



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
5 April 2012**

**Havering Town Hall,
Main Road, Romford**

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:

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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 - 46)

To approve as a correct record the minutes of the meetings of the Committee held on 23 February 2012 and 8 March 2012 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 47 - 68)

Applications within statutory period.

6 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 69 - 90)

Applications outside statutory period

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

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
23 February 2012 (7.30 - 10.55 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Jeffrey Brace, Robby Misir, Frederick Osborne, Georgina Galpin, Paul Rochford and Billy Taylor

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group +David Durant

Apologies were received for the absence of Councillors Barry Tebbutt, Sandra Binion, Garry Pain and Mark Logan.

+ Substitute Member: Councillor Paul Rochford (for Barry Tebbutt), Billy Taylor (for Sandra Binion), Georgina Galpin (for Garry Pain) and David Durant (for Mark Logan).

Councillors Steven Kelly and Dennis Bull were also present for parts of the meeting.

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

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

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

249 **DECLARATION OF INTERESTS**

Councillor Galpin declared a personal and prejudicial interest in application P1327.11. Councillor Galpin advised that she had publicly expressed her opinion on the application. Councillor Galpin left the room during the discussion and took no part in the voting.

250 **P1079.11 - WHITE BUNGALOW**

Staff advised that the report had been withdrawn from consideration but would be re-presented at a future meeting of the Committee.

251 **P1327.11 - THE ALBANY SCHOOL, HORNCHURCH**

The application sought permission for a multi use games area (MUGA), located centrally within the site on the existing playing fields and to the south east of the school buildings. The pitch was for games and sports use and would be made available to those attending the school; the submitted supporting statement indicated that the pitch could be made available for local residents, with bookings handled via the school. The MUGA would be built in place of a previously approved sports pitch which was now no longer proposed to be constructed. This MUGA differed from the previous approval in that was positioned centrally within the site, rather than toward the boundary, has 10 fewer lighting columns and is slightly smaller.

It was reported that the application had been deferred from committee on the 3 November 2011 following a late received Sport England objection which raised concern over the loss of playing fields and arrangement of the MUGA. Suggested amendments to the layout had been put forward from Sport England which would have overcome their objections, which the applicant had incorporated. These included a revised positioning of the MUGA so that it was parallel to the existing tennis courts, which would leave sufficient playing field space for rugby and football pitches to be laid out.

The application was deferred for a second time at the meeting of the committee on 15 December 2011. Staff presented further information over the usage and impact of the MUGA, as requested by the committee. The requested information was set out in the body of the report before members.

It was noted that a total of 36 representations had been submitted; this included 2 representations from Councillors Peter Gardner and Damien White, who supported the objections raised by local residents.

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

During the debate, members discussed issues concerning the potential negative impact on nearby residential amenity through noise generated by the use of the MUGA and of overspill parking into nearby residential streets. The Chairman reminded members of the Committee that planning permission had already been granted at the site for the extension and refurbishment of existing tennis courts including new floodlighting.

It was **RESOLVED** that authority be delegated to Head of Development and Building Control to grant planning permission subject to the conditions as set out in the report. However, before doing so, the Head of Development

and Building Control should review the need for a condition requiring a scheme of mitigation (such as boundary fence improvements) to prevent significant disturbance caused to adjoining residential properties caused by headlight glare from users of the on-site car park. In addition, the Committee requested that a further two conditions be included to addressing the following:

- System for the automatic switch-off of floodlighting at the end of the permitted hours of use.
- Scheme for locking of the school gate in the site's north east corner when the school is closed to pupils.

Councillor Galpin rejoined the meeting after the preceding item was voted on.

252 **P0025.12 - GARAGE COURT TO THE REAR OF NO 46 BROSELEY ROAD**

The application sought permission to demolish the existing 9 garages on the site and to erect 2 detached dwellings with associated parking and garden areas. Access to the dwellings would be via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles). To the front of the dwellings would be a turning area. There would be 4 parking spaces, 2 to each plot, these would be located either side to the front of the properties and would be separated by pathways.

It was noted that 5 letters of representation had been received.

With its agreement, Councillor Dennis Bull addressed the committee. He commented that the proposal would result in a loss of privacy to neighbouring residential occupiers and should be refused due to the excessive height and bulk of the proposed properties. Councillor Bull suggested that bungalows would be more suited to the location.

A member of the committee echoed the concerns raised by Councillor Bull regarding the issue of overlooking. However, it was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was passed by 10 votes to 1. Councillor McGeary voted against the resolution to grant planning permission.

253 **P1347.11 - 48 WARWICK ROAD, RAINHAM**

The report detailed an outline application for the demolition of the existing industrial unit and the erection of a 1 / 2 storey building with accommodation

in the roof space comprising 6 flats with 10 parking spaces. It was reported that the proposal was a resubmission of two previously refused applications.

It was noted that 17 letters of representation had been received.

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

A member commented that the immediate area to the site suffered from parking congestion caused by a non-conforming use at the end of Warwick Road.

The debate also focussed on matters relating to the proposed height of the development and its impact on neighbouring amenity. A number of members commented that the proposal was overbearing in nature and would be dominant in the street scene.

The report recommended that planning permission be granted but following a motion, it was **RESOLVED** that planning permission be refused on the grounds of excessive bulk and an overbearing form harmful to the character and appearance of the proposal in the street scene.

The vote for the motion to refuse planning permission was passed by 6 votes to 4 with 1 abstention. Councillors Oddy, Brace, Galpin and Misir against the motion and Councillor McGreary abstained from voting. The vote for the motion to refuse planning permission was refused by 8 votes to 3. Councillors Brace, Galpin and Misir voted against the motion.

254 P1578.11 - 143 CROW LANE, ROMFORD

The application proposed the change of use of the site for B1/B8 use. The existing buildings would be retained and would be subject to operational development to make them more suitable for the proposed use. The existing access would be retained whilst the yard would be used as a parking area with the existing weighbridge being removed.

It was reported that the application was related to a separate application (P0962.11) to move the existing scrap metal business and weighbridge to the former Premier Motors site at the junction between Crow Lane and Jutsums Lane.

It was noted that 4 letters of representation had been received along with comments from 4 statutory consultees.

During the debate, members discussed issues relating to the potential noise impact from the proposed change of use on nearby residential properties, and highway safety concerns arising from the access and egress arrangements for the site.

Members were advised that should they be minded to grant planning permission, the matter should be deferred to explore scope for the applicant to enter into a Section 106 agreement tying the cessation of scrap yard use of this site to any approval of the application for the Premier Motors site for waste metal recycling (P0962.11).

The report recommended that planning permission be granted but following a motion it was **RESOLVED** that consideration be deferred to explore scope for the applicant to enter into a Section 106 agreement tying the cessation of scrap yard use of this site to any approval of the application for the Premier Motors site for waste metal recycling (P0962.11).

255 **P0962.11 - FORMER PREMIER MOTORS SITE, DISTRIBUTION CENTRE, JUTSUMS LANE, ROMFORD**

The report detailed an application for the change of use of a former car retail, repair and maintenance centre to a scrap yard for the recycling, processing, storage and distribution of scrap metal (excluding the dismantling of vehicles). It was noted that the throughput of the proposed facility would be in the region of 9000 tonnes per annum, which would be an increase over the existing facility located at 143 Crow Lane (which was the subject of a separate planning application, P1578.11)

On legal advice, the committee had resolved to defer consideration of the application at 143 Crow Lane to enable staff to explore scope for the applicant to enter into a Section 106 agreement securing the cessation of scrap yard use of the 143 Crow Lane site to any approval of the application for the Premier Motors site. Accordingly, it was **RESOLVED** that consideration be deferred for a further report to be presented which would tie-in any approval of the site for waste metal recycling to the cessation of the scrap yard use at 143 Crow Lane and for staff to recommend appropriate planning conditions which should be attached to a permission should Members be minded to support the proposal.

256 **P1325.11 - NORTH SIDE OF MARKET PLACE & FORMER LAURIE HALL AT JUNCTION OF MARKET LINK & ST EDWARDS WAY**

The Committee considered the report and, without debate, **RESOLVED** that planning permission be granted subject to the prior completion of a Deed of Variation to the S106 legal agreement dated 30 January 2004 under Section 106A of the Town and Country Planning Act 1990 to ensure the following

1. That the definition of the planning application contained within the legal agreement dated 30/1/2004 be amended to refer to this application in the alternative as appropriate, and
2. That the requirement for the provision of public art within the original S106 agreement dated 30/1/2004 be deleted and an

obligation be substituted in its place to carry out environmental improvements to the Market Place to a value of not less than £50,000, to include seating, street furniture and improved tree pits along the frontage of the site as set out in MCA Drawing No 4938/154.01 Rev E, 4938/154.02 Rev D, 4938/158 Rev C and 4938/159 Rev D, such works to be completed within 24 months of the date of the planning permission unless otherwise agreed in writing by the Local Planning Authority and that in the event that the works are not completed within the said period that a sum of £50,000 (subject to indexation from the date the planning permission is issued to the date of receipt of payment) or such lesser sum (subject to indexation on the same basis) as estimated by the Head of Streetcare as the value of the works not completed to a maximum value of £50,000 be paid to the Council on the second anniversary of the date planning permission was issued , and

3. Save for the variation of obligations of the original agreement dated 30 January 2004 outlined in 1 and 2 above and any consequential amendments to recitals, headings and clauses of the original agreement, the clauses recitals and headings of the original agreement dated 30 January 2004 shall otherwise remain unchanged.

In the absence of any such further representations that staff be authorised to enter into such agreement and upon completion of it, to grant planning permission subject to the condition as set out in the report.

257 P1752.11 - 7 MARKET PLACE

The Committee considered the report and, without debate, **RESOLVED** that the application was unacceptable as it stood, but would be acceptable subject to the completion of a legal agreement to secure the following:

1. That all future occupiers save for blue badge holders are restricted from applying for residents parking permits

Staff were authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the conditions as set out in the report.

258 P1229.11 - CRANHAM CARAVANS

The Committee considered the report and, without debate, **RESOLVED** that the proposal was unacceptable as it stood 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 agreement that planning permission's P0555.05, P1343.00, P1452.88 and 637/85 shall be revoked and certificate of lawfulness E0018.10 shall no longer have any legal effect.
- Agreement that no compensation shall be sought by the developer in respect of the revocation of planning permission's P0555.05, P1343.00, P1452.88 and 637/85 and the setting aside of certificate of lawfulness E0018.10.

Staff were authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the conditions as set out in the report.

259 **P1530.11 - 4 WESTERN ROAD, ROMFORD**

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

260 **P1778.11/P1413.11/P1768.11/P1414.11 - COPSEYS, 178 CROW LANE, ROMFORD**

The report explained that consideration of two applications for permanent buildings had been deferred from 17 November 2011 Regulatory Services Committee in order to provide an opportunity for the applicant to fully explain the case he wished to promote for very special circumstances. The deferral also gave an opportunity to enable Staff to provide a fuller explanation of the two stage Green Belt assessment and how any harm (in principle and any other) must be outweighed by very special circumstances; and to explain why the physical condition/appearance of the land would not diminish its Green Belt function or status. The applicant had submitted very special circumstances for permission to be granted in the Green Belt; these were detailed in the report to Members. In addition, a fuller explanation of the Green Belt and its function was also detailed in the report to Members.

Since that meeting, two further applications had been received for the same buildings which sought permission on a temporary basis for 5 years (planning references: P1768.11 – Steel clad building; P1778.11 – canopy building). The applications were retrospective as the structures had already been erected. In staff's view, by virtue of their scale, bulk and connection to services the structures were not considered to be temporary in nature.

It was explained that the canopy building was in a central location beyond the existing frontage buildings and was comprised of steel uprights and roof beams with a plywood/canvas roof covering. The steel-clad building was situated adjacent to the eastern boundary.

The report informed members that the applicant had stated that a removals business had operated on the site since 1934. A special circumstances

case had been submitted for both buildings and for both the permanent and 5-year temporary applications.

The applicant had also offered to have none of his existing business containers within an area marked "B" which was an area of land between the front building line of 178 Crow Lane and a line slightly forward of the canopy. Also, within the area marked "A" (which covers the remainder of the applicant's site) the applicant offered to limit the number of containers stacked on top of each other to a maximum of 5. He advised of his willingness to enter into a S106 legal agreement such that he would agree to be tied to this arrangement for his existing container business if planning permission was granted for the canopy and the steel clad building.

The report detailed the material considerations affecting all of the applications and the report consolidated consideration of all 4 applications. It was reported that the applications would be determined separately through separate resolutions of the Committee.

It was noted that six letters of support had been received in connection with all the applications. No objections were received relating to the applications for permanent permission. Two letters have been received objecting to the canopy building (temporary). Two pieces of correspondence have been received raising objections to the steel-clad building (temporary). Comments from 2 statutory consultees had also been received.

Members discussed at length whether the buildings caused any material harm to the open nature of the Green Belt. Members were reminded of the two-stage test which had to be considered for such applications in the Green Belt and were guided towards the section of the report which detailed the very special circumstances submitted by the applicant. Members voiced their support for some of the very special arguments put forward by the applicant. In particular, members were sympathetic to the arguments in respect of health and safety, and the continued vitality of the business in the current economic downturn and the business's contribution to the local economy through continued employment for its staff.

P1413.11 - 178 Crow Lane, Romford

The report recommended that planning permission be refused; however, following a motion it was **RESOLVED** that planning permission be granted for the canopy as it was considered that the Green Belt harm was outweighed by the applicant's demonstration of very special circumstances. The Committee resolved to grant permission subject to the applicant's prior completion of a planning obligation for the following:

- a) Limiting height of container storage in 'Area A' on the submitted plan to 5 maximum and;
- b) Not storing any containers in Area B on the submitted plan.

The resolution to grant planning permission on this basis was subject to no contrary direction by the Secretary of State.

The vote for the motion to grant planning permission was passed by 8 votes to 2 with 1 abstention. Councillors Brace, Taylor, Osborne, Misir, Galpin, Hawthorn, Ower, and Rochford voted in favour of the motion. Councillors Oddy and Durant voted against the resolution and Councillor McGeary abstained from the voting.

The resolution to grant planning permission was passed by 9 votes to 1 with 1 abstention. Councillors Durant voted against the resolution and Councillor McGeary abstained from voting.

P1414.11 - 178 Crow Lane, Romford

The report recommended that planning permission be refused; however, following a motion it was **RESOLVED** that planning permission be granted for the steel clad building as it was considered that the Green Belt harm was outweighed by the applicant's demonstration of very special circumstances. The Committee resolved to grant permission subject to the applicant's prior completion of a planning obligation for the following:

- a) Limit height of container storage in 'Area A' to 5 maximum and;
- b) Not storing any containers in 'Area B'.

In addition, a condition be included which required the building to be used solely for purposes ancillary to the main use of the site.

The resolution to grant planning permission on this basis was subject to no contrary direction by the Secretary of State.

The vote for the motion to grant planning permission and the resolution to grant planning permission was passed by 9 votes to 1 with 1 abstention. Councillors Durant voted against the resolution and Councillor McGeary abstained from voting.

P1768.11 - 178 Crow Lane

The report recommended that planning permission be refused; however, following a motion it was **RESOLVED** that a temporary 5 year planning permission be granted for the steel clad building as it was considered that the Green Belt harm was outweighed by the applicant's demonstration of very special circumstances. The Committee resolved to grant permission subject to the applicant's prior completion of a planning obligation for the following:

- a) Limit height of container storage in 'Area A' to 5 maximum and;
- b) Not storing any containers in 'Area B'.

In addition, a condition be included which required the building to be used solely for purposes ancillary to the main use of the site.

The resolution to grant planning permission was subject to no contrary direction by the Secretary of State.

The vote for the motion to grant planning permission and the resolution to grant planning permission was passed by 10 votes to 1. Councillor Durant voted against the resolution to grant planning permission.

P1778.11 - 178 Crow Lane

The report recommended that planning permission be refused; however, following a motion it was **RESOLVED** that a temporary 5 year planning permission be granted for the steel canopy as it was considered that the Green Belt harm was outweighed by the applicant's demonstration of very special circumstances. The Committee resolved to grant permission subject to the applicant's prior completion of a planning obligation for the following:

- a) Limit height of container storage in 'Area A' to 5 maximum and;
- b) Not storing any containers in Area B.

The resolution to grant planning permission on this basis is subject to no contrary direction by the Secretary of State.

The vote for the motion to grant planning permission was passed by 9 votes to 2. Councillors Brace, Taylor, Osborne, Misir, Galpin, Hawthorn, Ower, Rochford and McGeary voted in favour of the motion. Councillors Oddy and Durant voted against the resolution to grant planning permission.

The substantive vote to grant planning permission was passed by 10 votes to 1. Councillor Durant voted against the resolution to grant planning permission.

261 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports, the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

Chairman

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE (MONITORING)
Havering Town Hall, Main Road, Romford
8 March 2012 (7.30 - 9.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Frederick Osborne, Garry Pain, Wendy Brice-Thompson and Steven Kelly

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Denis Breading

Independent Residents Group Michael Deon Burton

Apologies were received for the absence of Councillors Sandra Binion, Robby Misir, Paul McGeary and Mark Logan.

+Substitute members: Councillor Wendy Brice-Thompson (for Robby Misir), Councillor Steven Kelly (for Sandra Binion), Councillor Denis Breading (for Paul McGeary) and Councillor Michael Deon Burton (for Mark Logan).

Speaking in relation to planning application P1583.11 Councillor Tebbutt informed the Committee that he had been a Governor of a school in close proximity to the application site and that he had previously raised concerns on matters of highways safety relating to the site. This did not amount to a personal prejudicial interest.

8 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.

261 **P1451.10 - LAND TO THE EAST OF GOOSHAYS DRIVE, WEST OF CENTRAL PARK AND NORTH OF PETERSFIELD AVENUE, HAROLD HILL - OUTLINE APPLICATION FOR UP TO 242 RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS FROM PETERSFIELD AVENUE AND GOOSHAYS DRIVE. ASSOCIATED PARKING, OPEN SPACE, LANDSCAPING AND DEMOLITION OF ALL EXISTING BUILT STRUCTURES ON THE SITE**

The report before members detailed an application that had been submitted on behalf of the Council in respect of land within its ownership on the eastern side of Gooshays Drive, north of Petersfield Avenue. The application sought outline planning permission for residential development of up to 242 units on the site.

Members noted that 19 letters of representation had been received.

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

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

Councillor Darvill, speaking in opposition to the application, questioned the certainty of the provision of the alternative sports facilities at the Broxhill Centre, and the suitability of such facilities. Councillor Darvill also questioned the type and number of affordable properties planned for the scheme and questioned whether such provision was sufficient. Councillor Darvill asked that the Committee reject or defer the proposal on the grounds of adverse environmental impact to Harold Hill; loss of leisure space; uncertainty over highways infrastructure; uncertainty over how the proceeds from a future sale of the site would be used.

Councillor O'Flynn, speaking in opposition to the application, questioned the manner in which green sites in Harold Hill were being disposed of. Councillor O'Flynn questioned the adequacy of the size of the affordable housing provision when there are significant numbers of people awaiting social housing. Councillor O'Flynn suggested that the assets of Harold Hill were being sacrificed in order to pay for projects in other wards.

Councillor Murray, speaking in opposition to the application, commented that the area to be developed was very popular with local residents and had a long history as an open green space. Councillor Murray expressed his concerns at the number of residential units proposed in the development as the development was in close proximity to another development on the former Harold Wood Hospital site. Councillor Murray raised concerns over health and safety and traffic management issues and questioned whether the current infrastructure, schools, roads, health sector which are already over stretched could support the development. Councillor Murray asked that

the Committee reject the scheme as the majority of residents in the Gooshays ward were against the proposals.

During a lengthy debate members considered the comments made in opposition to the proposed development. Members noted that future proceeds from the sale of the proposed development site would go towards the Harold Hill Ambitions Programme for the benefit of the Harold Hill area. Members discussed the number of new positive development opportunities that had taken place in the Harold Hill area recently.

Members sought and received clarification that the existing users of the land, the Romford Royals Football Club, were in agreement with re-locating to the Broxhill Centre.

Members also considered the possibility of increased traffic congestion, arising from the proposed new development, at the junction of Gooshays Drive/Gubbins Lane and the A12 Colchester Road. Officers advised that funding for traffic improvements was included in the proposed Section 106 agreement.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to

A: the conditions set out in the report and no direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008); and

B: an agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Payment of £210,000 to Transport for London for improved school day bus services to cover 3 no. annual payments;
- Payment of £85,000 to Transport for London for improvements towards the A12 Colchester Road/Gooshays Drive/Gubbins Lane Junction;
- Payment of £100,000 to the Highway Authority towards Highway Improvements on the Borough Network as part of the Harold Hill Ambitions;
- Payment of £150,000 to the Council for pavement improvements as part of the Harold Hill Ambitions;
- Payment of £150,000 to the Council towards new Hildene Library as part of the Harold Hill Ambitions;
- Payment of £100,000 to the Council towards Myplace as part of the Harold Hill Ambitions;
- Payment of £15,000 to the Council towards Employment Training initiative;
- Payment of circa £1,000,000 to the Council for improvements to Central Park as part of the Harold Hill Ambitions

- Payment of circa £120,000 to the Council for the cost of works in respect of improvements to Dagnam Park (eg drainage/seeding/marketing etc) to provide two new football pitches (cost of the works to established following completion of survey);
- Payment of circa £246,000 to the Council for the cost of works in respect of improvements to Broxhill (eg drainage/levelling/seeding/ marketing etc) to provide two new football pitches (cost of the works to established following completion of survey);
- Payment of circa £200,000 to the Council for refurbishments works to the Broxhill Sports Pavilion (cost of the works to established following completion of survey); and
- Provision on site of 15% of the dwelling units as affordable housing, 100% of which will be intermediate affordable housing for shared ownership (as defined in Annex B of PPS 3 June 2011).
- Development to be carried out in accordance with the provisions of the submitted travel plan.
- All contribution sums shall include interest to the due date of expenditure and indexation from the date of the agreement to the date of payment.
- Payment of the Council's reasonable legal fess for preparation of the agreement.
- Payment of the Council's standard Monitoring fees for each Planning Obligation.

Such agreement to be completed at the same time as a contract for sale of the application site is completed.

Subject to recommendations A) and B) above that planning permission be granted subject to the following conditions:

1. Approval of Details 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 in writing by the Local Planning Authority, showing the layout, access, scale, appearance and landscaping as defined in the Town and Country Planning (General Development Procedure) Order 1995 (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. Time Limit for Details Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within five 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).

3. Time Limit for Commencement 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 matters 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).

4. Phases of Development The development shall not commence and no reserved matters submissions or submissions of details to comply with conditions shall be made until a Plan is submitted to and approved in writing by the Local Planning Authority, clearly identifying the different phases of the development to which reserved matters applications and details required pursuant to condition/s shall subsequently be made. No phase of the development shall commence until all relevant reserved matters and details prior to commencement conditions are approved in respect of that phase.

Reason: To ensure that full details of the relevant phase of the development are submitted for approval.

5. Reserved Matters for Each Phase All reserved matters in relation to any phase of the development (as identified in accordance with Condition 4) shall be submitted at the same time.

Reason: Given the sensitive nature of the site it is important that all aspects of the development are considered together.

6. Requirement for Section 106 - Before the development hereby permitted is commenced, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure the following:

- Improvements bus services in the vicinity of the site to provide an additional school day journey;
- Improvements works to the A12 Colchester Road/Gooshays Drive/Gubbins Lane Junction;

- Improvements to the Borough Road network within the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improvement to pavements within the Harold Hill areas as part of the Harold Hill Ambitions regeneration programme;
- Improved library facilities in the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improved youth facilities in the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improved Employment Training initiatives in the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improvements to Central Park as part of the Harold Hill Ambitions regeneration programme;
- Improvements to Dagnam Park to provide two new football pitches;
- Improvements to Broxhill to provide two new football pitches;
- Refurbishment works to the Broxhill Sports Pavilion;
- Contractual provision which secures the provision of community access to the parking and changing facilities at Drapers Academy or in the absence of such contractual provisions Condition 43 below, which seeks the provision of acceptable changing accommodation and car parking within Dagnam Park.
- Provision on site of 15% of the dwelling units as affordable housing, 100% of which will be intermediate affordable housing for shared ownership (as defined in Annex B of PPS 3 June 2011).
- Development to be carried out in accordance with the provisions of the submitted travel plan.

Reason: The development would otherwise be unacceptable if the improvements sought through the Section 106 agreement were not able to be secured.

7. In Accordance with Parameters The development (including all reserved matters and other matters submitted for approval pursuant to the planning conditions) shall be carried out in accordance with the development parameters as detailed in Section 1.2 of the Design and Access Statement, and the Site Masterplan Supplementary Information received on 2 November 2011, and Drawing Nos:

2874 PARA 01 Development Parameter Plan (revised and received 16.8.11)

2874 PARA 02 Parameter Plan – Maximum Building Heights

No application for approval of reserved matters (or other matters submitted for approval pursuant to the planning conditions) which would entail any significant deviation from the parameters and plans shall be made unless otherwise provided for by conditions elsewhere within this permission.

Reason: To ensure that the development is carried out in accordance with the plans and parameters that form the basis for the consideration of the scheme.

8. Materials No phase of development (as identified in accordance with condition 4) shall commence until samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas have been 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 appearance of the proposed development will harmonise with the character of the surrounding area, and that the development accords with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

9. Boundary Treatment No phase of the development (as identified in accordance with Condition 4) shall commence until details of the boundary treatment to that phase of development, demonstrating compliance with an overall site strategy, are submitted to and approved in writing by the local planning authority. No phase of the relevant development site shall be occupied until boundary treatment for that phase has been provided in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and in the interests of creating safer places.

10. Lighting Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme shall be submitted in writing providing details of all external lighting to that phase, demonstrating compliance with an overall site strategy, and approved in writing by the local planning authority. No phase of the relevant development site shall be occupied until lighting for that phase has been provided in accordance with the approved details.

Reason: In the interests of residential and visual amenity, security and biodiversity.

11. Obscure Glazing Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme for obscure glazing of appropriate windows shall be submitted to and agreed in writing by the Local Planning Authority. The obscure glazing shall be installed prior to the first residential occupation of each relevant phase, in accordance with the agreed scheme and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of privacy.

12. Landscaping Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme of soft and hard landscaping and a phased timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority before the development of each phase commences. This shall be accompanied by an Arboricultural Implications Assessment detailing all trees to be retained on site and those to be removed and any proposed topping or lopping, together with measures for the protection in the course of development. The scheme shall specify the size, species, and positions or density of shrubs and trees to be planted and the approved scheme shall be undertaken in accordance with the timetable approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting, any tree or shrub or any tree or shrub planted in replacement of it, is removed, up-rooted or destroyed, is diseased or dies, another tree or shrub of the same species and size to that originally planted shall be planted at the same place.

Reason: To ensure the scheme has adequate landscaping and to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme, and that the development accords with Policy DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document.

13. Landscape Management Plan For each phase of the development a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the first residential occupation of the development or completion of any phase thereof, as appropriate. The landscape management plan shall be carried out as approved and adhered to thereafter.

Reason: To protect/conservate the natural features and character of the area.

14. Protection of Preserved Trees For each phase of the development no building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of trees protected by a Tree Preservation Order 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 such trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and/or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order, and that the development accords with Policy DC60 of the LDF

Core Strategy and Development Control Policies Development Plan Document.

15. Design Principles Any application for reserved matters shall be accompanied by a comprehensive design statement which demonstrates how the development responds to the guidance set out in paragraph 35 of PPS1 and other good practice guides referred to at paragraph 37.

Reason: To ensure the ongoing provision of high quality design, in accordance with Policy DC61 of the LDF.

16. Car Parking- No phase of the development (as identified in accordance with Condition 4 shall commence until details showing the provision of parking for that phase has been submitted to and approved in writing by the Local Planning Authority. The total number of parking spaces on the site shall not exceed 375 and shall ensure a minimum of 1 space per dwelling unless otherwise specifically agreed in writing by the Local Planning Authority.

Reason: To ensure that the total parking provided does not exceed the maximum standard, in accordance with Policy DC33 of the LDF.

17. Cycle Storage No phase of the development (as identified in accordance with Condition 4) shall be occupied until cycle parking is provided in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority in respect of that phase. Cycle parking shall be to the standards set out in Annex 6 of the LDF. Such cycle parking shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To ensure the development takes account on the needs of cyclists, in accordance with Policy DC33 of the LDF.

18. Parking for Users with Disabilities Provision shall be made within the development for a minimum of 24 spaces to be allocated for Blue Badge users.

Reason: In order to ensure the development provides accessible parking for people with disabilities and to comply with the aims of Policy 6.13 of the London Plan July 2011.

19. Vehicle Charging Points Provision shall be made within the development for a total of 40% of the spaces provided with the passive provision of electric vehicle charging points, with a minimum of 20% of parking spaces to be fitted with active provision of electric vehicle charging points

Reason: In the interests of sustainable transport and to accord with Policy 6.13 of the London Plan July 2011.

20. Freight Strategy Prior to the commencement of development a Delivery and Servicing Plan and a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems, consolidated or re-timed trips and provision for secure off street loading and drop off facilities. The development shall then be carried out in accordance with the agreed details.

Reason: In order to ensure the construction of the development does not have an adverse impact on the environment or road network and to accord with Policy 6.14 of the London Plan July 2011.

21. Piling methodology 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 piling method statement.

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

22. Drainage Strategy Development shall not commence on each phase until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker for each phase of development. No discharge of foul or surface water from a phase shall be accepted into the public system until the drainage works referred to in the strategy for that phase have been completed.

Reason: The development may lead to sewerage flooding and to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact on the community.

23. Archaeology Prior to the commencement of any phase of development a programme of archaeological field evaluation and survey shall be undertaken, in accordance with a written scheme of investigation which shall previously be submitted to and approved by the Local Planning Authority. The results of the field evaluation shall inform a mitigation strategy to either conserve archaeological assets or ensure their recording prior to development. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority and the development carried out in accordance with the mitigation strategy.

Reason: Important archaeological remains may exist on this site and the provision of archaeological evaluation must be secured to inform the determination of any detailed planning consent and to accord with the provisions of Policy DC70 of the LDF Core Strategy and Development Control Policies Development Plan Document.

24. Contaminated land Prior to the commencement of any phase of development pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to and approved in writing by the Local Planning Authority):

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

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

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

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

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

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

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

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

25. Community Safety Prior to the commencement of any relevant phase of the development (as identified in accordance with Condition 4), 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 Police Crime Prevention Design Advisor, the relevant phase of the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies DPD, and Policy 7.3 of the London Plan July 2011.

26. Flood Risk The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and associated documents and the following mitigation measures detailed within the FRA:

- limiting the surface water run-off generated by the 1 in 100 year critical storm taking the effects of climate change into account to Greenfield rates, in order to minimise the risk of flooding off-site;
- Provision of storage on site to attenuate all storm events up to and including the 1 in 1000 year event, taking the effects of climate change into account.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

27. Surface Water Drainage No phase of the development (as identified in condition 4) shall 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 include the maximisation of Sustainable Drainage Systems within the drainage design.

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

28. Buffer Zone Prior to the commencement of development a scheme for the provision and management of an 8m natural buffer zone alongside the Paines Brook shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments agreed in writing with the Local Planning Authority. The scheme shall include:

- details of the planting scheme (for example native species within the 8m buffer zone)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc. which should be set back outside the 8m buffer zone as far as possible
- details of how any Japanese knotweed or other invasive species along the river will be managed

Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in PPS1 and PPS9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and to promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

29. Wheelchair Accessibility and Lifetime Homes All of the dwellings hereby approved shall be built to lifetime homes standards and a minimum of 10% of the homes shall be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers and to comply with Policy DC7 of the LDF and Policy 7.3 of the London Plan July 2011.

30. Sustainability Any application for reserved matters shall be accompanied by a sustainability statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development of the relevant phase (as identified in accordance with Condition 4). The statement shall outline how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in the London Plan and shall be required to demonstrate that the development will achieve a minimum Code for Sustainable Homes Level 4. The relevant phase of

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 the Policy DC49 of the LDF, the Councils Sustainable Design and Construction SPD Adopted April 2009 and Policies 5.2 and 5.3 of the London Plan July 2011.

31. Energy Any application for reserved matters shall be accompanied by an Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to commencement of development of any relevant phase thereof (as identified in accordance with Condition 4). The statement shall incorporate an energy demand assessment and shall detail the energy efficiency design measures and renewable energy technology to be incorporated into the final design of the development. The statement shall include details of a renewable energy/low carbon generation system for the proposed development, including consideration of the use of photovoltaics, which will displace at least 20% of carbon dioxide emissions, beyond Building Regulations requirements. The renewable energy generation system shall be installed in strict accordance with the agreed details and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any relevant phase of the development. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. Any change to the approved energy strategy shall require the written consent of the Local Planning Authority.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF, the Councils Sustainable Design and Construction SPD Adopted April 2009 and Policy 5.7 of the London Plan July 2011.

32. Storage of Refuse Prior to the first occupation of each and any phase of the development hereby permitted (as identified in condition 4), 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 suitable containment and segregation of recyclable waste. The measures shall be fully implemented in accordance with the agreed details.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and locality general, and in order that the development accords with policy DC61 of the LDF Development Control Policies Development Plan Document

33. Construction Method Statement No relevant phase of the development (as identified in accordance with Condition 4) shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the relevant construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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

34. 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 Policy DC61 of the LDF Development Control Policies Development Plan Document.

35. Wheelwashing Before the commencement of any phase of the development hereby permitted, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works of that phase 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 Policy DC61 of the LDF Development Control Policies DPD.

36. Site Waste Management Before the commencement of any phase of the development hereby permitted a detailed Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include a detailed strategy for waste

management and minimising of waste, including recycling of waste and for managing the associated impacts of construction related traffic.

Reason: In the interests of amenity and sustainability and to reduce the impact of the construction on the local road network.

37. Unit Mix Prior to the commencement of any phase of the development (as identified in condition 4) details of the proposed unit mix for each phase shall be submitted to and approved in writing by the Local Planning Authority. Provision shall be made across the development as a whole for a minimum of 50% of the units to have three or more bedrooms.

Reason: To ensure a satisfactory range and choice of accommodation to create mixed and balanced communities and to accord with Policy DC2 of the LDF Development Control Policies DPD and Policy 3.8 of the London Plan July 2011.

38. Ecology Prior to the commencement of the relevant phase of the development (as identified in condition 4) an ecological management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall accord with the recommendations of the submitted Ecological Impact Assessment (EclA) and shall include provision for the conservation of bats and protection of nesting birds and mitigation against the impacts of the development. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure protection and enhancement of biodiversity in accordance with Policy DC58 of the LDF Development Control Policies DPD.

39. Environmental Noise The development hereby approved shall be carried out in accordance with the recommendations of the submitted Environmental Noise Assessment.

Reason: In the interests of residential amenity and to accord with Policy DC55 of the LDF Development Control Policies DPD.

40. Restriction of permitted development rights Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, Classes A - E, no extensions, porches, outbuildings or other alterations shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

41. Sport England - Prior to commencement of the development hereby permitted:

(i) a detailed assessment of ground conditions of the land proposed for the new football pitches at Dagnam Park shall be undertaken and submitted to the Local Planning Authority (including drainage and topography) to identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The approved scheme shall be complied with in full prior to commencement of the development.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Policy DC18 and Sport England Policy E4.

42. The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England, which secures community access to changing facilities and car parking at the Drapers Academy for users of the playing pitches to be provided at Dagnam Park for a period being no more than five years and no less than three years.

Reason: To maximise the opportunity for community use of the facilities and to ensure the provision of equivalent or better management arrangements than that currently provided and to accord with Policy DC18 and Sport England Policy E4

43. In the event that a suitable contractual arrangement to provide community access to the parking and changing facilities at Drapers Academy is not reached, on or prior to the commencement of the development, details shall be submitted to and agreed in writing by the Local Planning Authority which set out alternative arrangements for parking and changing facilities within Dagnam Park. The parking and changing facilities shall be provided prior to the first occupation of the first phase of the development and thereafter permanently retained for that use.

Reason: To maximise the opportunity for community use of the facilities and to ensure the provision of equivalent or better management arrangements than that currently provided and to accord with Policy DC18 and Sport England Policy E4

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. Please contact the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.
2. In aiming to satisfy conditions 15 and 25 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. Reason for Approval:

This decision to grant planning permission has been taken:

(i) having regard to Policies CP1, CP2, CP7, CP8, CP10, CP15, CP17, CP18, DC2, DC6, DC7, DC18, DC20, DC30, DC32, DC33, DC34, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC60, DC61, DC63, DC70, DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD); Policies 2.18, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.19, 5.2, 5.3, 5.6, 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, 7.18, 7.19, 7.21, 8.2 and 8.3 of the London Plan July 2011; 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), PPG17 (Planning for Open Space, Sport and Recreation), PPS22 (Renewable Energy), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise) and PPS25 (Development and Flood Risk).

(ii) for the following reasons:

The proposed development is considered to suitably mitigate the loss of playing fields through new sports provision and related facilities. The parameters set as part of the outline scheme would, subject to detailed, submissions, result in a development which could achieve a suitably high quality design and landscape and would have an acceptable visual impact. The proposal would contribute to the range and availability of housing within the Borough and has an acceptable level of affordable housing provision based on detailed consideration of the wider regeneration benefits secured through the development and the opportunity to provide for a mixed and balanced local

community. The proposed development has a satisfactory environmental impact and no significant adverse impact on local amenity. The proposed development would cause no material harm to the safe and free flow of traffic within the locality.

4. The applicant is advised that, pursuant to condition 20 above, TfL would recommend using operators committed to best practice, demonstrated by membership of TfL's Freight Operator Recognition Scheme (FORS) or similar.
5. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water will be required. They can be contacted on 0845 850 2777. The developer is also advised to contact Thames Water to discuss details of the piling method statement required under condition 22 above and the drainage condition required under condition 23 above.
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. 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.

It was also agreed that conditions 41 and 42 be adjusted to reflect the requirements of Sport England and condition 32 be expanded to include a "bring site" for recyclable waste.

The vote for the resolution to grant planning permission was passed by 7 votes to 4. Councillors Oddy, Tebbutt, Brace, Brice-Thompson, Kelly, Osborne and Pain voted for the resolution to grant planning permission. Councillors Hawthorn, Ower, Breading and Burton voted against the resolution.

262 **P0911.11 - 28 HARROW DRIVE - SINGLE STOREY FRONT EXTENSION, SINGLE/TWO STOREY, SIDE/REAR EXTENSIONS AND SINGLE/TWO STOREY REAR EXTENSIONS**

The application before members was for planning permission for a single storey front extension, single/two storey, side/rear extensions and single/two storey rear extensions.

Members noted that the application had been called in by Councillor Galpin on the grounds that the proposal raises neighbourliness and streetscene issues.

In accordance with the public participation arrangements, the Committee was addressed by an objector without a response from the applicant.

With its agreement, Councillor Galpin addressed the Committee. Councillor Galpin commented that the proposal was for a large extension and that over shadowing could occur to neighbouring properties. Councillor Galpin also advised that the resident of the neighbouring property suffered from poor health and would find the proposed building works distressing. Councillor Galpin asked the Committee to refuse the application on grounds of visual harm and the adverse effect to neighbouring properties.

During the debate members discussed the potential impact of the proposed development on neighbouring properties by reason of its visual impact and bulk and mass.

The Committee considered the report which recommended that planning permission for the proposed development be granted but following a motion to refuse the application it was **RESOLVED** that planning permission be refused on the grounds that the extension by reason of excessive scale and bulk would harm both the character and appearance of the streetscene and the rear garden environment for neighbouring properties. The vote for the resolution was carried by 7 votes to 4. Councillors Oddy, Brice-Thompson, Osborne, Hawthorn, Ower, Breadding and Burton voted for the resolution to refuse planning permission. Councillors Tebbutt, Brace, Kelly and Pain voted against the resolution.

263 **P0073.12 - THE THATCHED HOUSE, UPMINSTER ROAD SOUTH, RAINHAM - RE-APPLICATION OF NO. P1246.11 - DEMOLITION OF EXISTING OFFICE/SHOP/DWELLING AND ERECTION OF 3 TERRACED HOUSES**

The Committee considered the report, noting that a late 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.

264 **P1893.11 - 1C COMO STREET, ROMFORD - CREATION OF SECOND FLOOR TO FORM 1 ONE BEDROOM FLAT (RESUBMISSION OF P1687.10)**

The Committee considered the report and without debate, **RESOLVED** that That the proposal was unacceptable as it stood 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:

- agreement that all future occupiers of the proposed development, save for blue badge holders, are restricted from applying for residents parking permits.
- payment of the Council's reasonable legal fees for preparation of the legal agreement.

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

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

Reason:-

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

2. 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.

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

Reason:-

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) 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, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

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

Reason:-

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

7. INFORMATIVES:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP2, CP17, DC2, DC3, DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policies ROM14 and ROM20 of the Romford Area Action Plan DPD.

In aiming to satisfy condition 6 the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

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.

265 **P0112.12 - SNOWDON COURT, ELVET AVENUE, GIDEA PARK, ROMFORD - VARIATION OF CONDITIONS 2 AND 22 OF PLANNING PERMISSION P0086.11 (REVISED BY MINOR AMENDMENTS N0032.11 AND N0034.11) TO REDESIGN THE PROPOSED RAVENSBOURNE RIVERWORKS**

The Committee considered the report and without debate, **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed on 29 March 2011, and subsequently varied by Deed of Variation dated 23 February 2012 in respect of planning permission

P0086.11 by varying the definition of Planning Permission which shall mean either planning permission P0086.11 as originally granted or planning permission P0086.11, as altered by planning permission under reference P0112.12.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 29 March 2011, as previously varied by Deed of Variation dated 23 February 2012 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 29th March 2011 will remain unchanged.

That upon the expiry of the statutory consultation period (9 March 2012), subject to no new material representations being received, in which case the application will be referred back to Regulatory Services Committee, Staff be authorised to enter into a Deed of Variation to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

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

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

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

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

3. Car parking - Before the 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. Materials – The development hereby approved shall be constructed using the external materials previously submitted and agreed under condition discharge request application Q0145.11 unless otherwise agreed in writing by the Local Planning Authority.

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

5. Landscaping - The hard and soft landscaping shall be completed in accordance with the details previously submitted and approved under condition discharge request application reference Q0320.11. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

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

6. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle storage - Prior to completion of the 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.

8. Boundary treatment – The boundary treatment of the development shall be carried out in accordance with drawing number PL-04 revision A, as previously submitted and approved under application P0086.11, unless otherwise agreed in writing by the Local Planning Authority in conjunction with the Havering Crime Prevention Design Advisor. The boundary treatment shall thereafter be retained in accordance with this drawing unless agreed in writing.

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.

9. Secure by Design – The development shall not be occupied until a full and detailed application for the Secured by Design award scheme has been submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated, approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor and implemented on site 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.

10. CCTV – The development shall not be occupied until a scheme showing the details of a CCTV system to be installed for the safety of users and the prevent of crime throughout, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Crime Prevention Design Advisor and implemented on site in accordance with the agreed details.

Reason: In the interest of creating safe 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.

11. External lighting – The development shall not be occupied until a scheme for the lighting of external areas of the development including the access road has been 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.

12. Biodiversity – The development shall be carried out in accordance with the approved biodiversity method statement submitted under condition discharge request application reference Q0145.11 (ELMAW Assessment Ecology Report dated June 2010, received 18.7.11) unless otherwise submitted to and approved in writing by the Local Planning Authority.

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.

13. 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.

14. Wheel washing – The development shall be carried out in accordance with the wheel scrubbing/wash down proposals submitted and approved under condition discharge application reference Q0145.11. 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.

15. Construction methodology - The development shall be carried out in accordance with the Construction Method Statement submitted and approved under condition discharge application reference Q0145.11.

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

16. Land contamination - The development shall be carried out in accordance with the reports for contaminated land pursuant to the Environmental Protection Act 1990 Part IIA (Geo –Environmental Ground Investigation Report and Geotechnical Report received 18.7.11) submitted and approved under condition discharge application reference Q0145.11.

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

17. Sustainability Statement - No occupation of the development shall take place until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall be carried out in full accordance with the agreed Sustainability Statement. Before the 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 DC49 Sustainable Design and Construction and Policies 5.2 and 5.3 of the London Plan.

18. Energy Statement - The renewable energy system shall be installed in strict accordance with the details submitted and agreed under condition discharge application reference Q0320.11 unless otherwise submitted to and agreed by the Local Planning Authority.

Reason: In the interests of energy efficiency and sustainability in accordance with DC50 Renewable Energy and Policies 5.1, 5.3 and 5.3 of the London Plan.

19. Sound attenuation - The buildings 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'.

20. Noise of plant and machinery – The development shall be carried out in accordance with the scheme for noise levels of new plant and machinery submitted and approved under condition discharge application reference Q0145.11 (AIRO report dated 30 June 2011) unless otherwise submitted to and agreed in writing by 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. Ventilation System – Before the development is first occupied suitable equipment to remove and/or disperse odours and odorous material shall be fitted to the extract ventilation system in accordance with details to be previously submitted to and agreed in writing by the Local Planning Authority. Thereafter the equipment shall be properly maintained and operated at all times.

Reason: To protect the amenity of occupiers of nearby properties.

22. Flood Risk - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated January 2011, project number 10996 compiled by Brand Leonard Limited.

- New buildings with a proposed finished floor level 300mm above the 1 in 1000 year flood level and emergency access routes to roads in Zone 1 with secure routes for emergency vehicles all above the 1000 year flood level (Executive Summary, section 1.5, page 3).
- Paved areas will all be constructed using permeable infiltration paving, subject to detail site investigation (Executive Summary, section 1.6, page 3).
- Remainder of roof areas, not used for rainwater harvesting to have living roofs (Executive Summary, section 1.6, page 3).
- Discharge to the Ravensbourne restricted to approximately 6 litres per second for 100 year storm plus an allowance for climate change with an 80m³ attenuation tank (Executive Summary, section 1.6, page 3).

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

23. Works to watercourse- The works to the watercourse shall be carried out in accordance with details submitted and approved under condition discharge application reference Q0320.11 unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk and impact of flooding to the proposed development, future occupants and third parties. To ensure the structural integrity of the existing and proposed river channel, thereby reducing the risk of flooding or damage to the watercourse. To ensure that the alterations are developed in a way that contributes to the nature conservation value of the site in accordance with national planning policy by providing suitable habitats for wildlife.

24. External brick- The external brickwork for the development hereby approved shall be:

Lindfield Yellow Multi Facings – Extra Care building
First Quality Multi Facing – Sheltered Housing building.

The buildings shall be constructed externally in the approved brick unless otherwise agreed in writing by the Local Planning Authority.

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.

25. Emergency Flood Gate- Prior to the first occupation of the development hereby approved a management strategy for the use of the proposed emergency flood gate for the purposes of fire appliance access shall be submitted to and approved in writing by the Local Planning Authority. The management strategy shall make provision for the car parking spaces in front of this gate to be utilised by staff only and give details of how these spaces would be vacated in the event of a fire. The management strategy shall thereafter be implemented and retained thereafter in accordance with the agreed details.

Reason: In the interests of amenity and in order to ensure that the development provides adequate access arrangements.

INFORMATIVES

4. 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. The developer is advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
3. Thames Water advise that with regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water course or a suitable sewer. Where the developer proposes discharge to a public sewer prior approval from Thames Water Developer Services will be required. Furthermore, there are public sewers crossing or close to this development. The applicant is advised to contact Thames Water in respect of both surface water drainage and works affecting public sewers on 0845 850 2777.

4. Under the Water Resources Act 1991 and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for certain works or structures in, over, under or within 8m of the top of the bank of the River Ravensbourne, designated a 'main river'. This is irrespective of any planning permission granted.
5. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP8, CP9, CP10, CP15, CP16, CP17, DC2, DC3, DC5, DC6, DC7, DC26, DC32, DC33, DC34, DC35, DC36, DC48, DC49, DC50, DC51, DC53, DC56, DC58, DC59, DC61, DC62, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies 3.3, 3.5, 3.7 3.8, 3.9, 3.11, 5.1, 5.2, 5.3, 5.12, 5.13, 5.21, 6.3 , 6.9, 6.10, 6.12, 6.13, 7.1, 7.3 , 7.4, 7.6, 7.19 and 7.21 of the London Plan.

Planning Obligations

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

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

266 **P1583.11 - 29 LESSINGTON AVENUE, ROMFORD - ERECTION OF RAILINGS TO SITE FRONTAGE, SURFACING FRONT DRIVEWAY, PROVISION OF WINDOW SECURITY**

The report before members detailed an application for the erection of railings to site frontage, surfacing front driveway and provision of window security.

During the debate members discussed the height and design of the proposed railings and the Police's recommendation that the works were carried out. Members considered the affect of the development on highway safety, particularly the safety of children.

Members were informed that the application had a unique set of special circumstances which led to a recommendation by officers to approve the application. Officers clarified that the set of special circumstances were particular to this site.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. The vote for the resolution was carried by 8 votes to 3. Councillors Oddy, Brice-Thompson, Kelly, Pain, Hawthorn, Ower, Breading and Burton voted for the resolution to grant planning permission Councillors Tebbutt, Brace and Osborne voted against the resolution.

267 **121 NORTH STREET, HORNCHURCH - CHANGE OF USE FROM A CAR PARK TO HAND CAR WASH**

The report before members detailed an application for planning permission for the retention of a car wash business with associated timber structure which had been installed on the site without the benefit of planning permission.

Members noted that the application had been called in by Councillor John Mylod on the basis that the car wash was situated on one of the busiest points for traffic in Hornchurch. The site experienced high levels of traffic with cars queuing on the one way system, and to get into the petrol station. Councillor Mylod felt that the car wash only exacerbated the situation.

During the debate members discussed highway safety arising out of vehicular access and egress to and from the site . Members considered issues relating to parking, street scene and the drainage of dirty water from the car wash business.

The Committee considered the report which recommended that planning permission be granted but following a motion to refuse the application it was **RESOLVED** that planning permission be refused on the grounds of inadequate parking remaining for use by patrons of the public house, harmful vehicular access and egress conditions and harmful visual impact of the hut situated on the site.

268 **P1111.11 - FOREST VIEW NURSERY, ST MARYS LANE, UPMINSTER - REPLACEMENT OF EXISTING BUILDINGS FOR KOI FISH BREEDING AND SALE**

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

269 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The report updated the Committee on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to

prior completion or a planning obligation. This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2012.

The Committee **NOTED** the report and the information contained therein.

270 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 19 November 2011 and 10 February 2012

The report detailed that 25 new appeals had been received since the last meeting of the Monitoring Committee in December 2011.

The Committee **NOTED** the report and the results of the appeal decisions received.

271 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in December 2011.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

272 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

273 **EXCLUSION OF THE PUBLIC**

The Committee decided on the motion of the Chairman that the public should be excluded from the remainder of the meeting on the ground

that it was likely that, in view of the nature of the business to be transacted, if members of the public were present there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 and it was not in the public interest to publish the information.

274 **CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION**

Attached to the report was a schedule listing, by Ward, all the complaints received by the Planning Control Service over alleged planning contraventions for the period from 19 November 2011 and 10 February 2012.

The Committee **NOTED** the report and **AGREED** the actions being taken.

Chairman

Agenda Item 5

Regulatory Services Committee

5 April 2012

Item 5

WITHIN STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-6	P0052.12	Brooklands	20-28 London Road, Romford
7-13	P0084.12	Rainham & Wennington	Ingrebourne Links Golf Course, Rainham
14-19	P0146.12	Romford Town	25-27 South Street, Romford

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REGULATORY SERVICES COMMITTEE

5th April 2012

WITHIN STATUTORY PERIOD

APPLICATION NO:	P0052.12	
WARD :	Brooklands	Date Received: 17th January 2012
ADDRESS:	20-28 London Road Romford	
PROPOSAL:	Change of use of car showroom to MOT testing, service and repairs centre and insertion of roller shutters to front and side elevations.	
DRAWING NO(S):	011a 012a 010	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

No

SITE DESCRIPTION

The application site is located at the junction of London Road and St Edwards Way outside of the Romford Ring Road. Yew Tree Gardens connects to the north of the site. To the south of the site is a minor local centre comprising of various commercial units. To the north and west of the site are two storey terraced residential dwellings.

The application site comprises a single storey commercial building which is presently vacant having most recently been in use as a car showroom with associated outside car parking and car show space. The building has a footprint of 1054 sqm. Vehicular access to the site can be taken from London Road or Yew Tree Gardens. There is also a vehicle crossover midway between these two that provides for egress.

The site is situated within the boundary of the Council's Romford Area Action Plan.

DESCRIPTION OF PROPOSAL

This planning application seeks planning permission for a change of use of the premises to a MOT vehicle testing, servicing and repairs centre.

The proposal does not require any significant change to the existing building. The applicant has advised that the building will require alteration to the exterior doors, to provide additional security. The details of these would be finalised via a condition appended to the planning permission in the event that Members grant planning approval.

Minor alterations will be undertaken to the interior of the building. The applicant's advise that MOT testing will be carried out on an appointment basis and that there may be up to 60 customers per day.

The application proposes to amend the western most entry point to provide for vehicle entry only. Vehicle ingress and egress would remain via Yew Tree lane. The mid point cross over would be removed. This currently provides for unsafe vehicle manoeuvres across multiple lanes of the adjacent round-about.

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Hours of operation are proposed;

- Monday to Saturday 8.00 am - 6.00pm
- Sunday 10.00am - 4.00pm

As the proposal is for a change of use of greater than 1000sqm floor area the application is a major application, and is presented to Members for determination.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 112 adjoining properties with 1 letter of representation being received. The letters raised the issue that there is the potential for additional traffic to be generated as a result of the proposal. In the event that approval was granted there should be controls on noise and rubbish generated from the activities on the site.

The Council's Street Care service has no objection.

The Council's Environmental Health Department have requested that a scheme for the insulation of the building is submitted prior to the use commencing in order to safeguard residential amenity.

The Environment Agency has advised that they have no objection subject to conditions requiring that development shall not commence until a scheme to dispose of foul and surface water, has been submitted to, and approved by, the Local Planning Authority. This may entail oil and petrol separators, trapped gullies and a sealed roof.

The London Fire Brigade raise no objection to the proposals.

The Council's Highways department has not objected. (Subject to conditions- See Highways section below)

RELEVANT POLICIES

LDF: DC26, DC32, DC33, DC55 and DC61

Romford AAP: ROM16

London Plan: 2A.8, 3C.24, 3D.1 and 3D.2

Planning Policy Statement 4 - Planning for Sustainable Economic Growth

Planning Policy Guidance Note 24 - Planning and Noise

STAFF COMMENTS

The issues in relation to this proposal are the principle of development, environmental impact, impact upon amenity, highways/parking implications and appearance.

PRINCIPLE OF DEVELOPMENT

The issues in relation to this proposal are the principle of development; environmental impact; impact upon amenity; highways/parking implications and other matters.

The application site is situated within the boundary of Romford Town Centre as defined by the Romford Area Action Plan proposals map. The site is not designated for any particular land use which means that the Council will generally require the redevelopment of commercial sites which become available for housing development.

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In this case however given that the site has a long established use for commercial purposes previously involving sales and repairs of motor vehicles. The site continues to avail itself for such purposes with a large scale freestanding building, and external standing space for vehicles. The site is accessible to and is close to main feeder roads into the town centre. Whilst alternative uses, such as retail, could potentially occupy the site, the use is considered suitable in this location. Due to the nature of the business, it needs to be of a reasonable scale, with good vehicular accessibility, in a location that makes it convenient to customers who may require to leave their vehicle on site.

The use of the site for the purposes proposed will not detract from the ability of the Romford Town Centre to provide retail services.

The proposal involves a change of use (i.e. the existing building would be retained) no objections are raised to the proposal in principle subject to compliance with other plan policies. Provided the environmental impact of the proposal is demonstrated to be acceptable, it is considered that the continuation of the non-residential use of the site could be supported in this instance.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application site is located on the periphery of Romford Town Centre. At this point in London Road the character of the area is drawn predominantly from commercial frontages with, residential properties off of the adjoining side roads. The site itself has been in non residential use for a considerable period of time having most recently been a car showroom. Staff are of the view that the use of the premises as would not have an adverse effect on the character of the area.

The proposal would not involve any significant external alterations and as such would have no effect upon the existing street scene. The applicant requires improved security and access for the building, through new doors to the building. It is important consideration is given to the location of the site within the Romford Town Centre, and that transparent light weight doors are used, in preference to solid roller shutters. A condition will be attached to the decision notice if Members grant approval.

Signage on the site will separate consent.

IMPACT ON AMENITY

The rear boundary of the application site is at the interface with the rear garden areas of adjoining residential properties fronting Knightsbridge Garden, and the site is close proximity to residences in Yew Tree Gardens. Given the proximity of adjoining residential properties careful consideration in respect of the likely impact on amenity is required.

The site is located on the major ring road surrounding the Town Centre, which impacts the level of amenity of the area by the noise generated by vehicles. The main noise generated from the activities on site is likely to come from within the main building through cars being serviced.

The building is orientated in a manner that has the major openings in the building facing on to the main road frontages away from the residential areas, which should assist in restricting noise emanating from the premises. No noise is anticipated outside the opening hours (ie during the evening and night time).

The Council's Environmental Health service has recommended that the prior to the development commencing, details must be submitted to the Council for approval, specifying the provisions for

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the control of noise emanating from the building and site. Staff are of the view that in the event that planning permission was being recommended for approval a condition to secure this could be imposed.

HIGHWAY/PARKING

Policy DC33 seeks to ensure that adequate car parking is provided for new development in accordance with the standards given in annex 5.

Staff parking is available in the north-west corner of the site.

The site is within walking distance of Romford Town Centre, which is well served by public transport, that could provide for those patrons that need to leave their vehicle for an extended period or staff who do not drive.

The site provides for 11 customer spaces on the front of the site. However it is considered that the site differs from standard requirements in that there will not be requirement for customer parking per se, as cars will be serviced, manoeuvred and parked on site

The roads surrounding the application site are subject to parking controls including a resident permit holder s only controlled parking zone. This operates Monday to Saturday, and will manage car parking in the area adjacent the subject site.

The proposal would not have an adverse impact on the highway and is consistent with Policy DC33.

In respect of servicing arrangements policy DC36 states that planning permission for new developments including changes of use will only be granted where adequate servicing arrangements are provided. Policy DC36 states that Town centre developments may be serviced from the highway at the front of the premises. However, planning permission will only be granted where the applicant can demonstrate that:

- this will not have an adverse effect on the functioning of the road hierarchy
- it does not adversely effect the efficient functioning of the public transport network
- it will not cause unacceptable levels of congestion or road hazard
- it does not have an adverse effect on pedestrian safety or the amenity of residential properties
- there is no provision of a rear service road as part of the servicing of the wider area.

The Highways Authority has raised no objection to the application in relation to servicing or access arrangements. Larger vehicles will be able to enter the site through the improved London Road entrance and leave via Yew Tree Gardens. A gate is positioned as the via Yew Tree Gardens entrance that will prevent drivers cutting through the site out of hours.

The removal of the centre crossover will improve road conditions at the round-a-bout.

The Highway Authority has required that parking spaces on the site to be marked out to Council's design standards. In order to undertake the access works required the applicant will be required to undertake 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.

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KEY ISSUES/CONCLUSIONS

The application site seeks the change of use of a site that has previously been used for the purpose of vehicle sales.

The proposed use, involving the servicing of vehicles on the site, is considered appropriate given the suitability of the building for undertaking the activities.

The site is in a high profile location that can be accessed by vehicles. The hours of operation are considered reasonable in the context of the location of the site, which abuts residential properties, whilst fronting a main road.

Potential adverse amenity impacts can be managed by conditions that address the management of noise, discharge of pollutants and appearance. The application complies with key policies of the Core Strategy and Development Control Policies DPD and is not inconsistent with the Romford Area Action Plan.

The application is recommended to Members for approval, subject to conditions.

RECOMMENDATION

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

1. SC32 (Accordance with plans)
2. SC10B (Details of work and samples of material)
3. SC22 (Hours of operation) ENTER DETAILS

Work shall be carried out on the site, and the premises shall only be open to the public between the hours of;

- Monday to Saturday 8.00 am - 6.00pm
- Sunday, Bank or Public Holidays 10.00am - 4.00pm

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

4. SC39 (Activities within buildings) ENTER DETAILS

The servicing of vehicles activities shall not take place anywhere on the application site except within the existing building 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, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. SC41 (Noise levels and hours) ENTER DETAILS

Noise from operations conducted on the premises shall not exceed LA90-10 d.B (A) as

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6. SC45B (Restriction of use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended the use hereby permitted shall be for MOT testing and servicing only and shall exclude all other uses whatsoever including any other use in Class B of the Order, without prior consent in writing of the Local Planning Authority.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Non standard condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water, has been submitted to, and approved in writing by, the Local Planning Authority. Where applicable we require details on proposed oil and petrol separators, trapped gullies and sealed roof drainage. The scheme shall be implemented as approved.

Reason to prevent pollution of the water environment.

8. Non standard condition

Parking Spaces.

Prior to the use being open to the public parking spaces on the site to be marked out to Council's design standards.

Reason:-

To ensure that the development accords with the Development Control Policies Development Plan Document Policies DC33 and DC61.

9. Non standard condition

Works to the Highway

The applicant is required to undertake the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:-

To ensure that the development accords with the Development Control Policies Development Plan Document Policies DC33 and DC61.

1 The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy DC26, DC32, DC33, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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

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APPLICATION NO:	P0084.12	
WARD :	Rainham & Wennington	Date Received: 20th January 2012
ADDRESS:	Ingrebourne Links Golf Course Rainham	
PROPOSAL:	Temporary change of use for a material storage area. Revised Plans & details received 14.03.2012	
DRAWING NO(S):	Supporting Statement 0128/TS/1a	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

The application site comprises land located to the east of the A1306 (New Road), Rainham, on which a golf course, driving range, and associated club house, car parking, and ancillary facilities are currently being constructed. The construction works involve the importation of inert waste material, which is brought in by road, deposited and stockpiled at the western end of the site. The application under consideration only concerns this material reception area, which represents a very small part of the overall golf course development approved under planning permission P0319.09.

The site is located in the Green Belt and on land designated as Thames Chase Community Forest.

DESCRIPTION OF PROPOSAL

This planning application proposes the temporary change of use of land within the Ingrebourne Links golf course development site for a material storage area. The site is located on land that benefits from planning permission for the development of a golf course, which is currently under way. The location of the site is in an area of the wider golf course development that is already being employed as a material reception, storage and reception area. The application under consideration would allow for the delivery and storage of material outside of the hours already approved. On completion of the golf course development, the site would be restored in accordance with planning permission P0319.09.

The application proposes the delivery of inert material outside of the hours approved as part of planning permission P0319.09. The golf course development project is partly reliant on the inert material being excavated as part of the Crossrail project. The Crossrail project currently has a surplus volume of material needing to be disposed of with a lack of land on which to store it in central London. Given the central London location of much of the Cross Rail tunneling works, the export of material will most likely take place through out the night.

Condition 8 of planning permission P0319.09 limits works in the area under consideration, including the delivery of material, to the hours of 0700-1800 Monday to Friday, and 0700-1300 Saturday. The application under consideration would allow for the delivery and storage of material on a 24 hours per day, 7 days per week basis, assisting with the development of the golf course to schedule. The proposal is only for the delivery and storage of inert material. No other operations, including the processing and working of the material delivered, would occur

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outside of the hours already approved as part of planning permission P0319.09.

The applicant proposes that the development be allowed for a period of four years to coincide with the anticipated completion of the golf course development

RELEVANT HISTORY

P0319.09 - Construction of a 'links' style golf course, club house, car parking and ancillary facilities using treated indigenous and imported materials - Approved.

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 26 neighbouring properties; a site notice was placed in the vicinity of the site; and advertisements have been placed in the local press. No representations have been received from neighbouring occupiers.

Comments have been received from the following consultees:

Highways - No objections.

RELEVANT POLICIES

The following policies of the LDF Core Strategy and Development Control Policies DPD ("the LDF") are of relevance:

DC22 - Thames Chase Community Forest

DC33 - Car Parking

DC45 - Appropriate Development in the Green Belt

DC55 - Noise

DC61 - Urban Design

National Planning Guidance

PPG2 - Green Belts

STAFF COMMENTS

The consultation period for this application expires on 6th April 2012. Officers are recommending that Members delegate responsibility to the Head of Planning Services to approve the application should no adverse comments be received following the application's consideration by Members.

The main issues in this application are considered to be the principle of development, the impact upon the character of the area, impact upon neighbouring occupiers, and highway considerations.

PRINCIPLE OF DEVELOPMENT

The site is located on land designated as Thames Chase Community Forest. Policy DC22 of the LDF states that opportunities for informal recreation in the countryside will be increased by various means. The site already benefits from planning permission for the development of a golf course, which is in the process of being completed. It is considered that the proposal would not be contrary to Policy DC22.

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The proposed development would take place within the Green Belt. Policy DC45 of the LDF states that planning permission will only be granted for development if it is for given purposes, including outdoor recreation. The proposed use of land as a temporary material reception and storage area, associated with the development of a golf course, is considered to be in accordance with Policy DC45.

In terms of the guidance contained in PPG2, the preliminary assessment when considering proposals for development in the Green Belt is as follows:-

a) It must be determined whether or not the development is inappropriate development in the Green Belt. PPG2 and the Local Plan set out the categories of appropriate development.

b) If the development is considered not to be inappropriate, the application should be determined on its own merits.

c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (PPG2, paragraph 3.2).

In terms of Green Belt policy, the application proposes the change of use of land. Paragraph 3.12 of PPG2 states that material changes in the use of land constitute inappropriate development in the Green Belt except where they maintain openness and do not conflict with the purposes of including land in the Green Belt. It is considered that the proposed use would not have any significant impact upon the openness of the Green Belt or conflict with the purposes of including land in the Green Belt over and above the activities and development already approved as part of planning permission P0319.09.

It is considered that the proposed development would not constitute inappropriate development in the Green Belt and that it is therefore acceptable in principle, having had regard to Policy DC45 of the LDF and the guidance contained in PPG2.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The site is located within the Green Belt.

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. Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be harmed by development within or conspicuous from the Green Belt, by reason of their siting, materials or design.

The proposal would result in the delivery and storage of inert material at the site, on land located within an approved golf course development that is already being employed as a material reception, storage, and processing area. The proposal would allow for the delivery of inert material outside of the hours already approved by the wider golf course planning permission. The controls associated with the golf course planning permission, in which the site is located, would continue to apply. The only significant change in terms of the visual impact, over and

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above what the existing development gives rise to, would be that vehicles could be observed entering and leaving the site at times of the day that are not currently permitted.

The site under consideration would be restored in accordance with planning permission P0319.09. It is recommended that a condition be imposed, should planning permission be granted, stipulating that the site be restored in accordance with the plans approved under planning permission P0319.09. In the interests of visual amenity and the timely completion of the golf course development, it is also recommended that the provisions of conditions 13 (limiting the importation of material to that required for the construction of the golf course), 15 (limiting the storage of imported material to the area approved), and 25 (preventing the installation of flood lighting without the prior approval of the Council) of planning permission P0319.09 be employed in this case.

It is considered that the proposal would not result in any significant adverse visual impacts and that it would therefore be in accordance with Policy DC61 of the LDF and the guidance contained in PPG2.

IMPACT ON AMENITY

Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

The site has been advertised and neighbours notified of the proposed development. No objections have been received to date. The nearest noise sensitive properties are Wennington Hall Cottages, which are located approximately 310m to the south west of the site entrance and on the other side of the A1306. These properties are located approximately 460m from the material reception and storage area in which material would be deposited during the night. Another residential property, known as The Willows, and the Travel Inn hotel, are located approximately 450m to the south of the site's southern boundary.

It is considered that the location of the proposed reception and storage area is such that there would not be any significant adverse impacts on the amenity of local residents. A condition can be imposed, should planning permission be granted, stipulating that material shall only be deposited and stored, and that no processing or other activities shall take place during the proposed hours of operation. It is also recommended that the provisions of condition 25 of planning permission P0319.09 (preventing the installation of flood lighting without the prior approval of the Council) be employed in this case. Whilst the applicants have suggested that the proposed development be allowed to continue for a period of approximately 4 years, which is the estimated duration of the remaining golf course construction works, it is recommended that the planning permission be limited to two years to enable the Council to monitor the impacts of the proposal and to reconsider the proposal in future should the applicants require a further extension of time.

The proposed extension of the period during which material may be delivered to the site would result in an increase in heavy goods vehicle movements during the evenings and early morning hours, which could have an adverse noise impact on the occupiers of properties located alongside the public highway. The anticipated number of deliveries during the period from 7pm and 7am would be in the region of 30 or 40, or 60-80 vehicle movements, the equivalent of 2-4 deliveries (4-8 movements) per hour on average. It is considered that the proposed vehicle movements would not have any significant adverse impacts on the amenity of neighbouring occupiers providing a condition is imposed requiring that vehicles visiting the site during the night, only access the site from the direction of the Wennington junction of the A13, and leave

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the site in the direction of that junction. This will mean that HGV traffic can avoid the more densely populated areas to the north and north west of the site, particularly where traffic lights and junctions would require HGVs to stop near to residential properties.

Subject to the use of the afore mentioned conditions, it is considered that the proposed change of use would result in a significant improvement on the amenity of neighbouring occupiers, and the proposal would therefore be in accordance with Policy DC61 of the LDF.

HIGHWAY/PARKING

The Highway Authority has raised no objections to the proposal, stating that it would not affect the highway network and that the site is located outside of any areas covered by an overnight lorry ban.

Should planning permission be granted, it is recommended that conditions 10 (wheel wash) and 26 (Travel Plan) relating to planning permission P0319.09 be imposed in this case to ensure that vehicles visiting the site continue to utilise the wheel wash facilities installed on site and to ensure that the provisions of the Travel Plan approved as part of the wider golf course development continue to be adhered to.

Subject to the use of the afore mentioned, it is considered that the proposal would not result in any significant adverse impacts on highway safety and amenity.

KEY ISSUES/CONCLUSIONS

The proposed development is considered to be acceptable having had regard to Policies DC22, DC33, DC45, DC55, and DC61 of the LDF, and all other material considerations.

RECOMMENDATION

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

10. SC32 (Accordance with plans)

1. Non standard condition

The development hereby approved shall cease within 2 years of the date of this planning permission. The site shall thereafter be restored in accordance with the phasing and details approved as part of planning permission P0319.09.

Reason:

In the interests of visual and local amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

2. Non standard condition

Only inert material required for the restoration / construction of the Golf Course Landform, approved by planning permission P0319.09, shall be brought onto the site. No material shall be removed from the site.

Reason:

To ensure that the minimum amount of soil making material is brought into the site to ensure the site is restored in the minimum amount of time available and that minimum

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harm to the amenities of the area is caused in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

3. Non standard condition

Storage of stockpiled material shall only take place in the area defined as the Soil Storage Area hatched orange on the plan referenced 0128/O/P1a and approved as part of planning permission P0319.09.

Reason:

In the interests of visual amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

4. Non standard condition

No floodlighting shall be provided on any part of the application site without the prior written permission of the Local Planning Authority.

Reason:

In the interests of the character and appearance of the site which forms part of the Metropolitan Green Belt and of amenity, in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

5. Non standard condition

The approved development shall be undertaken in accordance with the Travel Plan approved under condition 26 of planning permission P0319.09.

Reason: To bring about a reduction in vehicle journeys.

6. Non standard condition

The wheel scrubbing/wash down facilities approved and installed in accordance with condition 10 of planning permission P0319.09 shall be employed by all heavy goods vehicles leaving the site, to prevent mud being deposited onto the public highway.

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 Policy DC61.

7. Non standard condition

This planning permission only grants approval for the depositing and storage of inert material. No other operations shall occur.

Reason:

In the interests of local amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

8. Non standard condition

Stockpiled material at the site shall not be stored at heights greater than 4m, measured from ground level.

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Reason:

In the interests of visual amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

9. Non Standard Condition

Heavy goods vehicles entering and leaving the site to deposit material between the hours 1800 and 0700 Mondays to Fridays, 1300-0800 on Saturdays, and at all times on Sundays, Bank and Public holidays, shall only approach and leave the site according to the following routing arrangements:

a) Heavy goods vehicles shall only approach the site, along the A1306, from the direction of the Wennington junction between the A1306 and the A13, which is located to the south of the site. Heavy goods vehicles shall only enter the site from the public highway by a right-hand turn.

b) Heavy goods vehicles shall only depart from the site, along the A1306, by approaching the Wennington junction between the A1306 and the A13, which is located to the south of the site. Heavy goods vehicles shall only enter the public highway from the site by a left-hand turn.

Reason:

In order to prevent heavy goods traffic significantly diminishing the amenity of residential occupiers located in close proximity to the public highway, and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

2 INFORMATIVE:

Reason for Approval:

Having considered the principle of development, the visual impact, the impact on amenity, and highways considerations, the proposed development is considered to be acceptable, having had regard to the Development Plan and all other material considerations. The proposal is considered to be in accordance with the aims, objectives of Policies DC22, DC33, DC45, DC55, and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document, and the guidance contained in PPG2.

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

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APPLICATION NO:	P0146.12	
WARD :	Romford Town	Date Received: 24th February 2012
ADDRESS:	25-27 South Street Romford	
PROPOSAL:	Change of existing ground floor retail to beauty salon and first floor to beauty training academy.	
DRAWING NO(S):	OS Map Appendix 1 C07129/01 Rev A	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

No

SITE DESCRIPTION

The application site is located within the retail core area of Romford Town Centre on the eastern side of South Street approximately 70 metres south of the Golden Lion crossroads. It comprises the ground floor and first floor of nos. 25 to 27 South Street which are presently vacant. The building of which the application site forms part is of a flat roof design with the frontage being of 'Art Deco' style. The rear elevation of the building faces onto an open area formed by the roof tops of adjacent buildings. A fire escape presently leads from the rear elevation of the building across the roof tops and down to ground level.

The South Street frontage of the building is flanked on both sides and opposite by buildings of similar or lower storey heights. Adjacent buildings predominantly have retail or service uses at ground floor with storage or office uses on the upper floors. To the rear of the site are the roof tops of adjoining buildings of lower storey height and the Quadrant Arcade with the Kings Arms Yard beyond. The frontage of the building onto South Street is located within the Romford Conservation Area.

Given the location of the site there is no rear service yard or access area. As such the existing ground floor retail units and premises within the Quadrant Arcade are serviced via the Market Place or from South Street. The site presently has no off street car parking.

DESCRIPTION OF PROPOSAL

The application seeks permission for a change of from an A1 (retail) use to a beauty salon (sui generis) at ground floor and a beauty training academy (D1) at first floor. The applicatn has also indicated that there would be a retail element included as part of the beauty salon through the sale of beauty products.

It is intended that the premises would open seven days a week. The beauty salon would be open on Monday to Friday between 09:00 and 21:00 and on Saturdays between 09:00 and 18:00 and on Sundays and Bank Holidays between 10:00 and 16:00. The training academy would be open on Monday to Friday between 10:00 and 21:30 and on Saturdays, Sundays and Bank Holidays between 10:00 and 16:00.

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It is proposed that 8 full time staff be employed and 15 part-time staff.

CONSULTATIONS/REPRESENTATIONS

The application has been advertised and a site notice displayed. Neighbour notification letters have also been sent to 37 adjoining occupiers. No letters of objection were received.

Havering's Police Borough Crime Prevention Design Advisor has raised no objection to the proposal.

Environmental Health recommended insulation, plant, odour dispersing equipment, noise control scheme and construction hours conditions in the event of an approval.

STAFF COMMENTS

The issues raised by this application are the principle of development, the impact on amenity and parking/highway issues.

PRINCIPLE OF DEVELOPMENT

Government guidance on town centres contained within PPS4 states that local planning authorities should proactively plan to promote competitive town centre environments and provide consumer choice by, inter alia, supporting a diverse range of uses which appeal to a wide range of age and social groups. The application site is located within the retail core of Romford town centre where Policy ROM10 of the Romford Area Action Plan Development Plan Document advises that planning permission for retail uses (Class A1) will be granted at ground floor level. Service uses (Classes A2, A3, A4, A5) will be permitted within the retail core only where the following criteria are met:

- The use provides a service appropriate to a shopping area;
- The proposal will not result in a group of three or more adjoining A2-A5 uses;
- Not more than 15% of the length of the relevant frontage will be in non-retail use following implementation of the proposal.

This policy is intended to maintain the viability and vitality of the town centre by protecting the predominantly retail use so that the range and choice of goods sold are maintained. At the same time, it recognises that uses such as banks, building societies and restaurants provide a complementary service for the shopping public, and it is therefore appropriate to make some provision for them in the centre. The retail core of the town centre has been defined in such a way as to single out the most concentrated areas of shopping for protection. In these areas the policy seeks to restrict the number of non-retail uses and also to prevent their grouping as this would interrupt the continuity of individual shopping frontages thus undermining their contribution to the centre as a whole.

The proposed mixed use of the premises as a beauty salon (sui generis) and beauty training academy (D1) are not uses specifically referred to in the Council's policy as being appropriate in a shopping area. The proposed uses would however be likely to attract both dedicated customers and those on more general shopping trips. Staff are of the view that the proposal has the potential to make a contribution to pedestrian flows and that the proposed uses would display a number of characteristics which would be similar to some retail uses in terms of the general level of activity and expenditure. It is proposed that the premises be open seven days a week during normal shopping hours. The proposal would also be capable of providing a window display which would allow for an active frontage to the unit. For these reasons staff are of the

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view that the proposal would be appropriate within a shopping area.

The proposed uses would result in a group of three or more adjoining A2-A5 uses or other non-retail uses. In determining the relevant frontage for the purposes of the above it is considered that the frontage runs between no. 1 and no. 35 South Street. The frontage begins at the South Street junction with the Market Place and ends at the entrance to The Liberty shopping centre. This frontage has a total length of 120 metres and presently contains three non-retail uses measuring 28.5 metres, No. 1-3 South Street (Co-operative Bank), No. 9 South Street (currently vacant but have permission for A2 use), No. 17-19 South Street (mixed A2 and sui-generis use) and the application site (25-27 South Street). The defined frontage presently has 23% of the length in non-retail use. The proposal would result in an increase of non-retail uses to 34% of the total frontage.

Although the proposal would be contrary to ROM10 of the Romford Area Action Plan in that it would result in the disproportionate loss of retail space, Staff consider the proposal to be acceptable on balance given the site specific circumstances. The applicant has submitted details which shows that the premises has been vacant for a considerable period of time with no success of getting retail tenants. The applicant has also indicated that there would be a retail element to the ground floor unit through the retailing of beauty products. At the time of the site visit it also became apparent that there is a significant amount of empty premises currently within the subject parade of shops.

Regeneration, Policy and Planning do not have any objections to the application as the proposal is with a view to take a long tenancy and the site has been vacant for some time. The negative impact of vacancies on the overall appearance and attractiveness of the town centre is high and it is important to maintain active frontages (provided these are in line with town centre uses) to ensure the town continues to offer a varied offer to visitors particularly in the light of increasing competition.

In light of the above Staff consider the proposed use to contribute positively to the vitality of the town centre. The subject premise has been vacant for a considerable period of time resulting in the unit having a somewhat neglected appearance. This proposal would bring the unit back into use which staff consider would be a positive outcome for the vitality of this shopping parade. Overall, it is Staff's view that the proposal would have an acceptable impact on the shopping function of Romford Town Centre.

CONSERVATION AREA

It is not considered that the proposal would have an adverse impact on the character and appearance of the Romford Conservation Area as no external changes are proposed.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal would involve no alterations to the external appearance of the building and would therefore pose no adverse or detrimental issues to the character of the street scene. Any external changes to the shop front such as an advertisement would be assessed by a separate application.

IMPACT ON AMENITY

With regard to the impact upon neighbouring properties consideration must be given to potential implications in terms of operating hours and noise and disturbance, particularly in view of the fact that some residential properties are located on the upper floors of the parade.

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The application site is located in an area which is characterised by commercial premises where a certain level of activity and associated noise is to be expected. Staff are of the view that the uses such as those proposed are more suitably located within a town centre location than within a predominantly residential setting and that the amenities of residents living within the town centre are not normally expected to be as high as for residents living in purely residential locations. The proposed uses would be unlikely to attract specific car-borne trade as it is located in a pedestrianised area, therefore people are likely to arrive on foot.

This part of the town centre has a number of licensed premises, which are open until the early hours for the majority of the week. The proposed opening hours are deemed to be acceptable. Staff are of the view that the impact resulting from the proposal would be unlikely to generate unacceptable levels of noise when viewed against the existing background noise levels arising from other uses in the locality.

HIGHWAY/PARKING

The application site has no off-street car parking facilities for customers. Customers attending the site would therefore need to rely upon either public transport or a local car park. The application site is located within a highly accessible town centre location so that the absence of any car parking provision is considered to be acceptable having regard to Government advice contained in PPG13. The site is accessible by a variety of transport modes including public transport, walking, cycling and the car. For these reasons it is considered that the proposal would pose no adverse effect on the function of the highway. Servicing of the premises would take place from the front as per the previous use of the premises. This is considered to be acceptable having regard to the town centre location of the site and would accord with the provisions of Policy DC36.

KEY ISSUES/CONCLUSIONS

Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would provide acceptable uses in this location. It is considered that the proposal would not be harmful to residential amenity or create any highway or parking issues. As such, the application is recommended for approval.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. SC27 (Hours of use) ENTER DETAILS

The salon hereby permitted shall not be used for the purposes other than between the hours of 9:00 and 21:00 on Mondays to Fridays, 09:00 and 18:00 on Saturdays and between 10:00 and 16:00 on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

The training academy hereby permitted shall not be used for the purposes other than between the hours of 10:00 and 21:30 on Mondays to Fridays, 10:00 and 16:00 on Saturdays, Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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3. S SC32 (Accordance with plans)

4. M SC35 (Window display)

5. M SC37 (Noise insulation)

6. M SC62 (Hours of construction)

7. Non standard condition

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

8. Non standard condition

Before the development hereby permitted commences 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 scheme as may be approved shall be implemented prior to first occupation and thereafter retained in accordance with such details.

Reason:-

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

9. Non standard condition

Before the use commences suitable equipment to remove, disperse or neutralise odours and odorous material discharged from the proposed use in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises.

10. Non standard condition

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

Reason:-

To protect the amenity of occupiers of nearby premises.

3 The proposed development is considered to be in accordance with the aims, objectives

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and provisions of Policies CP4, CP17, CP18, DC33, DC36, DC61, DC63 and DC68 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document together with Policies ROM6 and ROM20 of the Romford Area Action Plan Development Plan Document. The proposed use is sui generis and does not fall within the list of services set out in Policy ROM10 of the Romford Area Action Plan Development Plan Document. Notwithstanding this the proposed use would display a number of a number of characteristics which would be of a similar nature to a retail use in terms of the general level of activity and expenditure and this is considered to justify exception in this case to the strict application of Policy ROM10.

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

- 4 The Local Planning Authority promotes the delivery of safer places through the principles and practises of the Secured by Design award scheme. This is a national police initiative which is fully supported by national, regional, and local planning guidance together with the Home Office and CLG. It is designed to encourage developers, to adopt appropriate measures, to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that in implementing this permission, the applicant seeks the advice of the local police CPDA who can be contacted direct via Havering Development Control.
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Agenda Item 6

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Item 6

OUTSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-4	P1773.11	Cranham	9 Avon Road, Upminster
5-11	P1908.11	Havering Park	Ashbrook Nursing Home, 217-219 Chase Cross Road, Romford
12-20	P1937.11	Heaton	Hogbar Farm (East), Lower Bedfords Road, Romford

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APPLICATION NO:	P1773.11	
WARD :	Cranham	Date Received: 23rd November 2011
ADDRESS:	9 Avon Road Upminster	
PROPOSAL:	Two storey side and single storey rear extension Revised plans Received 20.01.2012 & 28.03.2012	
DRAWING NO(S):	BR/01, PP/03 & PP/04 PP/02A & PP05A	
RECOMMENDATION :	It is recommended that planning permission be REFUSED for the reasons: given at the end of the report.	

CALL-IN

This application has been called in by Councillor Brace.

SITE DESCRIPTION

The application premises comprise of a two storey semi-detached dwelling located on the junction of Avon Road and Severn Drive. There is parking for three vehicles on the hard standing to the front of the dwelling. Development in the surrounding area is characterised by two storey semi-detached dwellings. The ground level is relatively flat in the rear garden. There is a tree in the rear garden which may be affected by the proposed development, although this is not protected by a Tree Preservation Order. The site is bounded by a 2m/1.8m high close boarded fence adjacent to Severn Drive and the neighbour at No.191 Severn Drive.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for a two storey side and single storey rear extension. The two storey side extension would measure 4.6m wide, 12.5m deep and have a hipped roof with a height of 8.5m. The existing porch would be extended across the two storey side extension and measure 1.2m in depth.

The first floor element would project 3m from the rear wall of the dwelling with a hipped roof. The single storey rear extension would measure 4m deep and 6.6m wide with a pitched roof with an eaves line of 2.7m rising to an overall height of 3.95m.

RELEVANT HISTORY

P1472.11 - Single storey detached garage to rear - Approved.

CONSULTATIONS/REPRESENTATIONS

Seven neighbours were notified regarding the application and no letters of representation were received.

RELEVANT POLICIES

Residential Extensions and Alterations Supplementary Planning Document. DC33 & DC61 - LDF Core Strategy & Development Control Policies Development Plan Document.

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STAFF COMMENTS

An attempt was made to negotiate with the agent to reduce the width of the two storey side extension, although this was not successful and the application remains the same as that originally submitted.

DESIGN/IMPACT ON STREET/GARDEN SCENE

In the case of side extensions for semi-detached properties, policy DC61 and the Supplementary Planning Document are relevant and detail criteria associated with the appearance to maintain Havering's existing open a spacious residential character. The character is derived from the uniform spacing of dwellings and their symmetry on the street scene. It is important when accessing side extensions that they do not upset the balance of the street scene.

The main concern is with the two storey element of the proposal. The proposed development is situated in a visually prominent location, at the junction between Avon Road and Severn Avenue. The proposed two storey side extension would be set off the boundary by a minimum of 1.2m to comply with Council policy. However, following a site visit, it was noted that the attached neighbour has benefited from a two storey side extension which is approximately 3.2m wide.

The width of the proposed two storey side extension is 4.6m, which would equate to approximately 69% of the width of the original dwelling. It is considered that the two storey side extension, when viewed in conjunction with the loft conversion and large rear dormer window (which was recently constructed under permitted development), would have a detrimental impact on the street scene. It is Staff's view that the proposed two storey side extension would give the appearance of a new dwelling in the street scene, instead of a subservient extension. As a result the proposed side extension would poorly relate with the existing dwelling and have an unbalancing effect on the pair of the semi-detached properties.

Originally, the two storey side extension was to be set back by 1m at first floor level as per Council guidelines to create a break in the roofline. Further to the negotiations between the case officer and the agent it was suggested that a deviation from normal guidelines may be agreeable for the first floor side extension to be flush with level with main wall of the dwelling house subject to the width of the two storey side extension being reduced. This would also bring a sense of symmetry back to the pair of semi detached properties as the attached neighbour has already got a two storey side extension level with the main wall of dwelling house albeit which has a width of 3.25m.

The applicant has made reference to properties in the immediate vicinity which have been extended in particular Nos.7 and 19 Avon Road but also No.3 Chelmer Road. Staff consider that No.3 Chelmer Road is not a comparable site as the application dwelling (No.9) is located on a crossroads and not the inside of a bend. Secondly, Chelmer Road is a cul-de-sac and not on a main road and finally, the application dwelling (No.9) is on a prominent corner location.

However, the other two examples at No.7 and No.19 Avon are considered to be acceptable and further review of these examples has taken place. The first floor side extension at No.7 and the two storey side extension at No.19 were approved in 1992 and 2003 respectively; however both pre-date the Council's current guidelines. As previously mentioned No.9 Avon Road is located on a cross road junction and is more prominent than the site at No.19 Avon Road. The width of the extension at No.19 is approximately 4.8m wide and appears disproportionate. Furthermore, this site has not been substantially extended in the loft area with a large dormer window and a two storey rear projection.

As a result, it is considered that the two storey side extension, in terms of its excessive width,

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bulk and mass prominent corner location and position forward of the building line along Severn Avenue, would appear a dominant and visually intrusive and be harmful to the open and spacious character of the street scene.

IMPACT ON AMENITY

Consideration has been given to the impact of the proposal on the neighbouring properties at Nos. 7 and No.11 Avon Road Avenue, primarily in respect of overshadowing and loss of privacy.

It is considered that the properties opposite the site at No.7 and to the rear along Severn Avenue would not be unacceptably impacted by the proposed development due to the separation distance between the application dwelling and these properties, which would mitigate any potential impact.

The proposed two storey side extension would be located on the west side of the dwelling. It is not envisaged that the proposal would have any impact on the amenity of the neighbour at No. 11 as they are located to the east.

The proposed single storey rear extension would project 4m from the rear main wall which complies with council policy. Even though, the overall height of this extension would measure 3.9m, the proposal would have a low eaves height of 2.5m and the roof would be hipped away from the attached neighbour. It is considered that the single storey rear extension would not have a detrimental impact on this neighbour. Finally, no letters of objections were received.

HIGHWAY/PARKING

There is hard standing to accommodate three parking spaces and a garage to the rear. The loft conversion and the proposal will increase the number of bedrooms by two to 5 in total. Policy DC33 in respect of car parking refers to the density matrix in policy DC2. The site is classed as Rest of Borough and therefore requires 2 parking spaces. Although some off street parking would be lost with the construction of the two storey side extension, it would still retain two parking spaces to the front of the dwelling and therefore should the application be approved a condition would be attached to ensure that two parking spaces are retained.

KEY ISSUES/CONCLUSIONS

For the reasons set out above the proposal is considered to be contrary to the aims and objectives of the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document and refusal is recommended accordingly.

DATE PASSED TO DC MANAGER: 22 March 2012

RECOMMENDATION

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

1. Reason for refusal - Streetscene

The proposed two storey side extension when viewed in conjunction with existing loft conversion and large dormer window would, by reason of its excessive width, bulk and mass and prominent corner location represent an unsatisfactory design solution which would unbalance the pair of semi-detached properties and would appear unacceptably dominant and visually intrusive in the street scene harmful to the character and

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appearance of the surrounding area contrary to the Residential Extensions and Alterations Supplementary Planning Document and Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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APPLICATION NO:	P1908.11	
WARD :	Havering Park	Date Received: 4th January 2012
ADDRESS:	Ashbrook Nursing Home 217-219 Chase Cross Road Romford	
PROPOSAL:	Demolition of nos 2 & 2a Avelon Road and construction of a two storey extension to provide 28 additional bedrooms with associated facilities (at lower ground, ground & first floors). Internal reconfiguration of existing building to provide an additional 7 no. bedrooms with associated facilities (70 bedroom nursing home in total). revised description	
DRAWING NO(S):	A401 - Rev A unnumbered 3D visual A403 - Rev A A200 - Rev A A001 - Rev A E103 - Rev A E102 - Rev A A407 A406 - Rev A A400 - Rev A A404 A301 - Rev A A300 Rev A A201 - Rev A E101 - Rev A A000 - Rev A E104 - Rev A	
RECOMMENDATION :	It is recommended that planning permission be REFUSED for the reasons: given at the end of the report.	

CALL-IN

Councillor Kelly has called in this application on the basis that this scheme is an improvement over the first scheme shown to Members and local residents during an open day, prior to the submission of a planning application.

SITE DESCRIPTION

The site is located on the corner junction between Chase Cross Road and Avelon Road and comprises a 35 bed care home.

The site has vehicle access from Chase Cross Road, a further vehicle access is located on Chase Cross Road, this is gated. Within the site is a landscaped garden with gazebo structure.

Refuse storage is located within a purpose built structure, accessed from Avelon Road.

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The surrounding locality is varied, Avelon Road is characterised by detached and semi-detached chalet bungalows, whilst Chase Cross Road is a mixture of semi-detached residential dwellings and commercial development. The Chase Cross Road minor local centre is located approximately 90m east of the application site.

DESCRIPTION OF PROPOSAL

Permission is sought for the demolition of No 2 and 2a Avelon Road and for the construction of a two storey extension.

On the lower ground level this would comprise a new entrance, 10 bedrooms, and communal lounge

At first floor there would be a further additional 8 bedrooms and communal lounge.

An internal reconfiguration of the existing care home, plus the extensions would provide a total of 70 bedrooms.

The extension would measure 22.6m wide, 16.8m deep (as maximums) and is set back 4m from the existing elevation. The extension has a maximum height of 8.7m and a minimum height of 7.2m.

RELEVANT HISTORY

P1529.90 - Erection of Nursing Home as amended - approved.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 32 properties. 38 representations were received. These include 7 letters of objection and 31 unaddressed letters of support were received.

The objections received are summarised below:

- Wrong location for this development
- Traffic implications
- Lack of parking
- Increase in noise and smells
- Disturbance during construction works
- Poor design

The received support letters are summarised below:

- Improved facilities
- High demand for dementia care in Havering
- Plans to integrate off street parking
- Design is of a high quality
- Reduce pressure on hospital beds

The Council's Environmental Health department require the submission of a land contamination report.

The Highways Authority object to the proposals, due to the lack of off-street parking.

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The London Fire and Emergency Planning Authority are satisfied with the proposals.

RELEVANT POLICIES

Policies CP2 (Sustainable Communities), CP17 (Design), DC5 (Specialist Accommodation), DC11 (Non-Designated Sites), DC33 (Car Parking), DC36 (Servicing), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document, the Supplementary Planning Document.

The adopted Residential Design and Residential Extensions and Alterations SPD are also considered relevant.

PPS1 (Delivering Sustainable Development), PPS3 (Housing) and PPG13 (Transport) are considered relevant to the determination of this application.

London Plan Policies 3.1 (Ensuring equal life changes for all), 3.17 (health and social care facilities), 5.2 (minimising carbon dioxide emissions), 5.7 (renewable energy), 5.8 (innovative energy technologies), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.4 (local character), 7.6 (architecture) are considered relevant.

STAFF COMMENTS

The issues for Staff to consider relate to the principle of development, design and impact within the streetscene, amenity of neighbouring occupiers, highway and parking.

Principle of development:

The development proposes an extension to an existing residential care home. No's 2 and 2a Avelon Road would be demolished to make way for the extensions, their replacement with residential care home accommodation is considered to be acceptable in principle, where the site is outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres.

DESIGN/IMPACT ON STREET/GARDEN SCENE

National policy guidance set out in PPS1 and PPS3 recognises the need for high quality design in residential development. In particular, PPS1 states that good design can help promote sustainable development; improve the quality of the existing environment; attract business and investment; and reinforce civic pride and a sense of place. As a consequence Council policy and guidance seeks to ensure that new residential development responds to the distinctive local building forms and patterns of development and respects the scale, massing and height of the surrounding physical context.

DC61 states that the design of buildings should respond to distinctive local building forms, patterns of development and respect the scale, massing and height of the surrounding physical context and further maintain, enhances or improve the character and appearance of the local area.

Policy DC5 echoes the criteria listed in DC61, but states that the proposal should be located within a residential area, unless the scale and nature of the facility is such as that it would be inappropriate in a residential setting.

The site is located on a corner plot, with prominent frontages along Chase Cross Road and

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Avelon Road. These have a differing character, where Chase Cross Road is characterised by a mixture of commercial buildings, some of which form part of a minor local centre, and semi-detached two storey properties.

In contrast, Avelon Road is typified by detached and semi-detached bungalow and chalet bungalow properties. No's 2 and 2a Avelon Road are identical chalet bungalows with single flat roof front dormer windows. These are set back from the highway and are of an established appearance in the streetscene.

The proposal would involve the demolition of No. 2 and 2a Avelon Road and the construction of an extension measuring 22.6m wide, a maximum of 16.2m deep. This is recessed back 4m from the existing Avelon Road elevation to retain the existing building line of the street.

A design and access statement has been submitted with the application. This explains that the design of the elevations are articulated with staggered roof pitches to maintain the proportions of the residential dwellings in the street. The elevation facing Avelon Road further incorporates a mixture of materials, including render, red and yellow stock bricks to give the appearance of a collection of buildings, rather than one single building mass. The extensions are also explained as being set back from the street to maintain the existing building line which appears as a subordinate addition to the streetscene.

Although considering the design explanation above, Staff consider the proposals to be problematic for a number of reasons. The existing building is of a prominent impact and position, where Staff consider it to be overly dominant in its present form with a clumsy mixture of roof types, lack of defined entrance and poor landscaping. However, it's bulk is primarily centred towards Chase Cross Road, where there is a distinct change in character from Avelon Road. The proposals would extend the Avelon Road frontage from 25.8m to a total of 49m. This compares to surrounding frontages of between 8-15m on Avelon Road. A 49m frontage would therefore be highly disproportionate for this location and represent an overly bulky, dominant structure.

The articulation of the elevations, designed to achieve the appearance of separate buildings, has an overly complicated and fussy appearance. This is due to the inclusion of 4 differing eaves levels, mixture of large and narrow gables, half hips, and variation of roof pitches and large expanses of crown roof.

With regard to the height of the extensions, these would meet that of the existing building to measure 8.7m as a maximum, before stepping down to 7.2m facing no. 4 Avelon Road. The minimum height of 7.2m would represent a reduction of 0.6m from the existing height of no. 2a Avelon Road. However, the existing dwellings have a spacious appearance, which form part of the suburban character of Avelon Road. Staff consider that the extensions in all would not sit comfortably together and be overly prominent and bulky for this location. Although the height of the building steps down as it projects along Avelon Road, it is the form of the extensions which raises concern from Staff.

The existing building is of an established appearance with symmetrical elevations on the Avelon Road frontage arranged in 3 bays. The proposal would extend this to create 6 bays, of varying proportion and design. The extended 49m wide elevation would have a fussy, disjointed appearance which, although recessed from the existing building would not be of a high quality. The mixture of roof treatments is also considered to provide the extensions with a bulky appearance.

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The proposed mixture of materials is also considered to draw attention to the various design proposals, which on a single building, combined with the constant changes in roof design would be contrived and anomalous in the streetscene.

IMPACT ON AMENITY

The existing garden areas of no. 2 and 2a Avelon Road would be combined with the existing garden areas of the care home to create a single enclosed garden. Staff consider that this would be of an acceptable layout for occupiers of the care home facility.

The existing site has a lower level garden area adjacent to the main entrance. This would be enclosed by the proposed extensions to create a courtyard. The courtyard would provide additional amenity space and be overlooked by the communal lounge facility.

With regard to surrounding residential amenity, the most directly affected property would be No. 4 Avelon Road. The adopted Residential Extensions and Alterations SPD states that two storey rear extension should be set in from the common boundary with any attached dwelling by not less than 2m and project no more than 3m or 4m in exceptional circumstances. The SPD states that an equivalent degree of amenity should be secured for the neighbouring dwelling on the non-attached boundary.

At present no.2a Avelon Road is inset 1.8m from the boundary with no. 4 and projects back from by 3m. The proposed extension would be located 1.5m inset from the boundary with no. 4 and project back 3.5m before stepping in and projecting back a further 0.8m. It is noted that the total projection would be greater than the existing relationship and that stated within the SPD, however, this relationship is not considered to be harmful to this occupier in this instance to no. 4 given the arrangement of this dwelling. The garage of this property is currently built up against the boundary with no. 2a Avelon Road. The main dwelling is inset between 4m and 2.5m due to the positioning of the dwelling against the boundary, where there would be a total separation distance of between 5.5 and 4m between no.4 and the extended care home. Staff do not consider this to be unacceptable.

There are no flank windows in this elevation which would result in overlooking of this occupier, and this could be controlled via condition.

Objections received have objected in part due to the increase in noise levels from the extended care home and through the construction of the development.

The proposal is for a residential care home, and as such is not considered to be a particularly noise making activity. The residents would be able to use the garden areas, however, this is not considered to be a reason for refusal on amenity grounds. With regard to construction noise, if the application was recommended for approval, conditions could be attached which restrict the hours of construction and require the applicant to submit a construction methodology to the Council, as such, concern from construction noise and impact is not a reason for refusal.

HIGHWAY/PARKING

Representations received from the Highways Authority object to the proposals with regard to the lack of parking.

The care home would be expected to provide, in accordance with Annex 5 of the LDF 1 space per 4 resident bed spaces, i.e. $70/4 = 17.5$ spaces (rounded to 18 spaces). Policy DC5 also states that residents and visitors should be able to park, without detriment to the highway, and

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take account of Policy DC33.

The care home at present has 4 car parking spaces, including 1 disabled space and thus at present represents a reduction on the standard required by the LDF. The development proposes to increase the parking provision to 8 spaces plus 2 disabled spaces (10 total). This is a reduction of 8 spaces as required by the LDF. The submitted plans shows on street parking bays. Although Avelon Road is not subject to parking control, Staff consider that the use of on street parking is unacceptable as this would result in increase demand for street parking.

In justification for this reduced level of parking, the applicant has submitted a Transport Statement and Green Travel Plan. This state that cycling would be promoted as a key mode of transport, and that a car sharing scheme is currently operated by the existing nursing home group and would be promoted as part of this development.

The Transport Statement states that visitor book records kept at the nursing home state that on average 9 people visit the nursing home per day, and that the majority travel by public transport or walk as residents are predominantly local. Of the 9 visitors per day, there is an average of 2 cars per day.

Given the objection from the Highways Authority, existing pressure for on street parking, combined with the proposed number of bedrooms and parking shortfall. Staff consider that the proposals would result in added pressure on the local highway and parking network.

OTHER ISSUES

Secured by Design:

The Metropolitan Policy CPDA has indicated that if planning permission is granted, suitable condition would need to be attached in order to ensure that this development needs this standard.

Refuse and Recycling:

The increase in size of the care home would inevitably increase the level of waste and refuse produced. The applicant has stated on the plans that the existing clinical waste bin facing Chase Cross Road would be enlarged. The existing refuse bin is located on Avelon Road and this would be repositioned so that it is located on Chase Cross Road in a new timber structure. If the application was recommended for approval, a suitable condition could be attached to require details of both waste and refuse stores.

Need:

The existing care home has 35 bedrooms but can accommodate 37 bed spaces, and accommodates for the frail elderly, terminally ill and those with dementia. It is proposed to extend the property and reconfigure the internal layout to provide 70 bedrooms. The applicant has submitted a London Dementia Needs Assessment which states that as a borough, Havering has the highest number of dementia patients, but one of the lowest number of places in registered homes per 1000 patients.

The report also concludes that the number of people with dementia in London is projected to increase by 16% from 2009 to 2021. The risk of getting dementia increases significantly after the age of 80. The GLA in 2009 projected that the number of Londoners over 80 would increase by

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30% in the next 30 years to 352,000 by 2031. In the 2001 Census, the number of people aged 80 and over in Havering was 12,700. As dementia is prevalent among the older population, the number of people with dementia is expected to rise. With the growing ageing population base, there remains a need for further dementia care bed spaces within the Borough. Havering's over 80 population is above the London average.

Staff are aware of the need for additional bed spaces and accommodation in the borough, however, the design of the building is also of importance, and it is considered that the needs case here does not justify the poor design and bulk of the building. Staff also note that approval has been granted for other dementia facilities and care home extensions, these are listed below:

- P1862.11 - The Lodge Care Home, Collier Row - this is nearing completion - total of 69 bed spaces.

- P0738.10 - Tyes Farm, Upminster - this is nearing completion - total of 50 bedrooms.

Permission has also been granted, although not yet taken place for the following care home schemes:

- P0420.11 - 227 London Road, Romford - 63 bed care home - approved

KEY ISSUES/CONCLUSIONS

In conclusion, whilst Staff consider the principle of development acceptable, and recognise the need for bed spaces in the borough. The design proposals are considered to be problematic and as such would result in a highly prominent building which would dominate views from this corner junction. The extensions by reason of the mixture of roof types and materials would appear overly fussy and result in a dominant elevation located in a street typified by modest bungalows and chalet bungalows.

The proposals also represent in a reduction in the required parking standards as required by the LDF. Although a Transport Assessment has been submitted, there remains an objection from the Highways Authority. As a result, it is considered that the proposals would result in added pressure for on street parking.

RECOMMENDATION

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

1. Reason for refusal - Streetscene

The proposed extensions would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the Avelon Road streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

2. Reason for refusal - Parking Deficiency

The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC33 of the LDF Core Strategy and Development Control Policies DPD.

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APPLICATION NO:	P1937.11	
WARD :	Heaton	Date Received: 3rd January 2012
ADDRESS:	Hogbar Farm (East) Lower Bedfords Road Romford	
PROPOSAL:	Variation of Conditions 1, 2 and 3 of permission granted on appeal APP/B5480/C/06/2007653 revised statement and layout plan	
DRAWING NO(S):	Proposed Utility Blocks	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

The site forms a broadly rectangular area. The site's north western boundary lies adjacent to Lower Bedfords Road; the south western boundary abuts Hog Bar Farm; The south eastern boundary runs alongside residential properties located at Stanwyck Gardens; and the north eastern boundary adjoins a neighbouring Traveller settlement known as Fairhill Rise. A further Traveller site, known as Vinegar Hill Grove, is located to the north east.

The application site is a formerly approved Traveller site, which currently contains 12 static caravans, 4 touring caravans, a twin unit mobile home, and 5 utility blocks. Most of the site is covered in hardstanding, with access being taken from Lower Bedfords Road, at the south western corner of the site.

The site is located in the Green Belt.

DESCRIPTION OF PROPOSAL

This Section 73 application seeks to vary conditions 1, 2, and 3 of the planning permission granted at appeal (Reference: APP/B5480/C/06/2007653). These conditions are as follows:

"1. The use hereby permitted shall be carried on only by Mr John O'Connor, Mr Miles Martin O'Connor, Mr Jeremiah O'Connor, Mr Larry O'Connor (67), Mr John O'Connor, Mr Larry O'Connor (34), Mr Jim O'Connor and their respective wives and children and also Mrs Marion O'Brien and her children and shall be for a limited period expiring on 31 December 2011, or the period during which the premises are occupied by them, whichever is the shorter.

2. When the premises cease to be occupied by those people referred to in condition 1 or on 31st December 2011, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed and the land restored to its former condition.

3. No more than 15 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 7 shall be a static caravan or mobile home) shall be stationed on the site at any time."

The site does not currently benefit from planning permission as the consent granted at appeal required the use to cease and for the site to be restored to its former condition at the end of 2011.

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This planning application proposes amending the above conditions to allow for more families to occupy the site; to make the site permanent, or if not permanent, then to allow for the retention of the site for a further temporary period; and to allow for an increase in the number of caravans from 15 (maximum of 7 statics) to 18, of which 12 are to be statics, along with a twin unit mobile home and 5 touring caravans. The submitted information states that the increase in families and therefore units required at the site is the result of an expansion of the family.

RELEVANT HISTORY

The previous planning decision of most relevance to this application is that arising from the following appeal(s) on 27th February, 2008.

APP/B5480/C/06/2007653 (Appeal A)

Appeal against enforcement notice (TP2808) alleging the material change of use of land to residential involving the siting of mobile homes and touring caravans together with the parking of vehicles and the storage and laying of an ancillary hardstanding.

Appeal allowed.

APP/B5480/C/06/2007656 (Appeal B)

Appeal against enforcement notice (TP2808) alleging the undertaking of operational development consisting of earth moving, excavation, and mounding of soil, deposition and redistribution of rubble, building materials, the formation of a hardstanding, and the erection of fencing.

Appeal dismissed.

CONSULTATIONS/REPRESENTATIONS

The application has been advertised on site and in the local press as a departure from Green Belt policy. Neighbour notification letters have also been sent to the occupiers of 36 neighbouring properties. Objections have been received from one of the occupiers of properties along Stanwyck Gardens stating that the site is detrimental to the Green Belt and is diminishing the value of local properties.

Highways - No objections

Environment Agency - No objections

RELEVANT POLICIES

Policies DC8, DC45 and DC61 of the Development Control Policies Development Plan Document ("the LDF").

Policy 7.16 of the London Plan (2011) and the provisions of PPG2 (Green Belt).

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

In addition to the above, the Government guidance document entitled "Planning Policy for Traveller Sites" is a material consideration in the determination of this application. Paragraphs 21-27 of that document provide guidance in relation to the determination by local planning authorities of planning applications for Traveller and Gypsy related development.

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The Core Strategy and Development Control Policies Development Plan Document gives a commitment to the production of a DPD on Gypsy and Traveller site provision. 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. It is anticipated that the DPD will be adopted in early 2013, subject to public consultations and an Examination in Public.

STAFF COMMENTS

The issues arising from this application are whether the development is acceptable in principle; the impact on the visual amenities of the Green Belt and the local area, the impact on local amenity, along with parking and highway issues.

PRINCIPLE OF DEVELOPMENT

Policy DC8 of the LDF relates to Gypsy and Traveller related development and stipulates criteria that must be satisfied in order for planning permission to be granted. The criteria concerning matters not related to the principle development will be considered later in this report. The site is one that has previously been granted temporary planning permission. It is considered that the site meets an identified need given that it relates to an existing site that has been occupied, until recently with planning consent, for several years. The site is considered to be located within reasonable distance of services and community facilities and to be capable of accommodating the number of units proposed. It is unclear whether the site is supplied with essential services such as water, sewerage, and drainage, however, the submitted information states that the site is capable of receiving essential services.

Policy DC8 also states that:

"Sites within the Green Belt will only be acceptable in exceptional circumstances and where through their design, layout and landscaping they minimise its impact on the openness of the Green Belt, do not prejudice the purposes of including land in the Green Belt, do not prejudice the recreational usage of the Green Belt or involve the loss of high grade agricultural land."

The proposed development would take place within the Green Belt. A neighbouring occupier has objected to the proposal stating that it is detrimental to the Green Belt.

Policy DC45 of the LDF states that planning permission will only be granted for development if it is for given purposes, including outdoor recreation. The proposed use of land for residential purposes, including the siting of caravans and utility blocks, is not considered to be in accordance with Policy DC45.

In terms of the guidance contained in PPG2, the preliminary assessment when considering proposals for development in the Green Belt is as follows:-

- a) It must be determined whether or not the development is inappropriate development in the Green Belt. PPG2 and the Local Plan set out the categories of appropriate development.
- b) If the development is considered not to be inappropriate, the application should be determined on its own merits.
- c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.

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Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (PPG2, paragraph 3.2).

In terms of Green Belt policy, the application proposes the change of use of land. Paragraph 3.12 of PPG2 states that material changes in the use of land constitute inappropriate development in the Green Belt except where they maintain openness and do not conflict with the purposes of including land in the Green Belt. It is considered that the proposed use of land, which involves the siting of static and touring caravans, and utility blocks, along with parked vehicles and other domestic paraphernalia, is detrimental to the openness of the Green Belt and conflicts with the purposes of including land in the Green Belt, namely to assist in safeguarding the countryside from encroachment. Moreover, government guidance relating to the determination of traveller-related applications states that "traveller sites (temporary or permanent) in the Green Belt are inappropriate development."

The proposed development is considered to be unacceptable in principle having had regard to Policies DC8 and DC45 of the LDF, along with the guidance contained in PPG2.

DESIGN/IMPACT ON STREET/GARDEN SCENE

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. Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be harmed by development within or conspicuous from the Green Belt, by reason of their siting, materials or design.

The site is well screened from the public highway by trees and other vegetation, along with fencing along the site's north western boundary. It is considered that the proposed siting of caravans, utility blocks, and a mobile unit, particularly given the increase in the number of these units now being applied for, would be detrimental to the visual amenities of the Green Belt by virtue of their appearance, which would have an urbanising effect within the Green Belt. However, as discussed earlier in this report, very special circumstances have been demonstrated that, which, it is considered, overcome the harm to the Green Belt by reason of inappropriateness and other harm; the other harm comprising the impact on the visual amenities of the Green Belt. The granting of a temporary planning permission would ensure that the site is cleared and restored to its former condition in the event that it is not eventually included in the emerging Gypsies and Travellers DPD.

The location of the site, the siting of the proposed units, the presence of existing vegetation, and the presence of fencing around the site, are such that it is considered that the proposal would not result in a significant adverse visual impact on the neighbouring built-up areas, which are located outside of the Green Belt.

Subject to the granting of a temporary planning permission, officers consider that any significant adverse visual impacts that the proposal would have, are justified by very special circumstances, which overcome contrariness to Policy DC61 and the Green Belt policy and guidance contained in the LDF and PPG2.

IMPACT ON AMENITY

Policy DC8 of the LDF states that Traveller sites should have no adverse impacts on the safety

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and amenity of occupants and their children, or the amenity of neighbouring occupiers. Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

It is considered that the proposal would not have any significant adverse impact on local amenity or the amenity of neighbouring occupiers and that the site would provide an adequate level of safety and amenity for the occupiers of the site and their children.

In terms of the impacts the proposal would have on local amenity and the amenity of the site's occupiers, it is considered that it would be in accordance with Policies DC8 and DC61 of the LDF.

HIGHWAY/PARKING

Policy DC8 of the LDF states that planning permission will only be granted for sites that provide safe and convenient access on to the public highway and not cause a hazard to other highway users. It is also stated that sites should make provision for parking, turning, service, emergency vehicles and the servicing of vehicles.

The Highway Authority was consulted about the proposal and raised no objections. The proposal is therefore considered to be acceptable, and in accordance with Policy DC8, in terms of the impact on the highway and in terms of the proposed access arrangements.

OTHER ISSUES

The applicants have submitted very special circumstances in an attempt to justify the harm the site causes to the Green Belt by reason of inappropriateness and other harm. The other harm in this case, as discussed earlier in this report, concerns detriment to the visual amenities of the Green Belt.

Paragraph 22 of Planning Policy for Traveller Sites states that, in the determination of planning applications, that decision makers should give consideration to the following factors:

- "a) The existing level of local provision and need for sites;
- b) The availability (or lack) of alternative accommodation for the applicants;
- c) other personal circumstances of the applicant;
- d) That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites;
- e) That they should determine applications for sites from any travellers and not just those with local connections."

The submitted very special circumstances are as follows:

- a) The Gypsy-Traveller status of the site's inhabitants;
- b) There is an unmet need for more authorised Traveller sites within the borough. At the time of writing, Havering does not have any publicly provided Traveller sites;
- c) A failure of local policy to progress the delivery of necessary sites;
- d) There are personal needs for the applicants to stay settled in one location. It is stated that the educational needs of the site's children, who attend a local primary school and that several of the site's inhabitants are suffering from health problems and/or are pregnant.

In light of the planning guidance in relation to traveller sites, it is considered that these very

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special circumstances, taken together, are sufficient to overcome the harm to the Green Belt by reason of inappropriateness and other harm. The failure of the borough to provide appropriate, authorised sites is, on its own, a material consideration to be given considerable weight and this has been the conclusion reached at several recent appeals. Paragraph 25 of Planning Policy for Traveller Sites states that:

"... if a local planning authority cannot demonstrate an up to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission."

It is considered that the proposed development would constitute inappropriate development in the Green Belt but that there are very special circumstances in this case, which, taken together, justify the harm to the Green Belt. The proposal is considered acceptable in principle having had regard to Policy DC45 of the LDF and the guidance contained in PPG2.

Concerning the issue of whether a permanent or temporary planning permission should be granted. The Planning Inspector who granted the consent being varied as part of this application stated that:

"I agree with the inspector who dealt with the adjoining site that it would not be appropriate to grant a permanent permission to any of these sites in isolation and it is possible that they may not be allocated in the DPD as permanent sites even though well established. The harm caused is also not sufficiently outweighed by other factors in my view to justify the grant of permanent permission for this site."

It is considered that the same arguments made by the Planning Inspector are also applicable in this case. The Council's Gypsies and Traveller's DPD has not been adopted and whilst there are compelling personal circumstances and that the site's inhabitants have Traveller status, the increase in the number of units at the site has increased the harm to the openness and visual amenities of the Green Belt. The continued process of adopting authorised sites on the part of the Council would make the grant of a permanent permission premature, it is also considered that the harm caused to the Green Belt by the site is not sufficiently outweighed by other factors to justify the grant of a permanent planning permission.

Whilst it is anticipated that the emerging DPD will be adopted by early 2013, there may be delays and it is therefore considered that, should Members be minded to approve the application, that a temporary permission of two years be granted in anticipation of authorised Traveller sites being formally adopted as part of the DPD.

A neighbouring occupier has objected to the proposal stating that it would have a detrimental impact on local property values. This is not a material planning consideration.

KEY ISSUES/CONCLUSIONS

The proposed variation of conditions, which would result in the site being expanded and the time limit for its cessation extended, is considered to constitute inappropriate development in the Green Belt. However, it is considered that there are sufficient very special circumstances to justify the harm the proposal would cause by reason of inappropriateness and other harm. In all other respects, officers consider the proposal to be acceptable, subject to the planning permission being granted for a temporary period and to the imposition of conditions. subject to the conditions, the proposal is considered to be in accordance with Policies DC8, DC45, and DC61 of the LDF and all other material considerations.

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RECOMMENDATION

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

5. SC32 (Accordance with plans)

1. Non standard condition

The use hereby permitted shall be carried on only by those named on pages 2-4 of the Revised Supporting Statement dated 1st February 2012 and referenced L6- J58-03a.

Reason:-

To ensure the site is only occupied by those for whom a need to occupy the development has been identified.

2. Non standard condition

When the premises cease to be occupied by those people referred to in condition 1 or on 30th April 2013, whichever shall first occur, the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed and the land restored to its former condition.

Reason:-

In the interests of the visual amenities of the Green Belt, in order that the development accords with the Development Control Policies Development Plan Document Policies DC8, DC45 and DC61, along with the guidance contained in PPG2.

3. Non standard condition

The use hereby permitted shall cease and all caravans, structures, equipment and materials brought on to the site for the purposes of the use shall be removed within 28 days of the failure to meet anyone of the requirements set out in (i) to (iv) below:

i) Within 3 months of the date of this decision a scheme for (a) the proposed and existing external lighting on the boundary of and within the site; (b) the internal layout of the site, including the siting of caravans and any other mobile and temporary structure, hard standings and parking and amenity areas; (c) the landscaping of the site comprising tree, hedge and shrub planting and where appropriate earth mounding including details of species, plant sizes and proposed numbers and densities hereafter referred to as the site development scheme shall have been submitted for the written approval of the local planning authority and the said scheme shall include a timetable for its implementation.

ii) Within 11 months of the date of this decision the site development scheme shall have been approved by the local planning authority or, if the local planning authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to and accepted as valid by the Secretary of State.

iii) If an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted site development scheme shall have been approved by the Secretary of State.

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iv) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

Reason:-

In the interests of the visual amenities of the Green Belt, in order that the development accords with the Development Control Policies Development Plan Document Policies DC8, DC45 and DC61, along with the guidance contained in PPG2.

4. Non standard condition

At the same time as the site development scheme required by condition 3 above is submitted to the local planning authority there shall be submitted a schedule of maintenance for a period of 2 years of the proposed planting commencing at the completion of the final phase of implementation as required by that condition; the schedule to make provision for the replacement, in the same position, of any tree, hedge, or shrub that is removed, uprooted, or destroyed or dies or, in the opinion of the local planning authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted. The maintenance shall be carried out in accordance with the approved schedule.

Reason:-

In the interests of the visual amenities of the Green Belt, in order that the development accords with the Development Control Policies Development Plan Document Policies DC8, DC45 and DC61, along with the guidance contained in PPG2.

6. Non standard condition

No more than 18 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 13 shall be a static caravan or mobile home) shall be stationed on the site at any time.

Reason:-

In the interests of local amenity and the visual amenities of the Green Belt, in order that the development accords with the Development Control Policies Development Plan Document Policies DC8, DC45 and DC61, along with the guidance contained in PPG2.

7. Non standard condition

No commercial activities shall take place on the land, including the storage of materials.

Reason:-

In the interests of local amenity and the visual amenities of the Green Belt, in order that the development accords with the Development Control Policies Development Plan Document Policies DC8, DC45 and DC61, along with the guidance contained in PPG2.

8. Non standard condition

No vehicle over 3.5 tonnes gross unladen weight shall be stationed, parked or stored on this site.

Reason:-

In the interests of the visual amenities of the Green Belt, in order that the development accords with the Development Control Policies Development Plan Document Policies

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DC8, DC45 and DC61, along with the guidance contained in PPG2.

1 INFORMATIVE:

Reason for Approval:

Having considered the principle of development, the visual impact, the impact on amenity, highways and other considerations, the proposed development is considered to be acceptable, having had regard to the Development Plan and all other material considerations. The proposal is considered to be in accordance with the aims, objectives of Policies DC8, DC45, and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document, and the guidance contained in PPG2 and Planning Policy for Traveller Sites.

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.
