Prior to the commencement of the development a sustainability statement assessing the measures to be incorporated into the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the any building on the application site.

Reason:

In the interests of energy efficiency and sustainability in accordance with Policies DC49 and DC50 of the Council's LDF and Policies 5.3 of the London Plan (2011).

20) **External Lighting:** Prior to the commencement of the development hereby approved, details of all external lighting shall be submitted to and agreed in writing by the Local Planning Authority. No external lighting, other than that approved, shall be erected within the site. The approved lighting shall be installed in accordance with the agreed details prior to the first occupation of any building(s) to the satisfaction of the Local Planning Authority.

Reason: In the interests of amenity.

21) **Cycle storage:** Prior to completion of any phase 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-motorists, in the interests of sustainability.

22) **Secured 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, Policy CP17 of the LDF Core Strategy DPD and Policy DC63 of the LDF Development Control Policies DPD.

22) CCTV: Prior to the commencement of the development hereby approved a scheme showing the details of a CCTV system to be installed for the safety of users and the prevention of crime shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor. No part of the development shall be occupied or used before the scheme is implemented in accordance with the agreed details.

Reason:

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

23) Travel Plan: Prior to occupation of any phase of the development hereby permitted, a Travel Plan shall be submitted. The Travel Plan shall be monitored for a year from the date of occupation of each phase of the development and the results submitted in writing to the Local Planning Authority.

Reason:

In the interests of encouraging safe and sustainable modes of travel and to accord with Policy DC32 of the LDF Development Control Policies Development Plan Document.

## **INFORMATIVES**

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies CP3, DC9, 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. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Police Crime Prevention Design Advisor through Havering Development and Building Control or Romford Police. He is able to provide qualified designing against crime advice, taking account of local conditions and risks.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site is an irregular shaped parcel of land covering an area of 0.76 hectares known as the former Ricon site. The site was previously used for manufacturing purposes. This use has now ceased and the site is vacant and devoid of buildings or significant landscaping.
- 1.2 The site is located on the western side of Ashton Road close to the junction with Tangent Link. The site has a frontage to Ashton Road of 68 metres. It has an existing access point to Ashton Road on the north of the site.
- 1.3 To the south of the site is a major B&Q centre that fronts Colchester Road. This site has its service entrance close to the eastern corner of the subject site.
- 1.4 To the north of the site is the Trade City industrial park, which features large two storey industrial buildings (circa 8m-10m in height), setback approximately 2.0 metres from the common boundary. At the rear of Trade City is an area of tall established landscaping and acoustic fencing.
- 1.5 The site shares an interface with residential properties to the rear (west). To the north-west there is residential development in the form of terrace housing on Neave Crescent and Hatherleigh Way. These properties are separated from the subject site by car parking and a service road.
- 1.6 The majority of the rear of the subject site abuts an assisted living residential complex that fronts Neave Crescent. This shares a common boundary with the former Ricon site, with a 1.8m high fence which features intermittent landscaping.
- 1.7 The residential complex is a two storey building with habitable room windows facing the subject site at first and ground floor level, and open space separating the building and the fence line. The building was approved by the Council in 2005 as part of the comprehensive redevelopment of the Grange residential site. It is setback 3.4 metres from the boundary at its closest point.

- 1.8 The application site is designated as a "Strategic Industrial Location" and forms part of the Harold Hill Industrial estate.
- 1.9 The site has the benefit of a recent approval for outline permission for the development of the site for an automotive (sui generis) use to include sales, mechanical and servicing engineers. This has yet to be implemented.

## **2. Description of Proposal**

- 2.1 The Council is in receipt of an outline application for "the development of industrial and warehouse unit(s) within B1c, B2 and B8 use classes up to a maximum floor area of 4,405 sqm together with ancillary offices, service areas, car parking, gate house, service/ancillary structures and informal landscaping." The application comprises an outline parameters plan. In addition to the requisite supporting information, (Design and Access Statement, Traffic and Access Statement, Daylight Impact Assessment, and Environmental Noise Assessment) the application contained three separate masterplan options that could potentially be developed within the parameters plan. (these are discussed further below)
- 2.2 All matters are reserved. The application seeks to extend the range of uses capable of being accommodated at the site to include a number of different configurations of warehousing, distribution and industrial uses. The benefit to the applicant of this approach is that they are able to positively seek the redevelopment of the site with certainty in the knowledge that there is a degree of flexibility that can be afforded future tenants with regard to the optimum layout.
- 2.2 Members are effectively being asked to consider an application for a parameters plan allowing for development to occur within an established building envelope plan. Future development must comply with one of the three options considered as part of the application.
- 2.3 The site has an irregular frontage to Ashton Road and an angled rear boundary, adjacent the residential properties to the west. The parameters plan (Drawing Number 30121-PL-101C) proposes a rectangular building envelope of:
- Maximum Building width: 63m
  - Maximum Building length: 96m
  - Maximum Building height: 12m
  - Maximum Floor Area of 4,405 sqm (GIA)
- 2.4 The building envelope as proposed will result in a triangle of land at the western end that will not be developed by buildings. This area will be setback of a minimum of 5.0 metres, and maximum of 21.0 metres from the western perimeter (rear boundary). There will be a minimum front setback of

2.0 metres. A 5.0 metre wide landscaped buffer is proposed at the western perimeter (rear).

2.5 The proposal allows for redevelopment of the site for a number of different development options including:

- Option 1: A single building comprising 4,124sq.m floorspace. There would be 32 No. car parking spaces and 5 spaces for Heavy Goods Vehicles (HGVs); The building would be setback from the Ashton Road Frontage, with vehicle parking in the front setback area. This would comprise separate car and lorry parking and would entail the creation of separate ingress and egress points for each. Under this option there would be no access to the rear of the site for vehicles.
- Option 2 Three small scale units within a single building comprising a mix of medium and small scale employment units measuring 4,054 sq.m floorspace including ancillary office space. There would be 37 No. car parking spaces and 4 spaces for HGVs. This option entails the building be sited close towards the front of the site, and adjacent the southern boundary. Vehicular access and parking would be to the north, with some car parking to the rear.
- Option 3: A range of smaller employment units comprising 4,081sq.m floorspace divided between 10 units. These would be configured in two buildings, separated by a central access and parking area. There would be some parking at the rear of the site. There would be 50 No. car parking spaces and 12 loading bays for medium to HGVs.

2.6 The external appearance of the building is a reserved matter but is indicated to be a modern and mainly metal cladding. Note the difference between the maximum floor areas of each of three Options and the parameters plan (4,405 sqm) is to allow for any internal plant equipment that may be required.

2.7 Access is a reserved matter as each of the development options proposes individual access arrangements.

### **3. Relevant History**

3.1 P0266.07 - Outline application for redevelopment of site for automotive (Sui generis) to include sales, mechanical and servicing engineers. Approved on Appeal.

3.2 P0337.11 - Extension of time of planning permission P0266.07 – Outline application for development of site for automotive use (sui generis) to include sales, mechanical and servicing engineers – Approved.

3.3 P1169.11 - Outline Permission for principle of development of the site for employment generating uses within Use Class B1C,B2 and B8. Withdrawn by applicant.

4. Consultations/Representations

- The proposal has been advertised on site and in the local press as a major application. Neighbour notification letters have been sent to 44 nearby properties. No letters of representation have been received at the time of writing the report.

**5. Relevant Policies**

5.1 LDF Core Strategy Development Plan Document

- CP3 – Employment
- CP9 – Reducing the need to Travel
- CP10 – Sustainable Transport
- CP15 – Environmental Management
- CP16 – Biodiversity and Geodiversity
- CP17 - Design

5.2 LDF Development Control Policies Development Plan Document

- DC9 – Strategic Industrial Locations
- DC32 – The road network
- DC33 – Car parking
- DC34 – Walking
- DC35 – Cycling
- DC36 – Servicing
- DC49 – Sustainable Design and Construction
- DC50 – Renewable Energy
- DC51 – Water supply, drainage and quality
- DC52 – Air Quality
- DC53 – Contaminated Land
- DC55 – Noise
- DC61 – Urban design
- DC62 – Access
- DC63 – Delivering safer places
- DC72 – Planning Obligations

5.3 The London Plan (2011)

- 2.17 (Strategic Industrial Locations)
- 4.4 (Managing Industrial Land and Premises)
- 5.5 (Sustainable Design and Construction)
- 5.7 (Renewable Energy)
- 5.11 (Green Roofs and Development Site Environs)
- 5.13 (Sustainable Drainage)

- 5.21 (Contaminated Land)
- 6.3 (Assessing Effects of Development on Transport Capacity)
- 6.9 (Cycling)
- 6.10 (Walking)
- 6.13 (Parking)
- 7.3 (Designing out Crime)
- 7.4 (Local Character)
- 7.7 (Location and Design of Tall and Large Buildings)
- 7.14 (Improving Air Quality)

#### 5.4 Government Guidance

- Planning Policy Statement 1 – Delivering Sustainable Development
- 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 This application is put before Committee as the proposal is a major application.
- 6.2 The issues to be considered are the principle of development, the layout and form of development, impact on the character of the street scene, impact on amenity, development at the boundary of residential and industrial areas, and highway and car-parking issues.

#### **6.3 Principle of Development**

- 6.3.1 The ability to apply for outline planning permission with reserved matters, including a “parameters plan” and subsequent development options is established within the provisions of the Town and Country Planning Act, 1990.
- 6.3.2 Policy CP3 aims to maintain sufficient land within main employment areas, to be protected for business, industrial and some warehousing uses. This accords with the requirement of the London Plan that boroughs should promote and manage Strategic Employment Locations. The site falls within one of the Borough’s Strategic Industrial Locations (SILs) as identified in Policy DC9 of the Council’s LDF. Policy DC9 seeks to ensure that the Council will generally permit only business and industrial uses such as B1 (b+c), B2 and B8.
- 6.3.3 The policy guidance contained within Policy DC9 is further supported by the London Plan (2011), Policy 2.17 which states that boroughs should promote, manage and protect SILs. It goes further to state that all development proposals in SILs should be refused unless they a) fall within



the broad industrial type activities; b) they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework or borough development plan document; c) is for employment workspace to meet identified needs for small and medium sized enterprises (SMEs) or new emerging industrial sectors or d) the proposal is for small scale “walk to” services for industrial occupiers such as workplace crèches or cafes.

- 6.3.4 The proposal would be for a speculative development to provide for warehousing, distribution and industrial floorspace within Use Class B1(c), B2 and B8. The proposal is therefore consistent with the above mentioned policies in respect of its proposed use and function.
- 6.3.5 The application site is vacant with all buildings removed. According to recent Ministerial advice on “Planning for Growth” local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Appropriate weight should be given to the need to support economic recovery and applications that secure sustainable growth should be treated favourably (consistent with policy in PPS4).
- 6.3.6 The proposal is supported by relevant local and regional planning policies, and is consistent with development existing on adjacent sites. The principle of development is supported.

#### **6.4 Impact on Local Character and Street Scene**

- 6.4.1 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.
- 6.4.2 In terms of the options proposed each is considered to be an acceptable introduction into the streetscene in terms of scale and building bulk, given the nature of the industrial area and buildings located on each side. The maximum building height would be 12 metres, in all of the three options.
- 6.4.3 Option 1, proposes a single large unit extending across the width of the site. However this building would be setback approximately 30 metres allowing for vehicle parking in the front taking up the majority of the site area. The floor space for this building would be 4,124 sq.m with a width facing Ashton Road of 60m and depth of 65m. The maximum ridge height of Option 1 is 12m with a maximum eave height of 11.0m above FFL.
- 6.4.3 Although design and layout are reserved matters, it is considered that the set-back from the edge of the highway will result in the building not having a

significant presence when as seen from Ashton Road. The provision of car parking and loading bays for HGVs are not uncommon to the front of industrial units in the vicinity. At present there is no landscape treatment. Should permission be granted, details of hard and soft landscaping in the front setback area, and perimeter will be required to be agreed upon submission of a detailed planning application. This will be required to be considered in the context of appropriate access arrangements being agreed. (see para 6.6 below)

- 6.4.4 Option 2 presents three smaller units with a larger building, with a small setback to the Ashton Road road frontage, having a width of almost two thirds of the site. The main bulk of the building would be towards the southern elevations. The proposal will result in a building in close proximity to the nearby B&Q building. A building in the location proposed is appropriate in that it follows a similar alignment to that on the northern (Trade City) and southern (B&Q) sides and will be of similar height. Unlike Option 1, Option 2 provides for a landscaped area in the front setback area and a strip along the northern boundary. This is considered an important element in terms of integrating any new building into the existing built form environment of the surrounding Industrial Estate. The maximum ridge height of Option 2 is 12m with a maximum eave height of 11.0m above FFL.
- 6.4.5 As such, Option 2 is not considered to have any harmful impact on the character and appearance of the street scene.
- 6.4.6 Option 3 is proposed as ten smaller units, within two separate freestanding buildings. The front setbacks of these are similar to that proposed in Option 2, ie close to Ashton Road. The southern most building would be a narrow rectangular building close to the side boundary, with the northern building being slightly wider and staggered along the northern side to account for the orientation of the north side boundary. The maximum ridge height of Option 3 (Units 1 -4 and 7-9) is 12.0m with a maximum eave height of 9.0m above FFL. Units 5 and 6 (rear) would have maximum ridge height of 9.0m and eave height of 7.0m above FFL.
- 6.4.7 Option 3 also presents a degree of landscaping to the front with the access road and parking running down the centre of the site. As the proposal is for two separate buildings the overall bulk is less than that of Options 1 and 2 when viewed from Ashton Road. This is similar in design to that of the adjacent Trade City Development to the north and would present an acceptable appearance to the street scene.
- 6.4.8 Overall, the proposed building envelopes and locations for all 3 Options are considered acceptable in terms of their impact on the character and appearance of the street scene. The units would all be of a similar character and design as industrial units in the immediate vicinity. The maximum height of 12 metres is not considered excessive in this location, and is comparable to those buildings on adjacent sites. Final details on appearance in particular materials and finishes, will be agreed upon

submission of a detailed planning application for Reserved Matters in the event that outline permission is granted.

- 6.4.9 Given the scale of the site, and nature of the proposed development, there is the potential for the buildings on the site to be constructed in a phased manner. In the event that approval is granted, conditions are attached to ensure that relevant car parking and amenity standards are maintained, together with requirements for a suitable appearance of any part of the site that would remain undeveloped.
- 6.4.10 Signage will be required to be the subject of a separate planning application. The Council will be keen to ensure that there is not a proliferation of signs on the site, that are developed in an ad hoc manner, particularly as there is the opportunity for multiple occupiers under options 2 and 3. Future signage should be in a single Totem style panel sign (similar to that in place on the site to the north), close to the front of the sign.

## **6.5 Impact on Amenity**

- 6.5.1 The subject site is within an existing industrial area, where development such as that proposed is encouraged. The site shares two common boundaries with industrial uses. However, the site is also at the interface with existing residential development to the rear. As such, careful consideration needs to be given to the amenity impacts of new industrial development on dwellings that exist nearby. In determining the application a balance is required to be achieved between what can reasonably be expected to be developed on the subject site, and the quality of residential amenity for those that live near the boundary.
- 6.5.2 The nearest neighbouring properties are those to the north-west of the application site, along Hatherleigh Way, and those to the west in the assisted living development. The two most significant impacts from the proposal upon neighbouring residential properties are likely to be the access to daylight and views, together with noise and artificial light associated with the industrial buildings and activities on the subject site.
- 6.5.3 In support of their proposal the applicants have submitted a noise impact assessment and daylight impact assessment. During the course of the processing of the application the applicants have responded to concerns raised with regard to the potential impact of buildings on sites to the rear and submitted amended plans. These amendments have resulted in a lower overall building height and increased setbacks from the rear boundary for Options 2 and 3.

### *Daylight*

- 6.5.2 The impact of all three options on neighbouring amenity would have slightly different impacts upon the neighbouring residential properties, however, all options are considered acceptable. It is noted also that the maximum height

that would be allowed under the approved parameters plan would be 12 metres, which would be to the top of any roof pitch. It is likely that building of this scale proposed will have a hipped roof that will involve any side wall being to a height of less than 12 metres.

- 6.5.3 Of the terrace dwellings to the north west of the site fronting Hatherleigh Way the closest is number 6. The parameters plan sets a building footprint that would result in the industrial building being located a minimum of 25 metres from the dwelling in option 1, 34 metres in Option 2, and 28 metres in Option 3.
- 6.5.4 There is a service road, fence and established trees separating this dwelling from the subject site. The proposal will effectively present a similar scenario that which exists in relation to the Trade City development in terms of which built form and separation. The combination of the setbacks, service road, landscaping and restriction of a building height of 12 metres in all options, will result in an acceptable level of visual amenity being maintained for these properties and those further to the north in Hatherleigh Road.
- 6.5.5 The adjacent assisted living facility is located closer to the subject site than the terrace properties. This two storey building has a minimum rear setback of approximately 3.4 metres, which includes a landscaped area. A shade canopy is erected in part of this area. Daylight is provided to habitable room windows at both ground and floor facing the subject site, and in the two rear projections.
- 6.5.6 The applicant's daylight assessment indicated that there would be a potential impact in terms of unacceptable loss of daylight to a number of rear facing windows. (Note that this did not factor in the impact of the existing shade canopy on site, which currently reduces daylight to these windows). The impact of loss of daylight is based on an assessment based on the BRE Guide, which uses British Standards for the assessment of adequate daylight and access to visible vertical skyline. The applicant's report indicated that a greater separation distance and lower building height between the existing residential building and the proposed building would assist in achieving an acceptable level of daylight to windows and rear open space on the residential site.
- 6.5.7 Following discussions with the applicant revised proposals were submitted. Of significance is a new building envelope with lower height and the rear setbacks that will allow for greater light access and visible vertical skyline between the new building(s) and properties to the rear. Additional layouts for options 2 and 3 were submitted, together with an amended "parameters plan" indicating a reduction in maximum building height from 15 metres to 12 metres.
- 6.5.8 Revised Option 2 involved removal of the proposed rear building, and the creation of a central corridor for vehicle movement and parking

- 6.5.9 Revised Option 3 locates the building to the south, with access and parking to the north.
- 6.5.10 These amendments result in all three proposed options being considered to have an acceptable level of visual bulk for properties in a location immediately adjacent an industrial area. With a detailed final design (ensuring that materials are not highly reflective) and appropriate landscaping, any potential visual impact can be limited.
- 6.5.11 There is the potential for there to be artificial light spill into the rear elevations of residential properties. Conditions are recommended requiring prior approval for rear lighting that would minimise the impact of light from the site.

### *Visual Outlook*

- 6.5.12 It is recognised that whilst the site is now vacant there was a previous building on the site. Photographic records show that the previous building was industrial in nature, that occupied the majority of the site, with a small setback from the rear boundary. The site is flanked by industrial buildings. The residential premises in Neave Crescent and Haverleigh Road, are on the boundary of a designated Strategic Industrial area where by it can reasonably be expected that there will be a different outlook to that which can be expected in a wholly residential area.
- 6.5.13 In terms of visual amenity when viewed from the rear of the site each option will provide a different appearance. All options are considered appropriate, in the context of proposed treatments to the rear and setbacks.
- 6.5.14 Option 1 will present a single wall across the majority of the rear of the site. Whilst this will be visible to residents of Neave Crescent, the presence of a 5.0 wide landscaped area, that will be required to provide substantial mature trees on commencement of development, and setback of the new building is considered acceptable. The rear facing wall of the new building will be required to be finished in muted colours, which will provide a backdrop to the landscaping. The setbacks will allow for direct views of the vertical sky to be available.
- 6.5.15 Option 2 will be similar in outlook to Option 1, however the building would only be for a width of approximately two-thirds of the width of the site, allowing for long range views from the upper windows of the northern component of the assisted living building at the rear.
- 6.5.16 Option 3 provides for two buildings located along a central corridor. As such long range views from the upper windows from the centre of the building at the rear.
- 6.5.17 Noise. The nature of the proposed development is such that the operations on the site can be undertaken on a 24 hours per day basis. This is

considered acceptable within a Strategic Industrial Location. Notwithstanding this, consideration is still required to be given to the existing conditions whereby the site abuts established residential premises.

- 6.5.18 To assist in consideration of issues relating potential noise and disturbance as a result of the proposal, the applicants have submitted a Noise Impact Assessment based on an assessment of all three original development options. The report consider all three options to be appropriate in terms of general noise levels likely to be generated as a result of activities on the site. However this was premised on original design options that maintained a solid building wall at the rear of the site, which could be used to reduce direct noise emanating from the site.
- 6.5.19 Revised Options 2 and 3 result in design outcomes which do not have a solid building line along the rear perimeter. Planning Policy Guidance (PPG24) sets out a number of means of mitigation including:
- 6.5.20 "...reduction of noise at point of generation: containment of noise generated: adequate distance between source and noise-sensitive building or area: screening by ....other buildings". It is noted that the development of the adjacent Trade City site required the applicant's to construct a 4.5 metre high noise barrier at the rear of the site, which reduces the noise impact to the residential properties behind.
- 6.5.21 As such the amended options 2 and 3 allow for future noise sources to have direct line to the rear residential properties. Without a rear barrier the noise assessment criteria for day and night would not be likely to be met.
- 6.5.22 Mitigation for this issue will require further consideration of treatment of the western most component of the site to allow for an appropriate noise barrier to be constructed, to the east of the proposed perimeter landscaping. A condition is attached requiring this.
- 6.5.23 Staff are of the opinion that with appropriate conditions the proposals can be acceptable on noise amenity grounds to allow industrial use to function on the site without significantly impacting upon residential amenity for neighbours.

## **6.6 Highways / Parking Issues**

- 6.6.1 The three different options propose different parking and access arrangements for each.
- 6.6.2 In respect of parking, Annex 5 of the Council's LDF requires the provision of 1 parking space per 100sq.m. of floorspace for B1, B2 and B8 uses.
- 6.6.3 Option 1 would involve the largest building, comprising approximately 4,124sq.m of floorspace for industrial / warehousing and ancillary offices (B1, B2 and B8). The proposal would provide 32 car parking spaces. There

would also be 5 No. spaces / loading bays for HGVs. This option would also retain 2 accesses to the site. Based on 4,190sq.m, the development would require the provision of 41 car parking spaces. Annex 5 further requires 1 lorry space per 200sq.m of floorspace for B8 uses or a minimum of 1 lorry space, plus 1 space per every 500sq.m. This would require the development to provide approximately 8 – 9 lorry spaces.

- 6.6.4 Option 2 would comprise of 4,054sq.m floorspace. Car parking spaces for 49 vehicles would be provided and 4 HGV spaces with 3 spaces for smaller goods vehicles. Based on the requirements of Annex 5, a building of this size would require 40 car parking spaces and 8 – 9 lorry parking spaces. Option 2 would provide in excess of the required car parking.
- 6.6.5 Option 3 would is for units measuring approximately 4081sq.m in total with 37 car parking spaces and provision for 4 HGVs and 8 smaller goods vehicles. Annex 5 would require the provision of 40 car parking spaces and 8 – 9 spaces for lorries. Option 3 would therefore also fall short of the required number of spaces.
- 6.6.6 Whilst the level of car parking is below the required number of spaces as specified in Annex 5, in Option 1 and 3, Staff consider that this level of provision sufficient in this instance, as each contains a substantial amount of car spaces and that a vehicle management plan is required prior to the commencement of the preferred Option. It is not considered that the proposal would result in an overspill of parking onto the adjoining roads and no objections are raised by the Council's Highways Authority.
- 6.6.7 Staff do not have concerns in respect of the levels of lorry parking provision. Whilst the options show less than 9 spaces, there is the potential to have internal parking and loading bays due to the size of the proposed buildings. The scale and nature of the operations in each option is also likely to affect the number of large vehicles that use the site. No objections are raised by the Council's Highways Authority. A condition is recommended requiring the applicants to submit a vehicle management strategy, should Members be minded to grant permission.
- 6.6.8 Access is a reserved matter. The applicants will be required to receive Council approval for the proposed access to Ashton Away. At present there are concerns with regard to the proposed access for lorries in Option 1, given it proximity to the round-a-bout and the existing B&Q access point. An amended access point will be required to be provided at a point further to the north.
- 6.6.9 Overall, the proposal is considered acceptable in respect of parking provision and would not compromise highway or pedestrian safety.

## 7. Conclusion

- 7.1 The application is speculative for the principle of the development of the site for employment generating uses within Use Classes B1(c), B2 and B8. The development is presented within a "Parameter Plan", providing three different options of development.
- 30121-PL-101C – Development Parameters Plan Maximum GIA 4,405 sqm
  - 30121/PL/102 B – 4,124m<sup>2</sup> / Option 1
  - 30121/PL/103 B – 4,054m<sup>2</sup> / Option 2
  - 30121/PL/104 B – 4,081m<sup>2</sup> / Option 3
- 7.2 Recent Ministerial advice recommends that Local Authorities should give substantial weight to applications which will contribute to economic growth and encourage sustainable development. The development would therefore be acceptable in principle as the proposal for B1, B2 and B8 purposes is in accordance with the aims and provisions of Policy DC9 of the LDF and Policy 2.17 of the London Plan (2011). Although speculative at this stage, the development would potentially provide employment to the local area. The proposal is therefore considered to be acceptable in principle.
- 7.2.1 The site subject site sits within an existing industrial area, where development such as that proposed can be reasonable expected o occur. However as the site is adjoins the boundary of and existing residential development to the rear any assessment must be cognisant of the potential impact upon amenity.
- 7.3 Although the application is in outline form Staff consider, that the proposal would be acceptable in other respects subject to relevant planning conditions to control reserved matters relating to the layout, detailed design, access and landscaping of the site, as well as conditions to protect residential amenity, sustainability objectives and the manner in which the development is carried out.
- 7.4 Overall, it is considered that the proposed scale of development would be compatible with the existing street scene and neighbouring properties. It is considered that the proposed building envelope within the presented parameters plan provides for an acceptable degree of spacing between buildings.
- 7.5 Buildings constructed within the agreed building envelopes would be compatible in scale to those to the north and south and would not appear as unacceptably dominant or visually intrusive when viewed from Ashton Road.
- 7.6 It is considered that the proposal would not have any detrimental impact on neighbouring residential properties to an extent which would justify refusal of this application. There are no highways or parking issues in respect of the application.



- 7.7 The proposal is considered to be acceptable and compliant with the relevant LDF Policies. The proposal is therefore recommended for approval, subject to conditions.

## **IMPLICATIONS AND RISKS**

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

None.

### **Legal implications and risks:**

None.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

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

## **BACKGROUND PAPERS**

Application forms and plans received on 15 December 2011. Amended plans received on 21 February 2011.

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# Agenda Item 13

## Regulatory Services Committee

15 March 2012

Item 13

### OUTSIDE STATUTORY PERIOD

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-8	P1687.11	Cranham	Laburnham Stables, Laburnham Gardens, Cranham

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**REGULATORY SERVICES COMMITTEE**

**15th March 2012**

**OUTSIDE STATUTORY PERIOD**

<b>APPLICATION NO:</b>	<b>P1687.11</b>	
<b>WARD :</b>	Cranham	<b>Date Received:</b> 8th November 2011
<b>ADDRESS:</b>	Laburnham Stables Laburnham Gardens, Cranham	
<b>PROPOSAL:</b>	Retention of 2no. mobile homes currently on site. Adjacent existing mobile home with permanent consent	
<b>DRAWING NO(S):</b>	2011/11/03; -11/04	
<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 located at the eastern end of Laburnham Stables. The site is 15m wide and 37m long and comprises two mobile homes (one with external decking/stairs and an area of hardsurfacing to the front), two caravans and a timber shed. These are all provided on hardstanding along the western boundary. The owner of the site also owns another mobile home and a stable block located north of the application site together with a substantial area of open fields. The site is in the Metropolitan Green Belt, within a Site of Borough Importance for Nature Conservation and part of the Thames Chase Community Forest.

To the West/North-West of the site is mainly residential development including Laburnham Gardens of single and two-storey, mainly detached or semi-detached properties. The site is located in otherwise open countryside.

### **DESCRIPTION OF PROPOSAL**

The proposal follows two temporary approvals for the application site to retain the use of the land as a caravan site for a Gypsy family and for the retention of two of the three existing mobile homes. (The other, occupied by the applicant and his wife, is the subject of a permanent, personal planning permission). The current application is for the permanent retention of the two mobile homes with decking/external stairs and a hardstanding amenity area.

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

- the applicant is a Gypsy. He travels to horse fairs and trade shows in connecting with the horse stabling business at Laburnham Stables/The Moorhens
- One person in each of the proposed mobile homes is a child of the applicant and they are eligible to become a member of the Romany Guild
- the sons are full time workers in the running of Laburnham and The Moorhens which stable upto 40 horses. One son is a Farrier and the other manages the stables on a day-to-day basis, particularly in Mr Tibbs Snr's absence.
- The grand-children of the applicants attend school locally and therefore require a settled lifestyle so their education does not suffer
- There is a lack of any official gypsy/travellers sites within the Borough
- it is understood that further legislation by central government is expected in early 2012 and that a relaxation of "green belt" rules and policies in certain well defined cases will apply to the specific needs of gypsies and travellers
- there is now a policy in place which previously prevented the Council from granting permanent

## **REGULATORY SERVICES COMMITTEE**

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### **OUTSIDE STATUTORY PERIOD**

consent

- if a temporary consent is granted it would reduce the peace of mind and security of the occupiers and result in additional costs and work involved in applying for consent again and again
- temporary consents are not recommended to be granted again and again
- a precedence exists for permanent consent in similar circumstances, for example at Poultry Farm in Tomkyns Lane
- the mobile homes have been at the application site for the last 6 years with no complaints from neighbours
- the mobile homes are well screened from the adjoining residential area

#### **RELEVANT HISTORY**

ES/HOR/318/56 residential refused

L/HAV/1575/78 outline for 3 detached chalet bungalows refused

209/81 Ten detached houses outline refused

P2301.88 Residential development comprising 2 storey houses and elderly persons units refused

P0344.90 Replacement stables/tack room and store

P1301.95 Stockmans bungalow refused

P1117.96 one mobile home, 1 touring caravan, hardstanding and fence refused; subsequent appeal dismissed 19th March 1997

ENF AP1973 - Appeal against Enforcement Notice to remove caravan, mobile home and hardstanding - granted temporary consent on 16th November 1998 for 3 years

P1733.01 relaxation of condition (3 year ltd period) of previously allowed appeal to permanent siting of mobile home and hardstanding for touring caravan - approved subject to personal and relative-limited conditions

P0593.03 stationing of two mobile homes - refused; subsequent appeal granted 26/2/04 for 3 years until 26/2/07

The applicants ownership extends northwards and includes both Laburnham Stables and The Moorhens (also a horse-stabling facility) such that recent planning history at The Moorhens is also included here:

#### **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 8 adjoining and nearby properties. There have been no replies.

Councillor Georgina Galpin has written to object to the proposal on the grounds that the site is within the green belt and that it should be protected by green belt policy. The green belt comes under threat if additional mobile homes are allowed on a permanent basis. A temporary grant of permission with the same conditions as the previous approval would be acceptable in order to provide some protection to the green belt.

#### **RELEVANT POLICIES**

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

Policy 7.16 of the London Plan (2011) and the provisions of PPG2 (Green Belt) are also material considerations.

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**OUTSIDE STATUTORY PERIOD**

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

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 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.

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.

The draft PPS which would replace Circular 1/06 on Planning for Traveller Sites (consulted on between 13/4/11 and 3/8/11) is imminently due to be published. It covers (prior to the NPPF being finalised when the policies will be fed into that document) gypsies, travellers and travelling showpeople. It indicates at para 2.5 that 'Gypsies and Travellers are recognised as having a protected characteristic under the Equality Act 2010. Case law has also established that the

## **REGULATORY SERVICES COMMITTEE**

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Government has a duty to 'facilitate the gypsy way of life' for ethnic Gypsies and Travellers under the Human Rights Act.'

The draft PPS indicates at Policy E: traveller sites in green belt

"There is a general presumption against inappropriate development within Green Belts. Traveller sites in the Green Belt are inappropriate development, within the meaning of Planning Policy Guidance 2: Green Belts."

also, that when finalised, transitional arrangements will be in place as follows -

"This planning policy statement comes into effect immediately. From [the date six months after date policy comes into effect], if a local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, it should consider favourably applications for the grant of a temporary planning permission."

The Council's draft DPD on Gypsies and Travellers was considered at the Council's Cabinet meeting on 18th January 2012. The DPD indicates that sites with temporary planning permission, such as the application site, should be made permanent to meet the demand for gypsy/traveller sites in the Borough. The Gypsy and Traveller Sites DPD should be going out for consultation in mid-late March for 7 weeks (to allow for Easter). Depending on the responses a formal submission is expected in Summer 2012. It is currently expected that the Planning Inspectorate would look to hold the Examination in Public in Autumn with the DPD adoption around the end of 2012/early 2013. Following adoption, any pitches/sites coming forward not within the identified pitches would need to meet the criteria. Since the criteria is subject to change though the consultation and examination stages, they are not of themselves a material consideration at this time. It is expected that adoption would be about a year away.

#### **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, parking and highway issues.

#### **BACKGROUND**

In 2004 and again in 2008, temporary three-year planning permissions were granted (the first on appeal) for the continued residential occupation of the site. In granting permission, the Inspector at the appeal concluded:

'Since permission was granted for the Tibbs's own mobile home, three grandchildren have been born, increasing the number of residents living at the appeal site to eleven. As a result, the accommodation on the appeal site has undoubtedly become severely overcrowded. This is an unsatisfactory situation, which would well deteriorate if the appellant's family continues to grow. In my view, it is not in the public interest that people should live in such conditions.

I have considered whether the problem would be resolved by the appellant's adult children and their families finding accommodation elsewhere. I accept that this may be difficult, particularly since it would be unreasonable to expect members of a gypsy family to live in a house, The Council are unable to point to any specific location that would be suitable for a new gypsy site. Nor does their interim planning guidance seem to have led to the establishment of any new authorised gypsy facilities. The latest evidence available to me is that, at the beginning of 2003, there are 34 gypsy caravans in Havering of which only 11 were on authorised site. The Council are about to make a fresh assessment of the need for gypsy accommodation, but there is no



**REGULATORY SERVICES COMMITTEE**

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certainty that this will ease the present problem.

I accept that the ties between members of an extended family are particularly important part of gypsy culture. As the appellant's son Edward works with this father in the horse dealing business, he would require accommodation within a reasonable distance of the site.

The evidence is that the capital cost of acquiring an authorised gypsy caravan site can exceed £65,000; and that, even if a suitable site could be found in this area, such a sum would be beyond the means of the appellant's adult children. The alternative would be for them to make use of unauthorised sites.

I note that the number of gypsy caravans on unauthorised sites nationally is growing and now exceeds 3,000. The sites are often in dangerous locations, and may well lack a water supply, proper sanitation and waste disposal facilities. The occupants of such sites are frequently forced to move from one place to another. This adversely affects the education of gypsy children; it deprives families of regular health care; and it reduces the employment prospects of adults. A proliferation of travellers living on unauthorised sites serves neither the interests of the gypsies themselves, nor those of the wider community.

In my view, the acute overcrowding of the appellant's existing accommodation and the lack of an obvious alternative solution amount to a very special circumstance that tells in favour of permitting the proposed development. In reaching this conclusion, I have had regard to the fact that the appeal site is already a lawful and permanent gypsy site; and to the fact that the proposed mobile homes would be relatively secluded, and would not be conspicuous in the view from any public vantage point. I have also had regard to the generally tidy condition in which the appeal site has been maintained.

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 [on the Tibbs own mobile home] 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."

Staff recognise that that this is the 3rd time the applicant has applied for permission for the two mobile homes sited at the application site.

**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 considered appropriate in the green belt and the proposal would therefore result in development which by reason of its inappropriateness results in principle harm to the Green Belt concept, aims and objectives. Very special circumstances are therefore required. Such circumstances will only exist where the inappropriateness, together with any other harm (such as visual impact), are clearly outweighed by other considerations.

The draft NPPF refers to PPG2 indicating that the stationing of gypsy caravans in the green belt

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is inappropriate development and that, in line with PPG2, a very special circumstances case must be made which outweighs the harm identified.

Prior to appraising the very special circumstances case therefore, an examination of the proposal's impact upon the character, appearance and openness of the Green Belt is needed, together with 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 2 mobile homes would be sited on open grassland at the edge of the built-up area of Uppminster and that they would detract from the open character of the green belt and contribute to the outward spread of the urban area. Little has changed visually on the site since 2004 and it is considered that the level of harm arising remains the same as that previously identified.

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

There are no other impacts arising to the streetscene or amenity over and above those already identified.

**IMPACT ON AMENITY**

There are no other impacts arising to the streetscene or amenity over and above those already identified.

**HIGHWAY/PARKING**

It is not considered that the proposal gives rise to any material parking or highway issues.

**OTHER ISSUES**

The Case for Very Special Circumstances:

Save that everyone involved has aged by 7/8 years, there is no identifiable change in the very special circumstances identified by the Planning Inspector in 2004.

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 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, while just about to be issued for consultation purposes, is not likely to be finally adopted for about a year. It may also have changes at least to a degree from that approved for consultation purposes such that while it indicates that Laburnham Stables is within the list of sites to be kept, this may change and the draft DPD is not sufficiently advanced at this stage to consider a permanent approval. The draft DPD does indicate that in a year or so, the site may be a permanent site and it is appropriate therefore that a temporary grant of permission is given pending the adoption of the DPD.

## REGULATORY SERVICES COMMITTEE

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### OUTSIDE STATUTORY PERIOD

At the time the draft NPPF was issued for consultation there was also a consultation draft of the Gypsy and Traveller PPS issued by Central Government. Whilst both have been consulted on at this stage they have not progressed to adoption. A temporary period would enable this new Framework and/or PPS to be adopted such that their provisions can be taken into account at the end of that period.

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 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, the DPD is currently at a relatively early stage and it is considered that a temporary permission only would be appropriate pending the future adoption of the Gypsy and Traveller DPD.

#### **RECOMMENDATION**

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

**1. M SC16 (Temporary permission) INSERT DATE**

This permission shall be for a limited period only expiring on 16th March 2014 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.

Reason: To enable the proposal to be considered in the light of identification of sites in the forthcoming Gypsy and Traveller Caravan Sites Development Plan Document and in accordance with Policies CP2 and DC8 of the LDF Core Strategy and Development Control Policies Development Plan Documents.

**2. M SC21 (Personal permission)**

The permission hereby granted shall be personal to Mrs C Tibbs and Mr Edward Tibbs and his wife, Laura and their children Edward, Lauren and Charles and Mrs Christina Imray (nee Tibbs) and her husband, Daniel and their children Daniel and James and any child born to these parents within the two year temporary period identified in Condition 1 above and shall not enure for the benefit of the land or any other person.

Reason: To ensure that should the site no longer be used that it would not automatically become available for any other form of residential development in the Metropolitan Green Belt in accordance with Policy DC45 of the Local Development Framework Development Control Policies Development Plan Document.

**3. S SC32 (Accordance with plans)**

**4. Non standard condition**

Each of the mobile homes referred to in this permission shall be removed from the site

**REGULATORY SERVICES COMMITTEE**

**15th March 2012**

**OUTSIDE STATUTORY PERIOD**

if they cease to be occupied by Mr Edward Tibbs, his wife, Laura and children Edward, Lauren and Charles and/or Mrs Christina Imray (nee Tibbs), her husband Daniel and children Daniel and James and any other child born to these parents, or at the end of 2 years from the date of this decision (whichever occurs first).

Reason: In the interests of the amenity of adjoining residential occupiers and the openness of the Metropolitan Green Belt in accordance with Policies DC61 and DC45 of the Local Development Framework Development Control Policies Development Plan Document.

**5. Non standard condition**

Unless the local planning authority agree otherwise in writing, the mobile homes referred to in this permission shall be sited as shown in the application plan and shall not exceed 6m wide and 14.5m long.

Reason: To protect the open character of the Metropolitan Green Belt in accordance with Policy DC45 of the Local Development Framework Development Control Policies Development Plan Document.

**1 INFORMATIVE:**

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP2, DC8, DC45 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Documents and PPG2: Green Belts in that very special circumstances to justify development have been provided.

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# REGULATORY SERVICES COMMITTEE

# REPORT

15 March 2012

**Subject Heading:**

Planning Contravention  
2 Pettley Gardens  
Romford

**Report Author and contact details:**

Simon Thelwell  
Planning Control Manager (Projects  
and Compliance)  
01708 432685  
simon.thelwell@havering.gov.uk  
Local Development Framework

**Policy context:**

**Financial summary:**

Enforcement action and a defence of  
the Council's case in any appeal will  
have financial implications.

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

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

## SUMMARY

2 Pettley Gardens Romford is a mid-terrace house in a road of mainly similar properties. In December 2010 a complaint was received stating that a canopy had been constructed on the boundary and 'in filled' to join a ground floor rear extension and the garage at the end of the garden. A site visit confirmed that a canopy had been constructed connecting the rear extension and rear garage building. The property owner has been contacted and offered the opportunity to submit a retrospective planning application. No application has been received and

the canopy remains in place. The canopy adversely impacts upon the amenity of the adjoining occupier and leaves extremely little amenity space for the occupiers of the dwelling in question. As it has not been possible to overcome the harm caused by negotiation and it is therefore recommended that enforcement action be taken.

## RECOMMENDATIONS

That the committee consider it expedient that an Enforcement Notice be issued and served to require, by 3 months:

- (i) Remove the unauthorised canopy connecting the garage to the rear authorised ground floor extension
- (ii) Remove all rubble and building materials resulting in compliance with (i) above

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

## REPORT DETAIL

### 1. **Site Description**

Two storey mid-terrace dwelling near to the corner of Pettley Gardens and Yew Tree Gardens. This property has a fairly shallow rear garden which has a single storey rear extension and a block of 2 garages at the end. The space in between has been partially covered with the unauthorised canopy running along the shared boundary with 4 Pettley Gardens. It is estimated that over 50% of the available open amenity area is now covered by the canopy in question.

### 2. **The Alleged Planning Contravention**

Without planning permission the erection of a canopy to join an existing ground floor extension and the garages at the end of the garden. Given that this is joined to the authorised extension it cannot be regarded as 'permitted development'.

### 3. **Relevant Planning History**

P0904.97 – 2 storey side extension and pitched roof to side extension; conversion to two dwellings – Approved

4. **Enforcement background**

During February 2011 a site visit was carried out but it was not possible to gain access to the property, however, it was possible to view the unauthorised canopy from Yew Tree Gardens. In March 2011 the property owner was informed by letter that he should either submit a retrospective planning application or carry out remedial works so that the new canopy may be regarded as 'permitted development'. In May 2011 the owner was informed by telephone that the structure requires planning permission. In August 2011 the owner was informed by letter that unless there was prompt progress to overcome this breach of planning control then formal enforcement action would commence. To date no progress has been made given that the property owner appears to be ignoring any attempts to deal with this issue. On 21 February 2012 a final site visit was undertaken to clarify the situation and the canopy remains in place.

5. **Material Considerations of the Use or Development**

The unauthorised canopy gives rise to overdevelopment of this property with a considerable detrimental impact of the already limited amount of amenity space in the rear garden. The extension has created a solid wall in excess of 2 metres in height running along the neighbouring garden, having a detrimental visual impact and loss of outlook for adjoining occupiers.

Given the loss of amenity to both the property occupier and the neighbour this development is contrary to policy DC61 of the LDF.

6. **Justification for Intended Action**

Given that this canopy does not benefit from planning permission and gives rise to a detrimental loss of amenity for both the property occupier and the adjoining neighbour it is deemed expedient that an Enforcement Notice be served.

The unauthorised development was commenced less than 4 years ago and cannot be regarded as permitted development given that it is physically attached to the authorised ground floor extension and also joined to the garages at the end of the garden. It is most unlikely that planning permission would be granted as this canopy gives rise to excessive development of the rear garden and planning conditions could not overcome the problems relating to the loss of residential amenity.

It is therefore recommended that an enforcement notice be served.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

Enforcement action may have financial implications for the Council.

**Legal implications and risks:**

Enforcement action, defence of any appeal and, if required, prosecution procedures will have resource implications for the Legal Services.

**Human Resources implications and risks:**

No implications identified.

**Equalities implications and risks:**

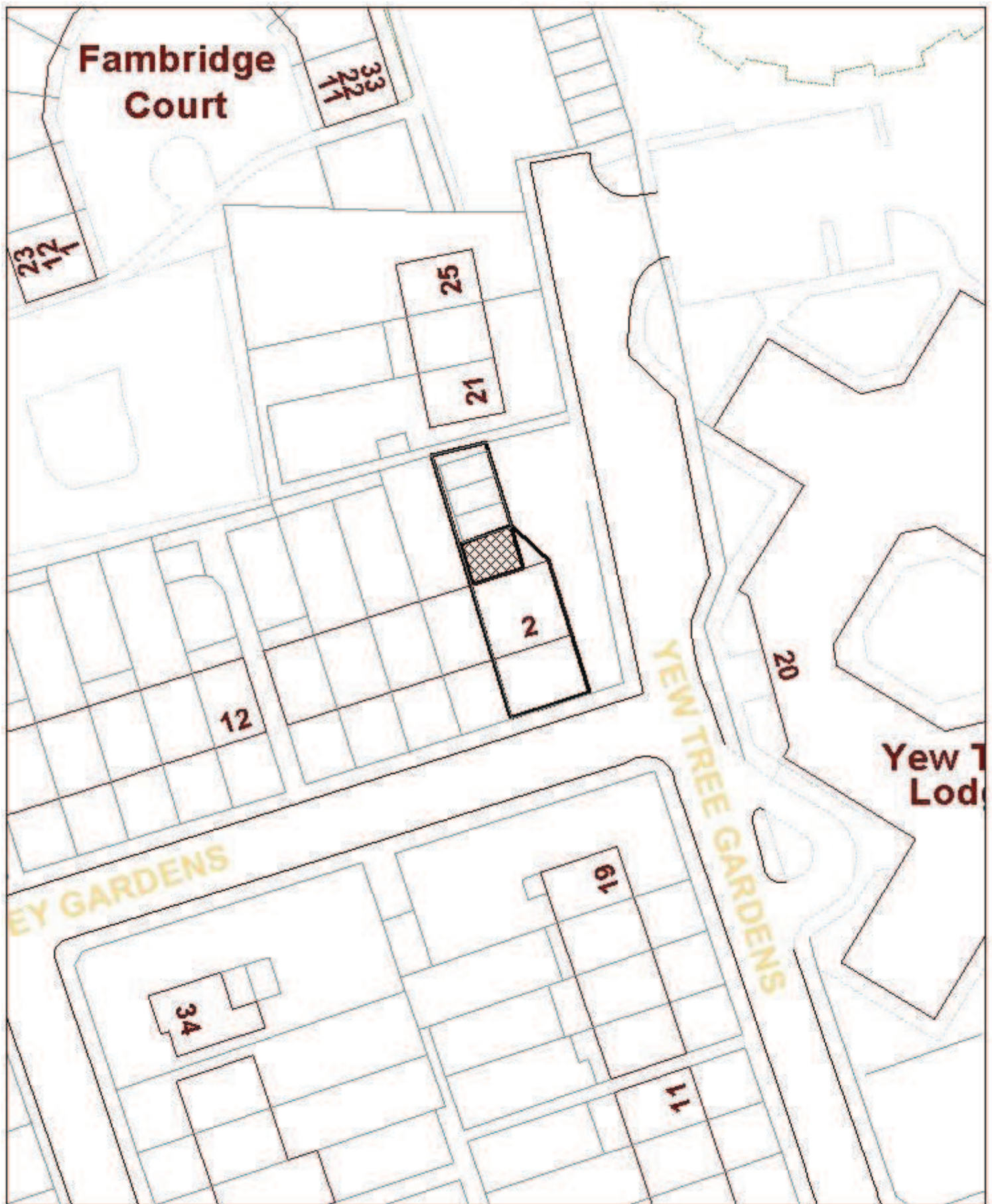
No implications identified.

**BACKGROUND PAPERS**

*There is a **statutory** obligation to list papers relied on in the preparation of the report, unless:*

- 1 It is an exempt report*
- 2 Papers relied upon are already in the public domain as “published papers”. This can include: books, magazines and newspapers; Government publications; Council publications (including previous reports and minutes of meetings)*





2 Pettley Gardens, Romford

Map Reference: TQ5088NE



Scale @ A4 1:500  
Date: 06/03/2012



London Borough of Havering  
Town Hall, Main Road  
Romford, RM1 3BD  
Tel: 01708 434343

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**APPLICATION EXAMINATION SHEET**

Application No. P0904.97

Assistant PLT

Date of Site Visit 20 AUG 1997

**Information from Site Visit**

**Existing Use:**

End terrace house with two storey flat roofed side extension

**Existing Access/Parking**

Garages to rear of site which is completely hard surfaced.

**Trees**

N/A

**Finishing Materials**

Brick & render

**Boundaries**

Fences to rear garden boundaries

**Ground levels**

Flat

**Surroundings**

Residential

**Accuracy of Plans**

✓

**Relevant Policies**

ENV1, HSG 1

**Relevant history**

None relevant

**Sketch Plan**

NB The proposal has now been revised to incorporate amenity space for the new dwelling in the region of 65 sqm. The existing dwelling still retains space of some in the region of 90 sqm. This still exceeds the garden sizes of the adjoining dwellings which are 75 sqm. Garden sizes should reflect the character of the surrounding area and thus do this adequately.

## ASSESSMENT OF MATERIAL CONSIDERATIONS

### Description of Proposal

The proposal involves the conversion of an existing side extension into an additional unit of accommodation by include a small side extension 3m wide by 3.7m deep. Demolition of one of the three garages in the rear garden. New roof to ~~the~~ roof of extension & flat roofed area. Breaking up of hard surfacing to create garden area for both properties.

### Highway/Parking Issues

There is sufficient parking by way of a garage plus one space for each unit.

### Environmental Impact

The extended building will still be set some 1.5m from the flank boundary with Yew Tree Gardens. The design of the extension is acceptable in the street scene. Overall there is no objection to the scale of the development.

### Representations Received

None

### Impact on Neighbouring Properties (including sketch of flank windows etc if necessary)

No impact on any neighbouring properties.

### Key Issues/Conclusions

Pettley Gardens consist of terraced houses all with small gardens of some 25 sq. mts. No 2 has a large amenity space surrounding which is all hard surfaced. There are three garages to rear all belonging to the site. The proposal will result in a three bed unit with two spaces plus over 100 sq. mts of amenity space and a two bed unit with two spaces and 50 sq. mts of amenity space. Whilst this is lower than usual at close junction would be private amenity space and is equivalent to that of a 2 bed flat. Given the circumstances of the surrounding area and the improvements that will be gained on the site the proposal is not unreasonable.

Recommend Approval

Recommend Refusal

↓  
by soft landscaping  
the front.

Date passed to D C Manager

RY/dc3520a



RECOMMENDED DECISION FOR APPLICATION NO: P0904.97

Date Received: 23-JUL-97

No Decision Before:

Proposal: 2 storey side extension, pitched roof to existing side extension & conversion of multiple occupancy house into two self contained dwellings.

Location: 2 Pettley Gardens Romford

RECOMMEND: \* APPROVAL subject to the following conditions:

~~\* REFUSAL for the following reasons:~~

\* Delete as appropriate

① SC 04 Time limit

② SC 10 Matching materials

③ SC 11 Landscaping

④ SC 13 Fencing

⑤ SC 32 In accordance

⑥ SC 37 'A' windows

⑦ Not with standing the provisions of the Town and Country Planning General Development Order 1988, no window <sup>or</sup> other opening (other than those shown on the submitted plans, a copy of which is attached), shall be formed in the walls of the new dwelling & extension hereby permitted, unless specific permission under the provisions of the Town & Country Planning Act 1990 has first been sought and obtained in writing from the Local P.A.

Authorised By: 

Date: 17.9.97 (OC245)

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of the donor property.

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