



Havering

L O N D O N B O R O U G H

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
7 June 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

PLEASE NOTE THAT COMMITTEE MEMBERSHIP MAY BE SUBJECT TO CHANGE

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

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman will announce the following:

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DECLARATION OF INTERESTS

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

4 MINUTES

To approve as a correct record the minutes of the meeting of the Committee held on 22 March 2012 (to follow) and to authorise the Chairman to sign them.

5 P0460.12 - 59 ALLEN ROAD, RAINHAM (Pages 1 - 14)

6 P0989.10 - LAND EAST OF MOOR LANE, NORTH OF MOOR LANE CHURCH, CRANHAM (Pages 15 - 48)

7 **P0243.12 - FORMER HAROLD WOOD HOSPITAL, GUBBINS LANE, HAROLD WOOD** (Pages 49 - 66)

8 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS** (Pages 67 - 86)

Applications outside statutory limit

9 **SECTION 106 DEED OF VARIATION FOR THE FORMER WHITWORTH CENTRE, NOAK HILL, ROMFORD**

Report to follow

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

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REGULATORY SERVICES COMMITTEE

REPORT

7 June 2012

Subject Heading:

P0460.12 – 59 Allen Road, Rainham

Redevelopment of the site to provide two detached houses with garages and on site parking (Application received 11th April 2012)

Report Author and contact details:

Helen Oakerbee (Planning Control Manager) 01708 432800

Policy context:

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

Financial summary:

None

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

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

SUMMARY

This report concerns an application for redevelopment of the site to provide two detached houses with garages and on-site parking. A Section 106 Legal Agreement is required in accordance with the Planning Obligations Supplementary Planning Document. Staff consider that the proposal would accord with the

residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and a Section 106 Agreement.

RECOMMENDATIONS

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

- A financial contribution of £6,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement irrespective of whether the agreement is completed.

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

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

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

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

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

3. 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.

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

Reason:- In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the 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.

8. Garage - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason:-To provide satisfactory off-street parking at the site, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

9. Garage door - The garage hereby permitted shall be fitted with a roller-shutter door of a type and design to have previously been submitted to and agreed in writing by the Local Planning Authority prior to commencement of works on the site to accord with the Development Control Policies Development Plan Document Policies DC61 and DC33.

Reason:- In the interests of pedestrian safety and visual amenity.

10. Sight lines - The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

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

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

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

12. Hours of construction - 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.

13. Obscure glazing - The proposed first floor windows on the northern flank of the dwellings serving en-suites shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority.

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

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

15. Boundary fencing - Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

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

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

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

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

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

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

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

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

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

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

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

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

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

18. Secured by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how Secured by Design accreditation 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.

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 310m² and amounts to £6,200.

INFORMATIVES

1. Reason for Approval

The proposal is considered to be in accordance with Policies CP1, CP2, CP17, DC2, DC3, DC33, DC61, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the Residential Extensions and Alterations Supplementary Planning Document and the Supplementary Planning Document (SPD) for Residential Design. The proposal is also considered to be in accordance with the provisions of Policies 3.3, 3.4, 3.5, 3.8, 6.13, 7.13, 7.4 and 8.3 of the London Plan.

2. In aiming to satisfy condition 18 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).

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

4. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway

as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

5. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

Planning Obligations

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

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. Site Description

- 1.1 The application site is located on the western side of Allen Road. The site is presently occupied by a single storey detached dwelling and a garage. The site has a frontage onto Allen Road of approximately 8.5 metres and the whole site has a depth of approximately 61 metres. The surrounding area is predominantly residential in character, comprising of single and two storey detached, terraced and semi-detached properties. The site is flanked by two storey detached dwellings, No. 57 to the south and No. 59a to the north.

2. Description of Proposal

- 2.1 The application seeks permission for the demolition of an existing bungalow and garage and the erection of two, five bedroom detached dwellings with garages.
- 2.2 In terms of appearance the proposed two storey dwellings would have gabled roofs with hipped ends. In terms of finishing materials, the predominant materials proposed are brickwork, roof tiles and windows and doors would be UPVC.
- 2.3 Each dwelling would measure 6.1 metres in width and 11 metres in depth (not including the garage). The garage would project an additional 2.750

metres from the front façade of the dwellings and would be located 0.1 metres from the respective northern and southern boundaries. The dwellings would be 8 metres in height. There would be one space on hardstanding and each dwelling has a garage.

3. Relevant History

- 3.1 P0100.12 - Demolition of existing dwelling and erection of two detached houses and garages – Refused.

4. Consultations/Representations

- 4.1 The occupiers of 22 neighbouring properties were notified of this proposal. No letters of representation have been received.
- 4.2 Environmental Health – Recommend a contamination condition if minded to grant planning permission.
- 4.3 Crime Prevention Design Advisor - Recommends a condition and informative if minded to grant planning permission.
- 4.4 The Highway Authority has no objections to the proposals and recommends a condition and informatives if minded to grant planning permission.
- 4.5 London Fire and Emergency Planning Authority - The Brigade is satisfied with the proposals.

5. Relevant Policies

5.1 LDF Core Strategy Development Plan Document

CP1 – Housing Supply
CP2 – Sustainable Communities
CP17 – Design

5.2 LDF Development Control Policies Development Plan Document

DC2 – Housing Mix and Density
DC3 – Housing Design and Layout
DC11 – Non-designated sites
DC33 – Car parking
DC61 – Urban design
DC63 – Delivering safer places
DC72 – Planning Obligations

Residential Extensions and Alterations Supplementary Planning Document
Supplementary Planning Document (SPD) for Residential Design
Planning Obligations Supplementary Planning Document

5.3 The London Plan

- 3.3 – Increasing housing supply
- 3.4 – Optimising housing potential
- 3.5 – Quality and design of housing developments
- 3.8 – Housing choice
- 6.13 – Parking
- 7.13 – Safety, security and resilience to emergency
- 7.4 – Local character
- 8.3 – Community infrastructure levy

5.4 Government Guidance

National Planning Policy Framework

6. Staff Comments

6.1 The main issues in this case are the principle of development, density and site layout, the impact on the streetscene, the impact on neighbouring amenity and any highway and parking issues.

6.1.1 This application follows a previous planning application (reference P0100.12) for the demolition of the existing dwelling and the erection of two detached houses with garages which was refused in March 2012 for the following reason. The proposed development would by reason of the design, siting, scale, bulk and mass of the side dormer windows, appear a dominant, visually intrusive and incongruous feature in the streetscene and rear garden environment harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

6.1.2 The issue in this case is whether the revised proposal overcomes previously stated concerns. In this respect, the current application differs from the refused scheme in the following key areas:

- The hipped roof has changed to a gabled roof with half hipped ends.
- The front, side and rear dormer windows have been deleted.
- The height of the dwellings has reduced from 8.6 metres to 8 metres.
- Roof lights have been added to the dwellings.

6.2 Principle of Development

6.2.1 Policy DC11 states that where sites which are suitable for housing become available outside the Green Belt, the employment areas, the commercial areas, Romford Town Centre and the district and local centres, the Council will not normally permit their use for other purposes. The location of the site complies with these criteria.

6.2.2 The site does not fall within any pertinent policy designated areas as identified in the Local Development Framework Proposals Map. It has been established, in land use terms, that the site is suitable for a housing

development, particularly as a dwelling occupies the site and therefore, the principle of a residential use is in accordance with policy criteria.

6.3 Density and site layout:

6.3.1 The site is identified as having a relatively low level of Public Transport Accessibility (PTAL) of 1-2, as defined by Policy DC2 on Housing Density. Within this zone and part of the Borough, housing density of between 30-50 dwellings is anticipated. The site identified comprises an area of 0.05 hectares and the proposal would produce a density of 40 dwellings per hectare which is deemed to be acceptable.

6.3.2 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In this instance the proposed houses would each benefit from a private rear garden area of approximately 344 square metres. Staff are of the view that the proposed rear garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

6.4 Impact on local character and street scene:

6.4.1 The application would comprise the demolition of the existing dwelling and garage on the site. While the dwelling appears to be in a structurally sound condition, the building is not of any particular architectural or historic merit and no in principle objection is therefore raised to its demolition.

6.4.2 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. In this case, existing development within Allen Road comprise of a mix between single and two storey detached, semi-detached and terrace houses of varying styles. No objections are raised to two, two storey detached dwellings with garages.

6.4.3 It is considered that deleting the side dormer windows has brought the scheme within the realms of acceptability. It is Staff's view that the proposed houses do appear to replicate the architectural style of No. 59B Allen Road and would be comparable in terms of general proportions and detailing. (59B Allen Road comprises of a replacement dwelling that was approved in 2006 under application P2254.06).

6.4.4 The dwellings would be similar in height to neighbouring residential dwellings. It is considered that the height and scale of the dwellings proposed is compatible with the prevailing scale and character of development within the locality.

6.4.5 The position of the dwellings in the streetscene is considered to be compatible with the general building line in Allen Road. The proposed houses would utilise a mixture of materials including facing brickwork, roof tiles and UPVC windows. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring dwellings. Full details of the samples of materials will be secured by condition if minded to grant planning permission.

6.5 Impact on amenity

6.5.1 No. 57 Allen Road has a ground floor window on its northern flank, which is obscure glazed and serves a W.C. No. 57 Allen Road has a first floor window on its northern flank, which serves an en-suite and is obscure glazed. There would be a separation distance of approximately 2 metres between the new dwelling adjacent to the southern boundary and the flank wall of No. 57 Allen Road (not including the garage). It is considered that the proposal would not result in a significant loss of light to No. 57 Allen Road, as it does not have any flank windows that serve primary light sources, and the rear façade of the dwelling in Plot A would be set in approximately 1.4 metres from the rear façade of No. 57 Allen Road.

6.5.2 No. 59A Allen Road has a ground floor and two first floor windows on its southern flank, which are all obscure glazed. There would be a separation distance of approximately 2 metres between the new dwelling in Plot B and the flank wall of No. 59A Allen Road (not including the garage). It is considered that the proposal would not result in a significant loss of light to No. 59A Allen Road, as the dwelling in Plot B would be broadly in line with the front and rear facades of this neighbouring dwelling. In addition, there is a favourable orientation, as No. 59A Allen Road is located north of the application site.

6.5.3 If a rule of thumb notional line was taken from the neighbours on either side of the application site, created by a 2m set in from the rear façade of No.'s 57 and 59A Allen Road and permissible depth of a first floor rear extension at 3m, this line would not impede by the proposed detached dwellings and therefore it is considered that the proposal would not unacceptably impact on the amenity of No.'s 57 and 59A Allen Road.

6.5.4 It is considered that the proposal would not create any undue overlooking or loss of privacy. A condition will be placed in respect of boundary treatments if minded to grant planning permission. The first floor flank windows of the dwellings serving en-suites will be obscure glazed and fixed shut with the exception of top hung fanlights if minded to grant planning permission.

6.6 Highway/parking issues

6.6.1 Policy DC2 of the LDF indicates that in this part of the Borough parking provision for residential development should be a maximum of 1.5 to 2 spaces per unit. The proposal complies with Policy DC2, as there would be

one space on hardstanding and each dwelling would feature a garage, which shall be made permanently available for the parking of private motor vehicles and this will be secured by condition if minded to grant planning permission.

6.6.2 The Residential Extensions and Alterations SPD states that a sufficient distance must be provided from the edge of the public highway boundary to the front of the garage to enable the garage door to be opened with a car standing in front of it. This will vary from a minimum of 6 metres for a traditional door or an up and over garage to a minimum 4.8 metres for a roller door. In this instance, there would be a distance of 5.8 metres between the front of the garage and the highway. Therefore, a roller shutter door to the garage will be secured by condition. The Highway Authority has no objections to the proposals. The Fire Brigade is satisfied with the proposals.

7. The Mayor's Community Infrastructure Levy

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 310m² and amounts to £6,200.

8. Conclusion

8.1 Residential development on the site is considered to be acceptable in principle and no objections are raised to the loss of the existing bungalow and garage. It is considered that the height, siting, design and scale of the dwellings proposed is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. The applicant has agreed to a financial contribution of £6k towards infrastructure improvements. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, plans and a design and access statement received on 29th March 2012.

REGULATORY SERVICES COMMITTEE

REPORT

7 June 2012

Subject Heading:

**P0989.10 - Land east of Moor Lane,
North of Moor Lane Church, Cranham
(Received 18 August 2010).**

**Outline permission for the erection of a
continuing care retirement community
comprising 36 care bedrooms, 27 close
care apartments, 68 assisted living
apartments, communal facilities, car
parking, landscaping and
infrastructure works.**

Report Author and contact details:

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

Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

The application is in outline form and proposes the formation of a care village or Continuing Care Retirement Community (CCRC). The scheme comprises approximately 12,000sq metres of floorspace consisting of a 36 bed care unit, 27 close care units, 17 linked assisted living units and 51 assisted living units. The site is located within the Green Belt. For the reasons set out within the report, the application is considered unacceptable and refusal is recommended.

RECOMMENDATIONS

That planning permission is refused for the following reasons:

1. The site is within the area identified in the LDF Core Strategy and Development Control Development Plan Documents as Metropolitan Green Belt. The Core Strategy and Development Control Development Plan Documents and Government Guidance as set out within the National Planning Policy Framework states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up area in the most exceptional circumstances. It is not considered that the circumstances submitted by the applicant amount to the very special circumstances needed to over-ride Green Belt policy and the proposal is therefore contrary to Policies CP14 and DC45 of the LDF Core Strategy and Development Control Policies Development Plan Documents and the National Planning Policy Framework.
2. The proposal would, due to its scale, size, massing, height and the considerable loss of preserved trees, result in an adverse impact upon the open character of the green belt contrary to Policies CP14 and DC45 of the LDF Core Strategy and Development Control Policies Development Plan Documents and the National Planning Policy Framework
3. The proposal would, by reason of the siting, scale and bulk of the some of Assisted Living Units, appear unduly prominent in the Moor Lane street scene, to the detriment of its visual amenity, contrary to Policies CP17, DC3 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Documents.

REPORT DETAIL

1. Site Description

- 1.1 The roughly rectangular-shaped application site has an area of 3.27 hectares. It is situated on the Eastern side of Moor Lane to the north of Fairholme Gardens. Its northern limit would run roughly east-west to the east, and slightly north, of the northern boundary of the last dwellinghouse in Moor Lane, No. 211. The proposed Eastern Boundary would, similarly run roughly north-south to the north, and slightly east, of the last dwelling in Fairholme Gardens, No.35. The applicant also owns an adjoining area to the north and east of the application site which, together with the application site, forms an area of approximately 12 hectares in size.
- 1.2 The application site currently contains no buildings or structures and comprises mainly small and medium-sized trees and shrubs with some grassland. There are larger, more mature trees located close to the southern and western boundaries of the site with Moor Lane and the public footpath/rear gardens of Fairholme Gardens.
- 1.3 The application site (and the adjoining land parcel under the applicants' ownership) forms part of the Metropolitan Green Belt and Thames Chase Community Forest and is a Site of Borough Importance for Nature Conservation. The site is located within Flood Risk Zone 1 (Low Risk).
- 1.4 The site forms part of a larger area (extending beyond the applicant's ownership) of similar flora with trees, grassland and shrubs spreading away from the site to the north and east, wrapping around the edge of the existing urban area. There are no residential properties within this area (bounded by the A127 to the north and the M25 to the east). To the south and west (on the opposite side of Moor Lane) of the site are almost exclusively residential properties: mainly one-storey detached dwellings many of which are in the form of chalet bungalows; a few being two-storey buildings. The exception being the single-storey church building, Moor Lane Church which is located directly adjacent to the south-western corner of the application site.
- 1.5 There are currently no vehicular accesses to the application site. There is a public footpath along the southern edge of the site and a number of informal footpaths crossing the application site.
- 1.6 The site is the subject of two Tree Preservation Orders (Nos 19-91 and 3-06) which form a Woodland Order in which all trees on the application site are protected.

2. Description of Proposal

- 2.1 The proposal is in outline form and is for the formation of a care village or Continuing Care Retirement Community (CCRC). The scheme will comprise approximately 12,000sq metres of floorspace comprising 131 units in the form of a 36 bed care unit, 27 close care units, 17 linked assisted living units and 51 assisted living units. The only matter to be considered at this stage is "Access". All other matters are reserved, i.e., siting, appearance, scale and landscaping. Nonetheless, the proposal would fix the siting of the proposed new vehicular access onto Moor Lane and the layout of the access road within the site.
- 2.2 A CCRC is a relatively new concept and is sometimes known as "a retirement village". Although there are a number of examples across the country, there are few examples within London or Essex. They are seen, in the Planning Officers Society/Joseph Rowntree Foundation Report "Continuing Care Retirement Communities" as being "a response to the limitations of traditional models of sheltered housing ... which are unable to provide the care and support some older people need, and which fail to satisfy the diversity of housing need in later life". The report indicates that this form of development provides for older people with a range of abilities and disabilities, enabling them to be provided with care if necessary in a socially supporting, stimulating environment. The elderly may live wholly independently but receive extensive care and support services when required. The focus is therefore not just to provide care and support but to address a range of needs, provide quality accommodation, opportunities for social interaction, can be affordable (rent or part owned) and provide continuing independence.
- 2.3 What distinguishes a CCRC from a traditional residential care home is that the residents are tenants or owners and have security of tenure and there is a separation of the care provision from the provision of accommodation, unlike a traditional care home where care and accommodation is broadly co-dependant. Care costs depend on how much care is needed by an individual. The proposal would involve a care village with accommodation limited to those over 65, frail and in need of care and support. The concept also makes provision for any spouse, cohabitee or dependent living with them for the duration of their lives, any registered disabled person and any person engaged to provide services for anyone living on the site for the duration of their lives.
- 2.4 Information submitted with the application indicates that based on experience in established operational villages, the average age of residents in Assisted Living Units is 75, though 65% are over 80. In Close Care Units, the average age is 86 with 70% being over 85. In the Nursing Care Unit, the resident profile ranges between 85 and 100 years old. All elements of domiciliary care throughout the village would be registered through the Care Quality Commission.

2.5 The concept is based on three main types of accommodation:

- Care Bedrooms - a dedicated Nursing Care Unit with 36 rooms for those in need of 24 hour care. The bedrooms will have full en-suite bathrooms. Residents pay a weekly fee which may vary according to needs. The care bedrooms are divided into groups of 12 rooms, each such unit with its own lounge, dining room and assisted bathrooms.
- Close Care Units - these units will be available to buy or rent. They offer more privacy and independence than a care bedroom. A Close Care Unit will comprise of a bedroom with en-suite bathroom / shower room, lounge and galley kitchen with a microwave and fridge. Residents benefit from core care and support services and facilities, including meals, heating, lighting, water utilities, cleaning and laundry which are paid via a uniform service charge.
- Assisted Living Units - these offer semi-independent lifestyle and in general comprise of a sitting room, 1 or 2 bedrooms, 1 or 2 bathrooms and a kitchen. Assisted Living Units are available to purchase or rent. These units are ideally suited to the more physically able or a couple where one partner may need personal or mobility assistance. All residents would have a pre-admission assessment and the level of support needed would be agreed prior to moving in. Residents benefit from core care and support services and facilities according to their needs.

2.6 The Operational Plan indicates supporting facilities on the site, i.e. a café / bar, a small convenience shop, hairdressing and beauty salon, library and IT room, consulting / treatment room (to enable the local GP to see residents), a laundry room, main restaurant and a Wellness Centre which will comprise a heated swimming pool, fully equipped gymnasium, Jacuzzi, steam room, treatment rooms and changing facilities. The Wellness Centre also provides fall prevention services, stroke rehabilitation, assessment clinics, physiotherapy and long term conditions management, amongst other services. All residents are able to use the village facilities and some of these could be opened up for community use for specified groups. In this regard, the applicant indicates that the specific groups are anticipated to be those connected via the local Age Concern branch/membership or indeed through other elderly person's organisations or societies. The site mini-bus would be available to help the co-ordinated movement of these groups to and from the CCRC. Local residents wishing to remain in their own homes are also able to become members of the 'English Village Club' and enjoy the facilities, social events and individual activities available.

2.7 Staffing wise, the village would employ between 75 to 100 full and part time staff, with three shift patterns covering each 24 hour period. The application indicates that key worker accommodation, comprising bedrooms with a shared lounge, kitchen and dining area will be provided within the scheme, rented on a needs basis at below average market rent to new staff waiting to

relocate and specifically to assist staff working shifts. The quantum and location of such provision is not specified as part of this outline submission.

- 2.8 The indicative masterplan shows a layout where the largest building (care building) is located towards the eastern side of the site with its 2.5 / 3 storey element laid out in a north-south direction. This building would have a wing towards the east which is 2 storeys in height and towards the west, would be linked to the Linked Assisted Living Units building by means of a single storey building. The Linked Assisted Living Units building is more or less in the middle of the site and is a 2 storey building. The remainder of the site consists of mainly 2 storey buildings with the Assisted Living Units arranged around the outer boundaries of the site and therefore closest to the Moor Lane boundary and properties along Fairholme Gardens. The development would also consist of a few single-storey buildings towards the north and east of the Care Building.
- 2.9 The applicant has also been required to provide parameters for the scale of the proposed buildings. Typical dimensions have been supplied with single storey buildings measuring between 4m and 6m in height, 2-storey buildings would generally be between 8.4m and 9.6m in height and the 2.5/3 storey building between 11.5m and 13m in height.
- 2.10 The access onto the highway of Moor Lane would be located directly opposite 207-209 Moor Lane with the internal estate road splitting towards the east and south of the site. Towards the east the road gives access to parking at the main Care Building and Wellness Centre and continues further towards a parking area in the north-eastern corner of the site. Towards the south the access road provides access to the Assisted Living Units located towards the western and southern boundaries as well as linking up with the proposed extended car park at the Moor Lane Church. The proposal would provide 26 carports and 59 car parking spaces on the site, providing a total number of 85 parking spaces for cars.
- 2.11 Separate pedestrian access points would be located opposite Nos. 201 Moor Lane and again at 189-191 Moor Lane (where the existing public footpath exits). The public footpath would be retained within the application site which will link up with the proposed network of paths and circular walks on the wider area surrounding the application site.
- 2.12 The application also makes provision to upgrade the existing car park for the adjacent Moor Lane Church.
- 2.13 Outside of the application site, the applicant indicates that they are willing to implement a landscape and ecological management strategy plan to mitigate the impact of the development on the other green belt land within their ownership. This area stretches some 220m to the East and 200m North of the application site; at its northernmost point it lies adjacent to the A127. The applicants indicate that this would mainly consist of the restoration of an existing pond, scrub clearance, buffer planting and the

provision of a new pond and several areas of marshy grassland and wetland habitat. The wider site will also provide access to the surrounding community and the intention is to provide footpaths, benches and picnic areas throughout the site. Details regarding the long term management of the open space are included with the application and are explored in more detail below.

2.14 Together with the Design and Access Statement and Planning Statement the applicant has submitted the following information to accompany the application:

- An Executive Summary
- Public Consultation Report
- Transport Statement
- Travel Plan
- Flood Risk Assessment and Drainage Strategy
- Landscape and Visual Impact Assessment
- General Ecological Appraisal, including Great Crested Newt & Reptile Survey and Badger and Bat Surveys
- Ecological Strategy and Outline Management Plan
- Tree Survey, Arboricultural Implication Assessment and Method Statement
- Safer Places Statement
- Sustainable Design and Construction Statement
- English Care Villages Operations Plan
- Alternative Sites Assessment and Viability Review on Alternative Sites
- Care Accommodation Supply and Demand Study

3. Relevant History and Background Information

3.1 In 2009, outline planning permission was refused for the erection of continuing care retirement community comprising 52 no. independent living units, 60 no. assisted living units and 60 no. extra care units of accommodation together with associated communal facilities, car parking, landscaping and infrastructure works (reference P0603.09). Similar to this current application, the previous application was in outline form only with all matters except for access, reserved for future consideration.

The application was refused for the following reasons:

- The very special circumstances submitted by the applicant were not considered to be sufficient to over-ride the presumption against development in the Green Belt.
- The scale, size, massing, height of the proposal and loss of preserved trees, was considered to have an adverse impact upon the open character of the Green Belt.

- The proposal was considered to appear unduly prominent in the Moor Lane street scene by reason of the siting, scale and bulk of the Extra Care Unit.
- It was considered that due to insufficient detail, the Council was unable to determine whether the proposal to enhance the wider site would result in sufficient biodiversity gain in the longer term to overcome the loss of natural flora and fauna habitat, protected species and other wildlife on this part of the Site of Borough Importance for Nature Conservation.
- In the absence of a travel plan secured through a legal agreement, the proposal was considered likely to have an adverse impact on the functioning of the public highway and the safe passage of pedestrians and cyclists in the vicinity of the application site.

3.2 This application follows on from that submission. In headline terms, the main differences between the previous submission and this submission are:

- The number of units proposed has been reduced from 172 to 131 (41 units fewer), comprising of 36 care bedrooms, 27 close care apartments, 17 linked assisted living units and 51 assisted living units along with a range of communal facilities including a wellness centre.
- The bulky 3 storey building towards the Moor Lane frontage has been removed. The indicative layout shows 2 storey cottages towards this boundary.
- The majority of trees along the western and southern boundary will be retained although the proposal will still involve the removal of hedgerow to both boundaries and 7 trees with TPOs to the southern boundary.
- The internal road layout has been altered and a large car park area introduced to the south-western corner of the site.

3.3 In addition to the above changes, the applicant has also provided the following additional information:

- Care Accommodation Supply and Demand Study

A report by Savills Healthcare Research into the elderly care accommodation sector which demonstrates the need for additional close and extra care in Havering.

- Alternative Sites Search Report

The report demonstrates that the applicant considered alternative brownfield sites (sites in the Site Specific Allocations DPD) and why these sites are not suitable for the proposed care village development.

- English Care Villages Planning Policy Support Document, including Operations Plan

A report explaining how the proposed scheme will operate in practice and sets out a range of issues such as tenure arrangements, different formats of accommodation and additional facilities to be provided.

- Ecological Management Strategy and Outline Management Plan

The report sets out a detailed strategy for the enhancement of the wider site in ecological terms and to improve public access to the Green Belt, together with proposals for the long term management of the land.

- A Travel Plan

3.4 Greater detail has also been provided by the applicant as to the obligations which might be considered appropriate in the event that planning permission is granted. These obligations could be secured by way of a Section 106 Agreement. Details of the obligations are as follows:

- Strategy for the long term management of the adjoining land parcel together with a package of funding to enable this for a 10 year period
- A contribution of £300,000 towards the off-site provision of affordable housing
- A new car park for the use of Moor Lane church which would be shared with visitors to the care village
- A potential financial contribution towards the redevelopment/extension of Moor Lane Church
- An occupation restriction limiting occupation of the village to elderly people and/or people in need of care. It is suggested that this would require that one member of each household unit would be of retirement age
- An occupancy cascade is also offered which would ensure that residents of the London Borough of Havering have the first opportunity to acquire accommodation within the scheme, before this is opened out to people with a family connection with the Borough, before finally being made available to those currently living outside the area and with no family connection. The applicant has indicated they would be willing to discuss the exact terms of such an arrangement as part of any Section 106 Agreement negotiations and would naturally need to include the exact wording of such a mechanism and in particular the length of time

assigned to each period before consideration would be opened up to the next tier in the cascade

- A Travel Plan
- A contribution towards funding minor footway extensions to link footways within the development site

4. Consultations/Representations

4.1 433 adjoining and nearby properties have been notified of the application. A press notice was advertised in Living and a site notice was posted. There have been 171 letters; 23 letters in support of the proposal and 148 objecting on the following grounds:

- loss of green belt land, contrary to national, regional and local policy
- loss of natural habitat, flora and fauna
- Cranham Court is an established care home which can be upgraded, minimising the impact on the Green Belt.
- increased traffic congestion/parking problems
- loss of natural buffer with A127
- it would set a precedent
- existing services/infrastructure would not cope
- loss of residential amenity through noise; light pollution; overlooking/loss of privacy; loss of light/sunlight; visual intrusion
- out of character/keeping in the streetscene/locality
- concern regarding possible under-occupation and future change to C3 use
- unbalancing increase in older age-group
- concern that application is unclear about which services would be provided for community
- safety/ criminal attraction to area
- health issue as would be located closer to electricity pylons
- concern that transport assessment over-optimistic
- increase in risk of traffic accidents
- patients may be a risk to themselves
- discrimination against poor elderly
- affects public right of way
- affects Thames Chase forest
- loss of preserved trees
- increase in likelihood of flooding

A letter was received from Angela Watkinson MP, to confirm her support for residents objecting against the application.

4.2 Prior to the submission of the application, the applicants undertook their own public consultation exercise, administered by Electoral Reform Services. An exhibition was held on 26th and 27th March 2010 and in addition, 7,500 questionnaires were posted out to local residents. Additional questionnaires

were also handed out at the exhibition. By the closing date of 9th April, a total of 557 responses were received. Of these responses, the applicant advises that 56% of respondents supported the proposal, 7% supported the proposal with suggestions and 37% of respondents did not support the proposal. For those in favour of the proposal, the most commonly sited reason for this support was the need for more elderly accommodation in the area. For those against the proposal, the most commonly sited reason was its location within the Green Belt

- 4.3 The London Fire Brigade have written requesting that 3 private fire hydrants should be located within the CCRC. The London Fire and Emergency Planning Authority have written in to indicate that they are not satisfied with access within the site which does not meet Part B5 of the Building Regulations due to pinch points being less than 3.8m wide.
- 4.4 The Environment Agency have written confirming that they have no objections to the Flood Risk Assessment and have asked for conditions to be attached to any approval.
- 4.5 Natural England advise that subject to a Section 106 agreement in respect of management of the site, a 10-year management plan and a 3-year species monitoring, no objections are raised.
- 4.6 The Metropolitan Police's Crime Prevention Design Advisor has requested that conditions be attached with regard to Safer Places/Secured by Design for the buildings and car-parking areas and CCTV provision.
- 4.7 The London Green Belt Council objects against the proposal as the development would be inappropriate in the Green Belt. It is considered that the Needs Assessment is not up to date and is not taking into account the recent care homes which were granted permission by the Council. The Alternative site report only dismissed non-Green Belt sites on grounds of costs. The arguments do not amount to very special circumstances to outweigh the harm.
- 4.8 The Environment Agency raised no objections against the development, subject to an appropriate water drainage condition.
- 4.9 The Campaign to Protect Rural England (CPRE) raised objections in respect of the development being inappropriate in the Green Belt, a breach of the permanent defensible Green Belt boundary, loss of habitat and species, loss of mature trees protected by TPO, the impact of external lighting on surrounding protected wildlife and noise levels to future occupiers as a result of the M25 / A127 interchange.
- 4.10 Transport for London recommends a number of conditions requiring the applicant to provide electric vehicle charging points, additional parking, cycle storage, Pedestrian Environment Review System results, a Disability Access Assessment to be carried out, submission of a Delivery and Servicing Plan

(DSP) and a Construction Logistics Plan (CLP). TFL originally raised concerns regarding the quality of the Travel Plan. The Travel Plan was subsequently updated and TfL confirmed that they were happy with its contents.

4.11 The Greater London Authority raised the following comments:

- Green Belt: the proposed development of a residential care facility on metropolitan green belt represents inappropriate development and the evidence presented to date does not constitute very special circumstances.
- Specialist Housing: notwithstanding the above land use concern the provision of a residential care home in this area would be supported.
- Biodiversity: the proposals would be acceptable in biodiversity terms on the basis that a management plan for the remainder of the site, and sufficient resources for its implementation are secured by the Council.
- Affordable Housing: the applicant should engage with the GLA to further explore the applicability of London Plan affordable housing policy.
- Urban Design: The applicant should address the comments made in the urban design section of this report in accordance with London Plan Policy 4B.1.
- Access: The applicant should ensure that all units are fully wheelchair accessible and access should be secured via a condition.
- Sustainable Development: The applicant is required to submit an energy strategy which addresses London Plan energy policies, and a sustainability strategy which addresses climate change adaptation policies.
- Transport: The applicant should address the concerns raised by TFL regarding the number of parking spaces on the site, provision of electric vehicle charging points, the proposed conditions and the quality of the Transport Assessment.

5. Relevant Policies

5.1 Policies CP1, CP2, CP8, CP17, CP14, DC2, DC3, DC5, DC7, DC22, DC33, DC34, DC35, DC36, DC45, DC48, DC49, DC50, DC58, DC59, DC60, DC61, DC62, DC63 and DC72 of the Core Strategy and Development Control Policies Development Plan Document are considered to be relevant in the determination of this application. The Supplementary Planning Documents entitled Residential Design, Sustainable Design and

Construction, Protection of Trees during Development, Protecting and Enhancing the Borough's Biodiversity, Designing Safer place and Landscaping are also all considered material to the determination of this application.

5.2 London Plan Policies 1.1, 2.6, 2.8, 2.18, 3.1, 3.2, 3.3, 3.4, 3.5, 3.8, 3.12, 3.13, 3.16, 3.17, 5.2, 5.3, 5.12, 5.13, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.14, 7.15, 7.16, 7.19 and 7.21 are also consider to be relevance

5.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Sections 4, 6, 7, 8, 9, 10 and 11 are directly applicable to the consideration of this application.

5.4 The key objective of the NPPF is achieving sustainable development through the planning process. Paragraph 7 of the NPPF outlines that there are three dimensions to sustainable development: economic, social and environmental. NPPF explains that these dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role: contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure
- A social role: supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- An environmental role: contributing to protecting and enhancing our natural, built and historic environmental; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy

6. Staff Comments

6.1 The main issues are the principle of the development including the appropriateness of this use in the green belt; the impact of the proposal on the open character of this part of the Green Belt; density and site layout, visual impact in the street scene; landscape impact; impact on the amenities of adjoining occupiers; impact on the SINC (Site of Importance for Nature Conservation)/ impact on protected species/other wildlife; sustainable construction and parking/highways matters. If the proposal is considered to be inappropriate development which results in significant harm, the final

issue is whether there are any very special circumstances which could be considered to over-ride the harm identified.

Principle of Development

- 6.2 Staff are of the view that the proposal would contribute to the Council's 20-year vision for the Borough, 'Living Ambition' by providing additional housing.
- 6.3 Policy CP2 indicates that sustainable, attractive, mixed and balanced communities will be created in part by ensuring that the needs of those households with special needs, including the elderly, are met. According to Policy CP2, there is still a need within the Borough to plan for sheltered and, in particular, extra care accommodation. Putting aside the Green Belt location of the site, the proposed development would clearly contribute to achieving a standard of housing as set out in Policy CP2 by increasing the independence of people in old age.
- 6.4 Policy DC2 indicates that a mix of housing types and sizes are needed to meet local and sub-regional housing needs with regard to creating mixed and balanced communities. In terms of specialist accommodation, Policy DC5 indicates that all health and non-health social service residential projects, including extra care accommodation, will only be granted if they satisfy certain criteria. These are (among others) that the proposal is located within a residential area unless the scale and nature of the facility is such that it would be inappropriate in a residential setting, that it would be within reasonable access to shops and services, well served by public transport, of a high quality of design and layout and have sufficient parking on-site for residents and visitors.
- 6.5 Whilst the scale of the scheme justifies the proposal being located outside of the built up part of Cranham, thereby satisfying part of Policy DC2, the Green Belt status of the site clearly conflicts with Policy CP1, which indicates that in meeting the Borough's identified housing need, other non-designated sites will be prioritised for housing above green belt land. This is generally the position taken in respect of housing development within the London Plan and the NPPF. The applicants have indicated that they have not found a suitable alternative site within the Borough for their proposed development. In support of this, the applicants have submitted an Alternative Sites Search Report which sets out what sites were considered and why they were deemed unsuitable. The sites identified in the Site Specific Allocations DPD were taken into consideration as part of the Alternative Sites assessment. The findings of this assessment will be discussed in more detail under the "very special circumstances" section of this report.
- 6.6 In green belt terms the proposal is clearly contrary to Policy DC45 for two reasons: new general housing development is not included in the appropriate uses for Green Belt land and, secondly, as the site is currently undeveloped, there are no buildings capable for conversion or reduction in

order to improve openness of the site. The site is open land with no structures buildings or any man-made features. The proposal is therefore considered to be inappropriate development which, by definition, would give rise to harm. The development is therefore considered to be unacceptable in principle.

- 6.7 In line with Policy DC45 however, while there is a clear presumption against inappropriate development in the Green Belt, exceptions may be allowed where very special circumstances can be robustly demonstrated. The NPPF indicates that “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”. Therefore, in line with the NPPF, it is necessary to first consider whether any harm, other than the in principle inappropriateness, would arise from the proposed development.

Impact on the open character of green belt

- 6.8 The application site in its current form is a naturally vegetated, coped, 3.27 hectare parcel of previously undeveloped, open land. The site is clearly distinguishable from the built up character of Moor Lane and Fairholme Gardens which bound it. Indeed, the site has an important, key function in Green Belt terms as it defines the built up edge of Cranham, thereby preventing sprawl and coalescence. Public viewpoints of the site are achieved from the footpath/part bridleway (no. 176) which runs parallel to the site to the south and the track leading to the A127, which runs parallel to the west of the site. Wider views of the site are obtainable from the A127 and to a lesser degree, the M25. Given the deciduous nature of the vegetation, the visibility of the site increases and decreases according to the seasons.
- 6.9 The application site and the wider site which surrounds it are both of Borough Grade 1 Importance for Nature Conservation, forming part of Cranham Brickfields and Franks Woods (HvB102), which together comprise a land parcel of 42.5 hectares.
- 6.10 The proposed development which comprises 131 units, consisting of 51 residential properties (Assisted Living Units), a 17 unit apartment block (Linked Assisted Living Units) and a 63-bed Care Building (consisting of 36 Care Beds and 27 Close Care Units) with ancillary facilities (i.e. the Wellness Centre) are indicated as having a gross internal floorspace of approximately 12, 000 square metres. This, together with an internal access road, areas of hardstanding for the parking of 85 vehicles plus the Church car-park extension, would, since there are no existing buildings on this site, clearly urbanise this previously undeveloped green belt site.
- 6.11 The proposal indicates a revised layout in an attempt to address the earlier refusal reasons. The previous scheme included a 3-storey building fronting Moor Lane and single storey bungalows towards the western and northern

boundaries of the site, with side elevations also facing Moor Lane. The proposed development, in particular the cottages fronting on to Moor Lane, would be 2 storeys in height (indicated up to 9.6 metres). In addition, these cottages would be linked and would present continuous frontage of up to 50 metres wide. The applicant states that one of the improvements of the current scheme is the retention of the tree line towards the western boundary and the “more residential scale and character” of the 2-storey cottage-style dwellings along this boundary. In Staff’s view, apart from the removal of the 3-storey building to the western boundary, the design of the current Moor Lane frontage represents a more bulky, continuous form of development compared to the previous single storey, side-facing bungalows. In addition, the development still presents a 3-storey building towards the eastern side of the site. Staff are of the opinion that the proposed development as a whole would not be completely concealed behind existing or proposed landscaping. Staff therefore consider that the development would have a significant adverse impact on the open character of this part of the green belt, including from public viewpoints (as described above). It is further considered that there would be an impact on the character of the green belt generally from the significant increase in activity associated with the development compared to the very low intensity of activity currently on site.

Density and Site Layout

- 6.12 The proposed development is considered to be representative of a care home facility (use class C2) and not residential dwellings falling within a C3 use class. It is on this basis, that the normal density assessment is not being undertaken. In terms of general site layout however, Staff consider it appropriate to apply the same principles to determine whether the indicative layout is acceptable.
- 6.13 The site would be laid out so that the largest building (care building) is located towards the eastern side of the site with its 2.5 / 3 storey element laid out in a north-south direction. This building would have 2 wings extending in an eastern and western direction and would be linked to the Linked Assisted Living Units towards the west. The Linked Assisted Living Units building is more or less in the middle of the site. The remainder of the site consists of mainly 2 storey buildings with the Assisted Living Units arranged around the outer boundaries of the site and therefore closest to the Moor Lane boundary and properties along Fairholme Gardens. Access to the site would be via 2 points, one from the extended church car park and the other opposite Nos. 207-209 Moor Lane. The internal road would give access to all the Assisted Living Units, the main building and various car parks on the site. The indicative layout shows various Garden Courts and green open spaces between buildings.
- 6.14 While the southern and western boundaries of the application site are fixed, there is no defining outer limit for this development, i.e., no natural or man-made features which form a physical boundary. The extent of the site and

the outer proposed northern and eastern boundaries are therefore arbitrary. The applicants indicate that the proposal would form a “village” and the proposed layout suggests that properties towards the western boundary would face Moor Lane whilst the remainder of properties would be focussed around the Garden Courts and have views of the new park on the wider site. All properties would be accessible from the access road and Staff therefore consider that the indicative site layout of itself would be acceptable.

Impact in the street scene

- 6.15 The proposal is for a number of 2-storey cottages (Assisted Living Units) arranged around the southern, western and northern boundaries of the site. The prevailing character of the Moor Lane and Fairholme Gardens street scene is that of mainly single storey chalet style bungalows with a few 2 storey dwellings. Dwellings in general have moderate frontages and a good level of spacing between buildings. It is recognised that the applicant has attempted to reduce the impact of the development from a visual point of view by retaining the majority of vegetation and in particular the mature trees along the western and southern boundaries of the site. In addition, the 3 storey building has been moved towards the eastern side of the site and therefore further away from the existing neighbouring dwellings and street scene.
- 6.16 While “siting” is not to be determined at this stage, Staff consider that as “access” is to be determined, that the layout shown on the illustrative masterplan would be deliverable. On the basis of the drawings submitted, the larger buildings would be located about 100m from Moor Lane (at its closest point) and about 26m from the rear boundary of properties in Fairholme Gardens. The majority of screening would be retained along both of these boundaries and this could be supplemented. Although the highest building (Care Building) would not be visible from the street scene, Staff consider that the scale of the development fronting Moor Lane would still be visible in the street scene, due in part to the mainly deciduous nature of the existing trees.
- 6.17 In addressing the reasons for refusal of the previous application, the indicative layout now shows the introduction of 2 storey buildings towards the western boundary (as opposed to the previously proposed 3 storey building). Although the surrounding street scene presently has a mixture of single storey bungalows and 2 storey dwellings, these dwellings are mainly detached (with the exception of semi-detached bungalows) with a reasonable degree of spacing between buildings. The indicative street scene view from Moor Lane show 3 sections of linked buildings, which effectively have the appearance of terraced dwellings. Whilst the relocation of the 3 storey building is welcomed, it is considered that the design approach now proposed would still be at odds with the more spacious character and moderate sized dwellings found within the street scene. This indicative element of the scheme is therefore considered to be unacceptable.

- 6.18 The proposed two storey buildings towards the south would be located behind dwellings in Fairholme Gardens. No significant visual impact in street scene terms is therefore anticipated.

Landscape Impact

- 6.19 Aside from street scene impact within Moor Lane and Fairholme Gardens, other visual impact would arise in wider landscape terms, particularly given the open character of the site and the land surrounding it which is within the applicants' control.
- 6.20 The Landscape and Visual Impact Assessment submitted by the applicants concludes that there would be a loss of regenerating woodland and scrub following development but the proposal allows for the retention of trees of value within the site and on the site boundaries. The Assessment considers that the impact on local landscape character would be "moderate adverse". It further considers that in the longer term, the potential for enhancement of the wider site (ie. the additional 9ha surrounding the site under the applicant's control) means that overall, the development would have a "neutral" impact on local landscape character. The Assessment outlines that the proposed enhancements (which are described below in more detail) would provide an opportunity to contribute to the Thames Chase Community Forest by improving public access to the wider site, by protecting and enhancing its nature conservation value and by fulfilling the objectives of the Havering Wildlife Partnership Action Plans.
- 6.21 Staff recognise that if the development does not go ahead that the flora and fauna associated with it would change due to succession, i.e., the grassland would be replaced by more shrubs and trees and eventually the area would have a greater woodland area. This would also be the case for the wider area in the applicant's ownership. The proposal would clearly prevent this in the main. However, the applicants have offered to stabilise and improve the remainder of the Green Belt in their ownership such that this could have a positive impact on flora and fauna.
- 6.22 Notwithstanding this, comments from the Council's Environmental Programmes Regeneration Officer state that the succession to scrub and woodland may be halted at any time and with appropriate management, the habitats could be brought back into a condition in line with the site's status as a Site of Importance for Nature Conservation of Borough (Grade 1). Put another way, the enhancements described could be achieved without the development, although it is acknowledged by Staff that such measures are unlikely to come forward in complete isolation.
- 6.23 The site is the subject of two Tree Preservation Orders (Nos 19-91 and 3-03). This Woodland Order protects all trees within the application site. The applicants have partly addressed concerns raised in the previous application (reference P0603.09) regarding the loss of preserved trees on the site. On the western boundary there will be no tree removal but the removal of 15m

of mature hedgerow to facilitate the proposed site access. On the southern boundary, the mature hedgerow will be retained but 7 semi or early mature oak and ash trees would be removed, due to their current poor condition.

- 6.24 Despite the retention of trees and hedgerows on the periphery of the site, a significant amount of site clearance will still be needed to enable the development to take place. This clearance will inevitably impact upon landscape character. Subject to appropriate enhancement and management of the wider land parcel enveloping the application site together with a sound landscaping strategy for the site itself, Staff consider that this landscape impact can be mitigated. In drawing such a conclusion however, a clear distinction is drawn between landscape character and the impact upon the openness of the Green Belt which has been assessed elsewhere within this report.

Impact on Residential Amenity

- 6.25 Insofar as residential amenity, regard needs to be given to the impact arising from the development upon privacy, outlook and light and also in respect of noise and disturbance, particularly that associated with the 2 site entrances onto Moor Lane. While only access (including the internal access road and parking areas) is to be determined at this stage, Staff consider the layout shown on the Illustrative masterplan to be a reasonable indication of how the development could be set out
- 6.26 In relation to the properties in Fairholme Gardens, the closest part of the development (the Care Building and Assisted Living Units) would be located approximately 10m from the shared southern boundary and 63 metres from the rear elevations of the properties along Fairholme Gardens. Further Assisted Living Units would be located 20m from the shared boundary. Whilst it is recognised that the proposed development would be visible from the existing residential properties, given the separation distances involved, Staff consider that the proposed buildings would neither be visually intrusive nor overbearing and that there would be no undue loss of privacy to the existing occupiers. As the development would be located to the north of the existing properties Staff do not consider that there would be any loss of daylight or sunlight
- 6.27 The closest part of the development to the properties in Moor Lane would be the Assisted Living Units. Here, the buildings would be set back a minimum of 11m from the western site boundary with a minimum gap of 28m between the front elevation of properties in Moor Lane. The Care Building would be approximately 95 metres at its closest point from the edge of the Moor Lane boundary and 117m from the front building line of dwellings along Moor Lane. Given the proposed retention of the tree screen to Moor Lane and again, the separation distances illustrated, Staff consider that the proposal would neither be visually intrusive nor overbearing and that there would be no undue loss of privacy to the existing occupiers. Staff neither consider

that the proposed development would result in a significant loss of daylight or sunlight to properties on the opposite side of Moor Lane.

- 6.28 The amount of traffic entering the site will depend on a number of factors such as the final number of staff which are employed, when shifts start and finish, how many service vehicles and visitors there would be, how many residents would have their own vehicles and how many people would rely on alternative modes of transport. What is clear is that all vehicles would have to enter through either the main vehicular access or through the extended church car park area and the level of trips to and from the site will be very different to that currently experienced given that the site is undeveloped.
- 6.29 The area south and west of the application site is characterised by vehicular movements typical of a suburban residential area. The area has a good local bus service which provides a regular 15 minute service throughout the day and every 30 minutes after 8pm. There is no dispute that the development would result in an increase in traffic along Moor Lane and possibly the surrounding roads. It is however considered that the level of noise and activity generated as a result of traffic and services would not be unacceptably increased as a result of the care village development. The Travel Plan illustrates measures to reduce single vehicular trips and it would be reasonable to assume that activity levels would reduce over night. Staff are therefore of the opinion that the increase in noise and disturbance as a result of increased vehicular trips would not give rise to significant harm to residential amenity.

Impact on the SINC (Site of Importance for Nature Conservation)/Protected Species and other wildlife

- 6.30 The application site and the wider site which surrounds it are of Borough Grade 1 Importance for Nature Conservation, forming part of Cranham Brickfields and Franks Woods (HvB102). Policies DC58 and DC59 are relevant and indicate that planning permission will not be granted unless the economic or social benefits of the proposals clearly outweigh the nature conservation importance of the site, and then, only if adequate mitigation can be provided. Whilst the applicant has submitted a number of supplementary reports on flora and fauna, some of the surveys have been undertaken outside the optimal survey period, for example, the reptile surveys.
- 6.31 The various documentation submitted indicates that of the Protected Species, there are bats, common lizard and slow worms but no badgers or Greater Crested Newts (GCN) at the application site. Mitigation and compensation measures would include the provision of additional roosting and foraging opportunities for bats together with capture and translocation for the slow worms and common lizards.
- 6.32 In addition to these mitigation measures, as part of the overall package put forward, the applicant has set out a commitment to enter into a full

Landscape and Nature Conservation Management Plan to ensure the ongoing, sensitive management of the retained habitat on the wider site surrounding the application site. The primary objective is to optimise biodiversity interests but it is also intended that provision is made for enhancing public access.

- 6.33 To ensure a realistic prospect of delivery, the applicant has held preliminary discussions with Thames Chase Community Forest (TCCF) who could potentially fulfil the role of implementing the measures needed to create a new community park and take responsibility for its long term management. The initial 'heads of terms' discussed with TCCF involve the gifting of the land to TCCF together with the provision of a package of funding for the implementation of the full Landscape and Nature Conservation Management Plan and the ongoing management of the park for a period of 10 years. The indications are that TCCF are very interested in the offer being made to them.
- 6.34 In the event that TCCF became unable to take up the offer, the applicant has also provided details of another model of open space and parkland management which is provided by a company called Oasis. The Oasis concept relies on using income derived from property rental and a programme of community participation to fund and manage the open space in perpetuity.
- 6.35 In light of the currently unmanaged nature of the wider site, in some respects, there can be no dispute that the Management Plan would achieve clear benefits to biodiversity. That said, in order to fulfil the objectives of Policies DC58 and DC59, the economic or social benefits of the proposals must outweigh the current nature conservation importance of the site. In addition, a 10 year management period would not be sufficient to safeguard the future of the site following the expiry of any such agreement. Both factors need to be weighed in the balance as part of the very special circumstances case which is promoted by the applicant. Further analysis on this is offered below.

Parking and highways considerations

- 6.36 The Highway Traffic and Transport Statement concludes that the care village will have a high level of self sufficiency by providing a number of communal facilities, i.e. café, restaurant, wellness centre, swimming pool, shop, library, communal transport facilities, cycle club etc thus minimising vehicle flows associated with it. The proposal also includes the provision of additional spaces (albeit shared with the CCRC) to serve the existing Moor Lane Church and it is suggested that this will benefit both users of the church and highway users of this part of Moor Lane as it will help remove current on-street parking. The proposal will involve an improvement to existing pedestrian routes including the public footpath and permissive routes across the wider area. The report further concludes that no objections were raised against the previously proposed 172 units and in light

of the reduction in units to 131, no traffic or transport objections should be raised against the current scheme.

- 6.37 The proposal would have 85 parking spaces in total (26 car ports and 59 spaces, including those shared with the Church). In line with Annex 5, 1.5-2 parking spaces should be provided for the Assisted Living Units, i.e., between 76 and 102 parking spaces. In addition, it is anticipated that an Extra Care Unit would provide (based on the guidance for a Nursing Home) 1 space per 4 resident bed spaces such that 20 spaces would be required. In total therefore, between 96 and 122 parking spaces (a development average of between 0.7 and 0.9 spaces per unit/care bed) are needed if the requirements of Annex 5 are strictly applied. At this stage, the floorspace of other ancillary elements of the proposal are not available, thus in practice the number of spaces needed for staff parking may increase.
- 6.38 The applicant has indicated that from experience of other CCRCs, the use of parking spaces for independent units falls once a new occupier is established, in part due to the provision of most services on site and, where appropriate, because “pool” vehicles are provided. It is on this basis that 85 car parking spaces are proposed, rather than an amount within the range of 96 and 122.
- 6.39 It is clearly a matter for the marketing of this scheme if the applicant considers that parking provision would meet expectations of future occupiers. If the proposed number of parking spaces proves to be insufficient in the longer term, Staff consider that the site could accommodate more than the proposed 85 spaces identified, particularly those associated with the cottages and bungalows. As a matter of judgement, Staff consider that as the site is on an established bus route and as pool cars and cycles could be provided, that the proposed parking provision would be acceptable. Indeed, in previously refusing planning permission for the larger 172 no unit scheme, no objection was raised to the provision of 126 car parking spaces (a development average of 0.75 spaces per unit/care bed). If planning permission were forthcoming, Staff consider that a travel plan could be required through a legal agreement to secure the use of specific alternatives to private motor vehicles for residents and staff, in perpetuity. The application is accompanied a Travel Plan and its contents are considered to be sound.
- 6.40 The proposed access onto Moor Lane and within the site would meet Highways technical requirements. The London Fire and Emergency Planning Authority have written to indicate that they are not satisfied with the access within the site, which does not meet Part B5 of the Building Regulations, due to pinch points being less than 3.8m wide. As the application is in outline form, amendments could be incorporated within any Reserved Matters submission to resolve these concerns.

Other Issues

- 6.41 The application is accompanied by a Flood Risk Assessment. The Environment Agency raise no objections to the proposal subject to conditions.
- 6.42 With regards to Safer Places, the Crime Prevention Design Advisor raises no objections to the scheme in its illustrated form, subject to conditions.
- 6.43 The applicant has indicated that they would meet sustainable design and energy assessment/renewable energy minimum standards. In the absence of details as to how they would be achieved suitable conditions would need to be attached to any grant of planning permission.
- 6.44 The development would be liable for the Mayoral Community Infrastructure Levy. The application indicates that the development comprises 12,000sq.m. A payment of approximately £240,000 would therefore be necessary in the event the scheme was commenced. The liability figure would be revisited if and when a Reserved Matters submission is received.

Very Special Circumstances Case

- 6.45 As set out above, whilst there is a clear presumption against inappropriate development in the Green Belt which this development would be, exceptions may be allowed where very special circumstances can be robustly demonstrated. The NPPF indicates that “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”.
- 6.46 Alongside the in principle harm identified, in Staff’s view, the proposal would adversely impact on the open and general character of the Green Belt and appear unduly prominent within Moor Lane to the detriment of visual amenity.
- 6.47 The applicant has outlined a number of circumstances which they consider outweigh the harm described. The headline themes of this very special circumstances case can be summarised as follows:
- Government, Regional and Local Planning policies recognise a need for specially designed housing for an increasing elderly population
 - That there is insufficient appropriate housing for the elderly who can now expect to live into their early 80s, particularly 2-bedroom
 - Cranham has the highest proportion of older people in Havering and Havering has the highest proportion of older people in Greater London but few sheltered housing schemes/Extra care accommodation are available

- A CCRC provides a fit elderly person with care when they need it, thereby preventing the loss of independence, autonomy and lifestyle which can occur with traditional care accommodation
- Providing the accommodation proposed would release under occupied, family housing within the Borough
- Care Home supply in Havering is mostly focussed around Romford and the northwest of the Borough. This does not reflect the high concentration of the elderly in Cranham.
- The CCRC (Continuing Care Retirement Community) would provide a range of services for Cranham
- There are no other alternative sites for a CCRC of this scale in the Borough. No specific provision is made in the LDF for sites to accommodate retirement provision of this scale
- CCRC's in rural areas are supported in principle by the Planning Officers Society "Continuing Care Retirement Communities: A guide to Planning" (2006).
- In a care village, care givers can provide care in a more efficient way. It can help reduce demands on health, social services and other care facilities, partly because doctors, physiotherapists, community nurses and other practitioners can visit several residents at the same time, leading to more efficient use of public resources
- Economies of scale mean that the facilities are better and more varied
- The development would safeguard other green belt land from development and provide the surrounding green belt land for future recreation/ecology
- The new car park for the church will reduce on-street parking and reduce problems for the bus and at some point the church may be supported to be redeveloped
- A substantial commuted sum for the off-site provision of affordable housing would be secured through a Section 106 Agreement
- The development would increase in employment in Cranham, which is considered to be particularly important in the current recession.
- The proposal would bring about ecological and recreational access improvements within the wider site area, through the creation of parkland area extending to some 9.2 hectares.

- 6.48 Combining these themes into principle strands creates a three-prong very special circumstances case which comprises a need case, the non-availability of alternative sites and the creation of a park. In addition to these prongs, it is the applicants' view that the development of the site would not unduly harm the purposes of the Green Belt and it is to this element of the case this report first turns.

The Green Belt

- 6.49 The applicant sets out that securing the long-term future of the substantial wider site via a legal agreement and management plan will assist in restricting sprawl and encroachment by reinforcing a newly defined defensible Green Belt boundary. The potential gifting of the land to an organisation such as the Thames Chase Community Forest, combined with funding for the implementation and management of the park area, is seen by the applicant to reinforce the long-term commitment that is proposed. At the same time, the applicant suggests that the contained nature of the site, combined with the proposed enhancements to landscaping features within the wider site mean that there will be negligible impact on the setting of Cranham when viewed from the wider landscape.
- 6.50 In respect of securing the long-term future of the substantial wider site by reinforcing a newly defined defensible Green Belt boundary, Staff do not share the applicants' view. At present, the Cranham envelope and the Green Belt boundary is clearly defined. Allowing a development to take place in the Green Belt equivalent to 3.27 hectares so that a newly defined defensible boundary can be formed is not a logical approach in itself, particularly as the development would result in sprawl and encroachment - which is exactly what the Green Belt is intended to prevent and the current boundary successfully achieves.
- 6.51 As set out above, the application site is a naturally vegetated parcel of previously undeveloped, open land, whose character is clearly distinguishable from the built up areas which bound it. It is on this basis that the creation of a newly defined defensible Green Belt boundary is considered to be unjustified.

The Need Case

- 6.52 The need case is essentially grounded in the demographics of Cranham and the shortcoming of existing Extra Care provision within the Borough. The application is accompanied by a Care Accommodation Supply and Demand Study dated (October 2009), plus an Addendum (dated November 2009) which has been produced by Savills. The key findings of this Study can be summarised as follows:

Demographic Demand

- There is a forecast increase in the population of people aged over 65 years from 41,300 to 55,700 in Havering in the next 20 years. This means there will potentially be an additional 14,400 elderly people in the borough that will need to find suitable retirement accommodation
- The population of people over 80 years in the catchment will also see a notable increase in numbers over the same period, with an additional 37% predicted in Havering by 2028. This percentage growth will result in an increase from approximately 10,100 to 13,800 people over 80 years in the borough
- An analysis of demographic and lifestyle data shows a general trend for affluence within the more elderly age groups in Havering
- The proportion of homes owned in the borough is above the national average by 11% and represents 73,000 homes (79%). Conversely, social rented accommodation has a below average representation, with around 5% fewer people requiring social housing than the national average
- Collectively, these statistics indicate a need for elderly care accommodation to serve people across several demographic groups, with particular reference to the above national average affluent groups and for least affluent groups

Supply Requirement

- The care home supply in the borough is significantly below average, with a current shortfall of approximately 440 residential beds, which could make it difficult to meet the demands of the current elderly population. Nursing care beds are however broadly in line with national levels
- Two thirds of care homes for the elderly are graded as 2 or 3 star (good or excellent)
- Given the quality of existing provision and the future projected elderly population growth, some of these schemes will need to be upgraded or shifted to fit the extra care model to meet the needs of the elderly population
- There is a lack of extra care provision in the borough with just 2 extra care schemes in the whole of Havering, providing 95 units in total, of which all are operated by a Registered Social Landlord (Staff note: since the submission of this report, a third scheme has been approved and is currently under construction provided bringing the total number up to 186 units). In an area that has been proven statistically to have a demographic profile skewed towards more affluent residents with access

to equity it seems important that an improved variety of extra care facilities is considered

- Savills estimate that there is a current need for approximately 700 extra care units in the catchment. This will increase by a further 100 units in the next 10 years
- A CCRC development such as that proposed at Cranham would help increase the variety of care in the local area, provide enhanced levels of service and reduce the increasing gap between supply and demand

6.53 At paragraph 50, the NPPF sets out that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, including older people. For the purposes of the NPPF, older people are defined as those over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs.

6.54 One of the Council's core priorities is to improve quality of life for residents aged 65 and over and enable as many older people as possible to live independently in their own home, for as long as possible. In 2011, the Council published its Extra Care Housing Strategy for the period 2011 to 2021. The objective of the strategy is to accommodate more people within extra care housing. To underpin the strategy, an evidence base for determining the level of current and likely future demand for extra care housing amongst older people in Havering is included

6.55 Similarly to the Savills Report, the Strategy includes a demographic analysis of the Borough. The Strategy sets out that:

“Many studies and organisations have projected the likely growth in the number of older people over the next 10-15 years, with widely varying results from 40,000 to over 70,000 people aged 65 or over. It is difficult to draw an average estimate of the population of older people from these projections because they do not all classify ‘older people’ as 65 or over - some take it as 50 and over, 60 and over or of ‘pensionable age’. Also, they do not all make projections over the same, long term time periods - some project to 2020, 2021 and so on, up to 2030.

However, if we were to assume that change in the numbers of older people over time is constant over the project period of time, and that the projections refers to the same age category and are equally robust, the average figure for 2010 would be 51,821 older people. This represents a growth of 3,830 people, or 8%, on 2010 figures.”

6.56 In addition to the demographic analysis, information is set out regarding health outcomes and health projections for older people within Havering and the current tenures and uptake of extra care and supported housing together with details of adaptations and support required by older people. Some of the key findings set out by the Strategy are as follows:

- At the time of publication, there were two extra care housing schemes within the Borough (Paines Brook, Harold Hill and Ethelburga Court, Harold Wood) providing 88 units. The former Snowdon Court site in Squirrels Heath Lane is currently being redeveloped to provide a further 98 units of extra care housing.
- There are 894 units of sheltered housing owned by the Council, which are located within 20 complexes. At the time of publication of the Strategy, 103 of these units were empty. A Housing Needs Study carried out for the Council in 2006 by Peter Fletcher Associates found that sheltered housing provided by the Council and Registered Social Landlords accounts for 40% of the places available for older people within the borough. Leasehold sheltered housing in the private sector accounts for the majority of the remainder.
- There are 1,500 residential care places in the borough, within both nursing homes and residential care homes. These are provided entirely by the private and third sectors. Some of these places are taken by people with mental health, physical and learning disabilities, but the majority are filled by older people aged 65 and over. The Council's Associate Director for Commissioning confirms that there is an over supply of residential care homes in the Borough, citing an example where one 100 bed home has never been more than 50% full, despite being open for about 3 years. As of March this year, there were 172 empty care beds within the Borough. The Associate Director also confirms that due to advances in options in the community, the Council is placing 30% less people in to residential care than it did two years ago.
- In addition to extra care, sheltered and care home placements, there are 5,023 older people in Havering who received care whilst living at home, 45% of whom are aged 85 and over. It is on this basis that the Strategy concludes there is considerable scope for developing provision of extra care housing as Home Care customers may increase future demand for extra care housing should their circumstances change and a greater level of support be needed.
- Alongside the home care of the Borough's residents, support is also offered by the Council through home adaptations (by way of relocation of a bath or shower or installation of extra handrails for example) and the running of a Telecare service which provides a range of electronic devices, including alarm call systems, sensors to detect falls and detectors on doors and appliances to check if the gas has been left on.

- 6.57 Through an analysis of current demand from the Housing Register, potential future demand according to aspirations of older people (identified through the 2006 Housing Needs Study), identifying where older people live and through mapping deprivation, by looking at which wards have higher proportions of older people and which have higher rates of deprivation amongst older people, the Council can identify its priority wards, ie, those wards where future extra care schemes should be located because there is a demonstrable need
- 6.58 In relation to geography, the analysis concludes:
- The wards with higher proportions of older people and with higher rates of deprivation amongst older people, ie. those with higher numbers of older people living in deprivation, are Gooshays, Heaton and St Andrews
 - The wards with the greatest number of older people receiving social care are Gooshays and Heaton wards, followed by St Andrews
 - The greatest concentrations of older people applying for social housing are found within Gooshays and Heaton wards, with other isolated but dense concentrations in Havering Park, Brooklands, Rainham and Wennington and Cranham
 - The most popular areas that older applicants for social housing wish to move to are Romford and Hornchurch, followed by Gidea Park and Harold Wood.
- 6.59 In relation to need, the analysis concludes that there is a net annual need for extra care housing of 63 spaces, giving a 10 year need of 630 spaces. To deliver these spaces, the Strategy sets out several different approaches to increase provision of extra care throughout the Borough, but also improving the quality and therefore reducing the void rate of the Council's sheltered housing stock.
- 6.60 Havering has an ageing demographic profile and Staff are very mindful of the increasing need to provide accommodation for older people, a need which is endorsed by the Extra Care Strategy. However, this need is concentrated within certain wards within the Borough. Although Cranham is identified as having an isolated but dense concentration of older people applying for social housing, other wards within the Borough have an evidenced greater need.
- 6.61 It is acknowledged that the proposed CCRC is for the self-pay market rather than being a social housing scheme and given that Cranham has a) a notably high percentage of people over 65 years old within the Borough and b) the second least income deprivation amongst older people, that its demographic profile seemingly supports the provision of a CCRC. Nonetheless, demographic compatibility is markedly different from evidenced need. On this basis, it is not considered that the need case

presented by the applicant represents a very special circumstance for justifying the proposal.

Non-Availability of Alternative Sites

- 6.62 The second strand of the very special circumstances case relates to the non-availability of alternative sites with the Borough to accommodate a CCRC. The applicant has produced a report which looks at the site's specifically identified by the Site Specific Allocation DPD and outlines why these sites are unacceptable. Through the passage of time since the adoption of the DPD and the submission of this planning application, the Harold Wood Hospital (SSA1) and Whitworth Centre (SSA2) sites are no longer available (permission has been granted for their residential redevelopment). The remaining allocations for residential development are within London Riverside (SSA11, SSA12, SSA13) which seek to achieve medium to high density development, which a CCRC does not deliver. The applicant also comments within the report that the nature of the existing land uses and site constraints within London Riverside would require clearance of substantial buildings and potential remediation works which would not assist financial viability of a lower density CCRC development. Aside from the sites detailed by the SSA DPD, the applicant has not included any other detail or information about other sites which have been considered and discounted either within Havering or nearby adjoining boroughs.
- 6.63 In addition to the looking at the Site Specific Allocations, an analysis has been carried out of the demography of the wards the sites are located within (Heaton, Harold Wood, Gooshays, South Hornchurch, Rainham and Wennington) together with the application site itself (Cranham and Upminster). Using 2001 Census data, it is suggested that Cranham and Upminster wards have a substantially higher proportion of elderly residents in comparison with the areas in which the alternative sites are located, thereby supporting the applicants' case that the Cranham site is demographically preferable to others within the borough. Other data submitted by the applicant demonstrates that statistically Cranham and Upminster has a higher degree of under occupied houses and the older and elderly living in Cranham are statistically more affluent. However, as set out above, demographic compatibility is markedly different from evidenced need.
- 6.64 To supplement this justification, the applicant has also submitted a viability report which outlines why this type of site (ie. an undeveloped, Green Belt site) is the only one which is available to bring forward a CCRC. The viability report has been independently scrutinised. The conclusion of that review is that the residual land value of the site following development would be sufficient to compete with other developers for sites allocated for residential development within the Borough, ie. those outside of the Green Belt. On this basis, it is not considered that the suggested lack of alternative sites presented by the applicant represents a very special circumstance for justifying the proposal.

The Creation of a Park

- 6.65 The third strand of the very special circumstances case relates to the applicant's commitment to enter into a full Landscape and Nature Conservation Management Plan to ensure the ongoing, sensitive management of the retained habitat on the wider 9 hectare site surrounding the application site. As described above, the primary objective is to optimise biodiversity interests but it is also intended that provision is made for enhancing public access by creating a park.
- 6.66 To ensure a realistic prospect of delivery, the applicant has held preliminary discussions with Thames Chase Community Forest (TCCF) who could potentially fulfil the role of implementing the measures needed to create a new community park and take responsibility for its long term management. In the event that TCCF became unable to take up the offer, the applicant has also provided details of another model of open space and parkland management which is provided by a company called Oasis.
- 6.67 In light of the currently unmanaged nature of the wider site, in some respects, there can be no dispute that the Management Plan would achieve clear benefits to biodiversity. That said, in order to fulfil the objectives of Policies DC58 and DC59 but also to mitigate the harm arising to the character and openness of the Green Belt, this parkland must be retained in perpetuity. Currently, the applicant is offering to provide funding to the TCCF to create and manage the park for a 10 year period. However, this provides no certainty in the longer term, once the 10 year period has expired This is of great concern to staff given the SINC designation and wider role this park has in mitigating the impact of the proposal and therefore, it is considered that the offer in its current form does not constitute a very special circumstance to allow the development.

Planning Obligations

- 6.68 As part of the very special circumstances case, various planning obligations are offered by the applicant. In order to fulfil the requirements of the Community Infrastructure Levy Regulations 2010, any obligation secured must be 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. For completeness, each of the obligations offered are commented on below:
- A strategy for the long term management of the adjoining land parcel together with a package of funding to enable this for a 10 year period: The merits of this offer are commented on above within paragraphs 6.66 to 6.68.
 - A contribution of £300,000 towards the off-site provision of affordable housing: the development does not require an affordable housing

contribution under the terms of Policy DC6. Whilst it would be welcomed, it is not necessary to make the proposal acceptable in planning terms and could be open to challenge.

- A new car park for the use of Moor Lane church which would be shared with visitors to the care village: an analysis of the highways and parking implications of the proposal are set out within paragraphs 6.36 to 6.39
- A potential financial contribution towards the redevelopment/extension of Moor Lane Church: this obligation is also unnecessary to make the proposal accept in planning terms. The offer is unrelated to the development being proposed and could be open to challenge.
- An occupation restriction limiting occupation of the village to elderly people and/or people in need of care. It is suggested that this would require that one member of each household unit would be of retirement age: in the context of the nature of the development, such an obligation would be support in the event of planning permission being granted.
- An occupancy cascade is also offered which would ensure that residents of the London Borough of Havering have the first opportunity to acquire accommodation within the scheme, before this is opened out to people with a family connection with the Borough, before finally being made available to those currently living outside the area and with no family connection. The applicant has indicated they would be willing to discuss the exact terms of such an arrangement as part of any Section 106 Agreement negotiations and would naturally need to include the exact wording of such a mechanism and in particular the length of time assigned to each period before consideration would be opened up to the next tier in the cascade. In the context of the nature of the development and the very special circumstances put forward in this case around need, in the event that planning permission was granted, such an obligation would be supported, subject to appropriate wording being agreed.
- A Travel Plan: in the context of the nature of the development, such an obligation would be supported in the event of planning permission being granted.
- An unspecified contribution towards funding minor footway extensions to link footways within the development site. Two pedestrian points of access to the CCRC would be provided from Moor Lane, one towards the quieter northern end of the site which will enable pedestrians to cross to the western side of Moor Lane and proceed towards the Avon Road local centre, or to catch the bus at the junction with Queens Gardens. The other is towards the southern end of the Moor Lane frontage at the point where an existing wooden bridge provides access to the Public Right of Way that is contained within the site and passes

close to its southern boundary. The submitted Transport Statement acknowledges that the footway on the eastern side of Moor Lane stops marginally short of this access point, hence the offered contribution to fund minor footway extensions. Again, such an obligation would be supported in the vent of planning permission being granted.

- 6.69 In addition to the obligations offered by the applicant, the Highways Authority have requested a financial contribution of £75,000 towards the review and upgrade works necessary to provide a pedestrian friendly route from the development to the Avon Road shops and improvements to upgrade the local Bus Stops. The applicant has confirmed that they are happy to consider the need for the contribution, subject to the meeting the tests of soundness set out by the CIL Regulations and resolving the degree of overlap with the financial contribution being sought by Transport for London. TfL are seeking a contribution of up to £40,000 (£20,000 per bus stop) if either of the two bus stops nearby to the site do not adhere to current guidance. In the event of planning permission being granted, further negotiations would be necessary to establish to extent of contribution required in this respect.
- 6.70 Were members minded not to resolve to refuse or defer the application such resolution would be subject to notification of the application to the First Secretary of State pursuant to the advice in the Annex to Circular 11/2005.

7.0 Conclusions

- 7.1 The site is located within the Green Belt. In its current form, the site is a naturally vegetated, 3.27 hectare parcel of previously undeveloped, open land. The site is clearly distinguishable from the built up character of Moor Lane and Fairholme Gardens, both of which bound it. The site has an important, key function in Green Belt terms as it defines the built up edge of Cranham, thereby preventing sprawl and coalescence. Public viewpoints of the site are achieved from the south and west, with longer distance views obtainable from the A127 and to a lesser degree, the M25.
- 7.2 The proposal constitutes inappropriate development and would give rise to harm to both the character and openness of the Green Belt and visual amenity in the streetscene within Moor Lane. In order to justify this development, very special circumstances must be demonstrated to outweigh this collective harm.
- 7.3 The applicant has presented a three-prong very special circumstances case which comprises a need case, the non-availability of alternative sites and the creation of a park. In addition to these prongs, it is the applicants' view that the development of the site would not unduly harm the purposes of the Green Belt.
- 7.4 Balancing the harm arising from the proposal against the very special circumstances case promoted and reviewed fully above, Staff consider that

the harm would be so significant to the nationally important Green Belt in this case that the circumstances offered are insufficient to outweigh it. The application is therefore refused. It is therefore recommended that the application is refused.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

None

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal would provide accommodation for older people, which in isolation, is welcomed given the Borough's ageing demographic profile. However, for the reasons set out within the report, the site is considered to be inappropriate for the development proposed and in this case, this inappropriateness outweighs the benefit of providing additional accommodation for older people.

BACKGROUND PAPERS

Application forms and plans received on 18th August 2010.



**REGULATORY
SERVICES
COMMITTEE**

REPORT

7 June 2012

Subject Heading:

P0243.12 – Former Harold Wood Hospital, Gubbins Lane, Harold Wood (Date received 22/02/2012)

Proposal

The approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 3B of the former Harold Wood Hospital, for the development of 74 residential apartments, plus associated infrastructure and car parking.

Report Author and contact details:

Simon Thelwell (Planning Control Manager) 01708 432685

Policy context

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

Financial summary

None

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

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

SUMMARY

Members will recall that the Committee resolved to grant outline planning permission for the redevelopment of the former Harold Wood Hospital site at its meeting of 28 October 2010 subject to the prior agreement of a S106 legal undertaking. The legal process has now been concluded and the S106 and planning permission have been issued. Members have previously considered full applications for the construction of the spine road and Phase 1a and 1b of the residential development. This reserved matters application is for the next phase of development, Phase 3B which proposes 74 residential apartments, plus associated infrastructure and car parking.

Staff consider that the development would be sufficiently in line with the parameters agreed for the redevelopment by the outline planning permission which is required by condition. The development is further considered to be acceptable in all other respects.

It is concluded that the reserved matters application should be approved.

RECOMMENDATIONS

That the Committee resolve that reserved matters permission be granted subject to the following condition:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications as listed above on the decision notice.

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.

2. The roof areas of Block T hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

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

1. Reason for Approval

This decision to grant planning permission has been taken

- i) having regard to Policies CP1, CP2, CP7, CP15 and CP17, of the LDF Core Strategy Development Plan Document; Policies DC2, DC3, DC6, DC7, DC20, DC21, DC32, DC33, DC34, DC35, DC36, DC48, DC49, DC50, DC51, DC58, DC59, DC60, DC61 and DC63 of the LDF Development Control Policies Development Plan Document; Policy SSA1 of the LDF Site Specific Allocations Development Plan Document; Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 5.2, 5.3, 5.7, 5.12, 5.13, 5.16, 6.9, 6.10, 6.13, 7.3, 7.4, 7.6 and, 7.19 of the London Plan 2011, and the National Planning Policy Framework .
- ii) for the following reason: The proposed development would be in accordance with the aims and objectives of the site specific policy by providing the second phase of a residential redevelopment of the site. The proposal would provide affordable housing and would relate satisfactorily to its surroundings and neighbouring development and can be accommodated on the site without any materially harmful visual impact or any significant adverse impact on residential amenity. The proposal incorporates sufficient communal amenity space within a development of high quality design and layout. The impact arising from residential traffic from the development would be acceptable within the locality. The proposal meets the objectives of national, regional and local policies by being sustainable development making efficient use of land and providing residential development with easy access to facilities without adverse impact on residential amenity.

REPORT DETAIL

1.0 **Site Description**

- 1.1 The former Harold Wood Hospital is located on the western side of Gubbins Lane approximately 500m (¼ mile) south of the junction with Colchester Road (A12), and opposite Station Road and Harold Wood mainline railway station.
- 1.2 The hospital site is of irregular shape and covers an overall area of approximately 14.58 hectares, including the retained uses. This application relates to an area of 0.61 hectares at the south western end of the site. The site is bordered by residential properties in Long Grove to the southwest,

green open space (which in turn is bounded by residential properties) to the northwest, the railway line to the southeast, by part of The Avenue (the Spine Road), which is the subject of a separate full planning permissions, to the north east and by the proposed Phase 5 of the redeveloped site to the north eastern boundary.

- 1.3 The site is undeveloped and characterised by heavily overgrown areas of coarse grassland with patches of Bramble and Hawthorn and other invasive species.
- 1.4 Vehicular access to the site will be from the yet to be constructed spine road which has been granted full planning permission under P0230.11 which will link the site to Nightingale Crescent and Lister Avenue to the west and the eastern portion of the Spine Road which was granted planning permission under P1703.10.

2.0 Description of Proposal:

- 2.1 The proposal is a reserved matters application for siting, design, external appearance and landscaping pursuant to outline planning permission P0702.08 in relation to Phase 3B of the redevelopment of the former Harold Wood Hospital site. This would consist of 74 residential apartments in two blocks (S and T) providing 26 no. 1 bedroom flats and 48 no. 2 bedroom flats.

Siting and Scale

- 2.2 Block S is proposed as a linear 4 storey building parallel to the railway boundary of the site with maximum dimensions of 61.4m length, 18m depth and 13.2m height. The block would be positioned 19m away from the railway land boundary and 20m away from the south west boundary of the site i.e. the rear garden boundary of properties in Long Grove.
- 2.3 Block T is proposed as an L-shaped block with its longer 39.6m north western flank parallel to the boundary with the green open space at the end of Nightingale Crescent and its shorter 30m north eastern flank parallel with the new spine road where it enters the site from Nightingale Crescent. The block would be positioned 4.6m from the north west boundary, apart from a projecting section on its northern corner which would be 1.5m closer, and a minimum of 6.4m from the south west boundary. The block is proposed with a staggered height from 2 storeys (7m) at its south west end up to 4 storeys (14.2m) at its north east end.
- 2.4 The blocks would be separated by areas of communal amenity space and landscaping.

Access and Parking

- 2.5 Access into the site would be from the new Spine Road at a point to the north east of the widened corner. The site access then runs parallel to the north east and south east boundaries, with an extended turning head towards the southern corner of the site. A total of 39 parking spaces would be provided, primarily along the south eastern side of the access road, but with two disabled spaces located close to the entrance to the site from the spine road and a further 5 spaces on the north eastern side of the turning head adjacent to the south western end of Block S. 12 of the spaces would be designated for disabled users and 3 spaces would be reserved for possible car club use. One cycle storage space per unit would be provided either by way of secure internal communal ground floor areas within the blocks or a separate cycle and bin storage building which is proposed at the western end of the amenity space between the buildings parallel to the south western boundary of the site.

Design and External Appearance

- 2.6 Block S would comprise of 20x 1 bed and 22x 2 bedroom units of which 4x ground floor units would be wheelchair accessible. The two wheelchair units at the south western end of the block would be externally accessible with the remainder of the units being served by 4 No. communal entrances. All ground floor units would be provided with their own semi-private terrace, with each flat on other floors having its own balcony.
- 2.7 The design approach for Block S responds to the sloping site topography with a step in the roof-line and ground floor between the two halves of the building. The overhanging flat roof of each section is continued as a vertical feature between the two halves. The main entrances would face onto the communal landscaped courtyard and are defined by a glazed stair core. The columns of external balconies would be framed by a rainscreen cladding balcony supporting the shape of an inverted U, with recessed and projecting bays defined by material contrasts between render and brickwork. The materials to be used would be drawn from a palette of materials that follow the theme established by phases 1A and 1B.
- 2.8 Block T would comprise of 6x 1 bed and 26x 2 bedroom units of which 4x ground floor units would be wheelchair accessible. The two wheelchair units at the north eastern end of the building and one unit at the south eastern end would be externally accessible with the remainder of the units being served by 3 No. communal entrances. All ground floor units would be provided with their own semi-private terrace, with each flat on other floors having its own balcony.
- 2.9 Block T follows a similar theme to Block S, but with stepped storey heights as well as stepped ground floor levels resulting in four different roof heights. As with Block S each of the roof height variations is defined by a continuation of the projecting flat roof feature on its north west facing elevation. Rainscreen cladding is again used as a feature to frame and define the externally expressed balconies. Red brickwork and white render

would be used alternately to define projecting and recessed elements of the block, with a projecting grey clad vertical box window as an additional feature at the northern corner close to the entrance of the site.

Landscape

- 2.9 The application includes detailed proposals for the hard and soft landscaping which are intended to fulfil the requirements of the relevant conditions of the outline permission for this phase of the development. This incorporates the provision of a band of mixed native buffer planting along the south western and south eastern boundaries, wildflower corridors, native and ornamental shrub and hedge planting, amenity turfing to amenity areas with low level mounding. Various biodiversity measures including bird and bat boxes are shown to be incorporated into the development. Details of all surface treatments are also included.

3. Relevant History

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

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

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

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

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

P0230.11 - Construction of Phase B of a Spine Road in relation to site redevelopment for residential use at the former Harold Wood Hospital – Approved

P0004.11 - Phase 1A of the development of the former Harold Wood Hospital, to include demolition of existing buildings and the construction of 20 residential units and associated infrastructure and landscaping – Approved

D0122.11 - Demolition of the former Harold Wood Hospital, Gubbins Lane.- Prior Approval Granted

P1002.11 - Phase 1B of the development of the former Harold Wood Hospital, to include demolition of existing buildings and the construction of 68 residential units and associated infrastructure and landscaping – Approved

P0412.12 - The approval of siting, design, external appearance and landscaping (the reserved matters) pursuant to the outline planning permission P0702.08 for Phase 5 of the former Harold Wood Hospital, for the development of 105 residential apartments, plus associated infrastructure and car parking. – Under Consideration

4. Consultations and Representations:

4.1 Consultees and 140 neighbouring properties have been notified of the application. The application has been advertised on site and in the local press.

4.2 One letters of representation has been received. This raises concern about the potential increased use of the green open space adjacent to the north west boundary for football and potential increased disturbance of neighbouring premises as a result. The objector calls for the developer to provide additional fencing on the boundaries of that site to protect the back fences of those properties.

Consultee Responses

Borough Crime Prevention Design Advisor – Reiterates that designing for community safety is a central theme of sustainable development. A number of detailed design points and considerations are highlighted.

Environment Agency – Initially objected on the basis that the application would be contrary to the Flood Risk Assessment which supported the Outline application, in particular the change from an attenuation pond to underground storage tanks. Subsequently following discussions with the applicants the Environment Agency have confirmed that they are satisfied that such a feature can be relocated within the overall development site and that the Sustainable Urban Drainage features within this phase of the development are acceptable.

LFEPA – Initially advised that access to Block T1 is unsatisfactory even with the provision of a fire main as access to the fire main inlet would not be in accordance with the Building Regulations. These concerns have been addressed to the LFEPA's satisfaction through a slightly revised site layout.

London Fire Brigade – Advise of the need for two fire hydrants within the footpath of the site.

Natural England – No objection. The Council’s obligation to assess and consider the possible impacts arising from the development and to seek biodiversity enhancement is reiterated..

Thames Water no observations.

5 Relevant Policies

- 5.1 The development plan for the area consists of the Havering Local Development Framework (Core Strategy, Development Control Policies and Site Specific Allocations) and the London Plan 2011
- 5.2 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP7 (Recreation and Leisure), CP15 (Environmental Management) and CP17 (Design) of the Local Development Framework Core Strategy are considered relevant.
- 5.3 Policies DC2 (Housing mix and density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), DC7 (Lifetime Homes and Mobility Housing), DC20 (Access to Recreation and Leisure Including Open Space), DC21 (Major Developments and Open Space, Recreation and Leisure Activities), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC48 (Flood Risk), DC49 Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC60 (Trees), DC61 (Urban Design), DC63 (Delivering Safer Places), of the Local Development Framework Development Control Policies Development Plan Document and Policy SSA1 (Harold Wood Hospital) of the Local Development Framework Site Specific Allocations Development Plan Document are also considered to be relevant. Various Supplementary Planning Documents of the LDF are also relevant.
- 5.4 London Plan policies: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children’s play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes) and 7.19 (biodiversity and access to nature) are considered to apply. There is also a range of Supplementary Planning Guidance to the London Plan, including ‘Providing for Children and Young People’s Play and Informal Recreation’ that are considered to be relevant.
- 5.5 The National Planning Policy Framework is a further material consideration.

6.0 Planning Considerations

- 6.0.1 The principle of the residential redevelopment of the Harold Wood Hospital sites has been established by the outline planning permission P0702.08. Many of the environmental issues arising from the principle of residential development, such as land contamination, archaeology and ecology have all previously been considered by the outline application. These matters are all dealt with in detail by the planning conditions forming part of the outline permission.
- 6.0.2 The main issues arising from this application are therefore considered to be the extent to which the detailed proposals accord with the parameters and principles established by the outline permission; housing density, tenure and design, site layout including proposals for hard and soft landscaping of the site, massing and street scene implications, impact upon residential amenity, highways, parking and accessibility, sustainability and flood risk.

6.1 Principle of Development

- 6.1.1 The outline planning application was submitted with an indicative masterplan and a number of development parameters and parameter plans as the means by which the design concepts for the redevelopment of the site would be translated into a framework for the future submission of reserved matters. The parameter plans showed the land uses, development, landscape strategy, access and movement, density and building height across the site to demonstrate how new development will work within the site and how it would relate to neighbouring development. The illustrative masterplan demonstrated one way in which this could be translated and forms the basis on which this reserved matters application has been submitted.
- 6.1.2 The outline permission included a condition (Condition 7) which required that the development should be carried out in accordance with the parameter plans and in general accordance with the corresponding strategies within the Design and Access Statement and other documents. The condition also states that any deviation from these can only be made if it is agreed by the local Planning Authority that such deviation would not give rise to any adverse environmental effects which would have otherwise required mitigation. The parameters therefore act as a check to ensure that reserved matters follow principles established by the outline permission and a benchmark against which to assess subsequent reserved matters submissions.

6.2 Density, Siting and Layout

- 6.2.1 The overall density approved in principle at Outline stage provided for an average of 64 dwellings per hectare across the whole development site. The density was designed to vary according to the location within the site to

reflect the nature of surrounding development and the proximity to public transport. Phase 3b is located within an area identified as Block C in the Density Strategy parameter plan where an overall density of 75 units per hectare should apply. The number of units proposed in this phase is 74 on a site area of 0.61 hectares, which equates to a density of 121 dwellings per hectare. Block C, however, has an overall area of 3.53 hectares and two further phases (3A and 5) will deal with the remaining larger portion providing 88 and 105 units respectively. The overall resulting density is therefore anticipated to be 75 units per hectare which is in accordance with the density parameters. Furthermore this part of the site also relates visually to the higher density development in Nightingale Crescent. The density is therefore in accordance with the parameters established by the Outline application and in turn, in accordance with the requirements of Policies SSA1 and DC2.

- 6.2.2 The approved Building Height Strategy Parameter Plan identified the site of Phase 3B as being part two storey (6 to 9m in height) and part 4 storey (12 to 15m in height), with the two storey area running parallel to the south western boundary with the rear gardens of properties in Long Grove. Both of the proposed blocks have elements which encroach into the two storey zone which are of a height in excess of that set out in the Height Strategy Parameter Plan. Block S is designed as a 4-storey block with a height above ground level of 13.225m and would extend 12.5m into the 2-storey zone at its western end. Block T is designed as a staggered height block from 2 to 4 storeys which includes a 3-storey element with a height 10.225m above ground level which would extend 9.7m into the 2-storey zone.
- 6.2.3 The judgement to be made is whether these encroachments will give rise to any significant impacts that were not envisaged as part of the outline application and whether these would require any mitigation which was not considered as part of the previous Environmental Impact Assessment.
- 6.2.4 Looking first at the extent of the encroachments, this has to be considered against the maximum height and extent of the 2-storey zone into which they encroach. The extent of the 2-storey zone as defined on the approved Building Height Strategy Parameter Plan would potentially allow for a building up to 9m in height 4m away from the rear boundary of the houses in Long Grove or 21m from the rear of the closest property.
- 6.2.5 In the case of Block S the closest part of the building would be 20m from the boundary or 37m away from the rear of the closest property. In the case of Block T the closest part of the building which is taller than the height set out by the Parameter Plan would be 16m from the boundary and 31m from the rear of the closest property. In both instances staff do not consider that the extent of the encroachment to be significant when compared to the potential extent and height of development which could legitimately be submitted within the 2 storey zone. Furthermore, any potential impact arising is mitigated in the case of Block S, by the distance of the

development from the boundary and in the case of Block T, by the fact that the height of the two storey element of the building is 1.75m lower than that which would comply with the height parameter. In addition, the height of the four storey elements of the blocks is also 1.75m lower than that which would comply with the height parameter.

- 6.2.6 In terms of whether any impacts arise from the encroachments, it logically follows that if the magnitude of the change is not considered to be significant, that the any resulting environmental issues arising are similarly not considered material as they are not considered to constitute changes to the parameters plan pursuant to Condition 7 of the outline planning permission that would give rise to adverse environmental impacts requiring mitigation measure to ameliorate their effects. On that basis staff are satisfied that there is no conflict with the condition which requires the development to be carried out in accordance with the parameter plans as set out in paragraph 6.1.2.
- 6.2.7 There are similar cases in relation to both the Landuse Strategy and the Access and Movement Strategy Parameter Plans. Both of these indicated that the secondary access route into the site would turn more centrally into the site with development potentially then taking place to the south east of the access road.
- 6.2.8 In terms of layout the scheme has been derived from a detailed testing of the illustrative layout used for the outline application. The scheme has been developed playing close attention to the site topography, movement and access desire lines, relationship to neighbouring properties, maximization of landscaping and amenity space and the desire to minimize the impact of the parking and maximize the overlooking of any parking.
- 6.2.9 Block T creates strong frontages to the spine road and to the open space at the end of Nightingale Crescent where they will provide focal points when viewed from outside the site to the north west and from the spine road when viewed from the north east. Block T will also create a street frontage to the spine road with clear definition between the public, semi-private and private realms. The blocks would be separated by and grouped around a well screened communal amenity area which would provide useable and functional open space. Block S would be set back 14m from the spine road which enables the provision of a pivotal open space adjacent to the entrance to the site, which would also provide part of a tapering area of semi-private open space between blocks S and T.
- 6.2.10 The layout achieves a good level of separation from the boundary with the railway and the south west boundary with the rear gardens of properties in Long Acre. The layout therefore minimizes the potential impact on the adjacent railside Site of Importance for Nature Conservation and by having the narrow ends of both blocks closest to the south west boundary, also respects the relationship with the neighbouring residential properties. All ground floor units are provided with a semi-private terrace area for sitting

out with those areas adjacent to the central amenity area which are not identified for terrace use being allocated for defensive planting.

6.3 Design, Residential Quality and Open Space

6.3.1 The Residential Design Supplementary Planning Document seeks to promote best practice in residential design and layout and to ensure that new residential developments are of the highest quality.

6.3.2 The design of the blocks maximises the number of ground floor entrances to blocks although the sloping nature of the land and the requirements for a level threshold limit the potential for all ground floor units to have their own external front door. Nevertheless each block has six entrances, including five ground floor units with their own entrance, which in combination with the communal entrances is considered by staff will create a sufficiently lively streetscene around the buildings.

6.3.3 The blocks display several design features that are likely to form recurrent themes for the redevelopment, including the use of architectural framing, overhanging roof details, grouping of balconies, glass fronted stair cores and distinctive material changes. Many of these have been established in the first two phases to be approved and staff are satisfied that they continue the theme and offer suitably distinctive and high quality architecture with attention to detail and context whilst creating an attractive place where people will want to live.

6.3.4 The scheme has been developed jointly with the Housing Association that will manage the units and will offer accommodation built to Lifetime Homes requirements throughout. In addition the scheme incorporates 6 units which are intended to be wheelchair accessible from the outset. The development is therefore in accordance with Policy DC7.

6.3.5 The number of single aspect units has been kept to a minimum and all units will offer acceptable levels of daylighting and sunlight for future occupants. All units will have ready access to the generous central amenity area which will offer a communal facility where overlooking is maximised with the intention of engendering a feeling of ownership and safety. In addition each ground floor unit will have access to their own terrace and each property above ground floor will have access to a balcony, which will provide both defensible space and an area for sitting outside.

6.3.6 The positioning of windows and balconies is such that there will be no unacceptable levels of overlooking or inadequate privacy for the future occupants. Staff are accordingly satisfied that this phase of the redevelopment will offer a high standard of accommodation for future occupants.

6.3.7 This phase of the development does not incorporate any public open space, but future phases will deliver approximately 2 hectares of public open space

throughout the overall site, including the principal area that would be located to the east of the spine road to the north east of the application site.

6.4 Landscape Strategy and Biodiversity Enhancement

- 6.4.1 The Landscape Strategy and specification submitted with the application demonstrates a commitment to providing a high quality residential environment, both in terms of the streetscape and hard landscaping and the soft landscaping proposed. Areas of road and driveway are indicated in block paving with conservation kerbs used for all adoptable highways. This part of the site does not contain any significant trees and extensive planting of trees and shrubs around the boundaries of the site is proposed as buffer planting and to enhance the boundary with the Railside SINC which together with roadside planting will provide an attractive setting for the new blocks.
- 6.4.2 Hedging is proposed in many areas of the site with the dual function of giving definition between public, semi- public and private areas of the site as well as an attractive feature in the street scene.
- 6.4.3 A Local Area for Play (LAP) is proposed within the communal area is proposed which is in accordance with the outline scheme and will ensure that this part of the development meets the play space requirements of the Mayors SPG.
- 6.4.4 As well as the planting of native trees and shrubs on the site the buildings will also incorporate integrated bird and bat boxes. A 3m wide ecological corridor is also proposed along the boundary where log piles will be positioned to attract invertebrates, as well as the native planting which is proposed. This would be in accordance with the parameters set for the development and in compliance with Policy DC59.

6.5 Impact on Adjoining Sites and Residential Amenity

- 6.5.1 The northern western boundary of the application site with the open space at the end of Nightingale Crescent would be fenced and the distance from those properties that face onto the north western side of the open space is sufficient to ensure that there will be no resulting material overlooking or loss of privacy.
- 6.5.2 The south western boundary with properties in Long Grove is to be screened by buffer planting. The closest elevations of the blocks has also been designed with minimal habitable rooms above ground level which together with the separation of the blocks of a minimum of 22m in respect of Block T and 38m in respect of Block S from the rear of those properties, will be sufficient to minimise any overlooking or loss of privacy. A condition is suggested to ensure that the flat roof areas of Block T cannot be used as amenity terraces.

6.5.3 The separation distances above are also sufficient to ensure that there will be no loss of daylight or overshadowing of neighbouring residential properties or gardens.

6.5.4 There could be an increased use of the adjacent grassed open space at the end of Nightingale Crescent, but this area is outside the site and staff are satisfied that there is no justifiable case for any enhancement for any boundaries which are outside the control of the applicants.

6.6 Transportation, Highways and Parking

6.6.1 The scheme incorporates new public highway and access roads which are designed to an acceptable standard with adequate space for turning and servicing. The revised site layout plan shows an extension to the turning head to enable Fire Tenders to gain close enough access to the entrances to Block T in order to address the original concerns of the LFEPA.

6.6.2 The car parking is provided primarily at right angles to the access road running parallel to the boundary with the railway to the rear of Block S, with two wheelchair spaces designated to two of the potentially adapted units in Block T located close to the junction with the spine road and a further 5 spaces located at right angles to the northwest spur of the turning head.

6.6.3 The level of parking would allow for one space per two units and designated spaces for the potential wheelchair units. The Housing Association could decide to allocate the non designated spaces if required. This level of car parking is acknowledged to be low but does reflect Government Guidance and the views of Transport for London and the Mayor that parking levels should be reduced where there is good access to transport facilities and the prospect of improved accessibility to public transport in the area. Consideration also needs to be given to the S106 legal agreement which imposes a restriction on the ability of occupiers to apply for permits in any controlled parking zone (CPZ) in operation outside of the site. It also requires financial contributions to enable a review and extension of the existing CPZ and the promotion and support for a new bus route through the site, as well as requiring the submission of a Residential Travel Plan. The car parking area also includes 3 spaces which are identified as potential car club spaces and there is a condition on the outline permission which requires the submission of a car parking review prior to the commencement of each phase.

6.6.4 There is a judgement for Members to make in respect of the level of parking, which could be considered to be below the level recommended by DC2 which would normally require 1–1.5 spaces per unit. However, the parking requirement for the site as set out in Site Specific Policy SSA1 is expressed as a maximum rather than a minimum requirement. The parameters for the development require that the overall level of provision on the site should equate to 1.5 spaces per unit and higher levels than this have been agreed overall for Phases 1a and 1b. It is therefore anticipated

that higher levels of parking will be provided for future phases of the development where larger units are to be provided in order to bring the overall level of parking up. On this basis Members may agree that it would be inappropriate for a greater number of spaces to be provided for this part of the site which comprises entirely one and two bedroom units. There will be a significant onus on the Housing Association to manage the parking on this part of the site. However, on balance, staff are satisfied that this, together with the various obligations contained within the S106 legal agreement will be sufficient to ensure that there will be no adverse effects outside the site and that the parking proposed will be sufficient.

6.6.5 The parking is provided in an area where it does not impinge upon views of the site from the spine road, but at the same time is a location where there will be good overlooking of the parking spaces from the adjacent block. All potential wheelchair adapted ground floor units would have an identified parking space located as close as is reasonably practical to the respective units. The topography of the site and the preferred option with a central area of amenity space has restricted the ability for the wheelchair spaces designated for the adaptable ground floor units in Block T to be positioned as close as would be preferable to their respective entrances. However, the proposed layout of the access paths and amenity area is such that there will be suitable gradients for all such future residents to gain acceptable access.

6.6.6 In terms of overall impact upon the highway network, the 74 units proposed will have no significant material impact and the impact of the site overall will remain significantly less than that which resulted from it's previous hospital use until much later into the development.

6.7 Housing

6.7.1 This Phase of the redevelopment of the former hospital site would be developed entirely as affordable housing, although independently of the amount of affordable housing that the applicants are obliged to deliver as part of the S106. Although only offering flatted accommodation, there is a further phase of the development also under consideration at present which is also proposed as affordable housing which incorporates a substantial number of houses. In combination these two elements will offer a mix of affordable housing that would be in accordance with the policy requirements of Policy DC6.

6.8 Sustainability

6.8.1 The outline permission included conditions requiring the installation of photovoltaic panels and renewable energy systems in accordance with the approved Energy Strategy. All the dwellings within Phase 3B are proposed to be affordable and are therefore required to achieve Code for Sustainable Homes (Code) Level 4. In addition to the energy efficiency measures to be employed in the building and the use of a high efficiency condensing boiler within an an energy centre in block T providing community heating and hot

water, the proposals for Phase 3B also include the provision of photovoltaics on the roofs of both blocks over a total minimum area of 238m². Staff are satisfied that the combination of measures will be sufficient to satisfy the requirements of the conditions and the related policies that these stem from.

6.9 Conclusions

- 6.9.1 Having regard to the above it is considered that the proposal satisfies the relevant policies identified in paragraphs 5.3 to 5.5.
- 6.9.2 Staff consider that this reserved matters application for the second phase (Phase 3b) of the redevelopment of the former Harold Wood Hospital site will continue to display the benchmark of the quality established by the first phase, both in terms of the residential accommodation and environment. This is in line with the illustrative master plan and the Design and Access Statement for the outline application. The scheme promises to deliver a sustainable, safe and attractive development to new residents in a form that maintains the residential amenity of existing residents.
- 6.9.3 It is recommended that planning permission be granted

IMPLICATIONS AND RISKS

Financial implications and risks:

None arising.

Legal implications and risks:

None arising

Human Resources implications and risks:

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

Equalities implications and risks:

This phase of the development incorporates specifically designed accommodation for wheelchair users as well as meeting the requirement for all new dwellings to meet the Lifetime Homes standard. The council's policies and guidance, the London Plan and Government guidance all seek to respect and take account of social inclusion and diversity issues.

BACKGROUND PAPERS

Regulatory Services Committee, 7 June 2012

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

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Regulatory Services Committee

7 June 2012

OUTSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-7	P1816.11	Romford Town	Buddha Lounge 36-38 (ground floor) and 30-44 (first floor) North Street Romford
8-13	P0075.12	Hylands	199-209 Hornchurch Road Hornchurch
14-18	P0389.12	St Andrew's	124 Upminster Road Hornchurch

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REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P1816.11	
WARD :	Romford Town	Date Received: 1st December 2011
ADDRESS:	Buddha Lounge 36-38 (ground floor) and 30-44 (first floor) North Street Romford	
PROPOSAL:	Temporary retention of smokers roof terrace and 13 benches, 4 oversize umbrellas, 4 infra-red directional heaters, 4 emergency light units, 4 corner lights & 11 planters & landscaping.	
DRAWING NO(S):	AL(08)01B Rev B	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

The application has been called-in by Councillor Barry Tebbutt on the grounds that it has previously been brought before Committee and that it was Members who decided to grant a temporary 3 year consent, that there is a streetscene issue relating to the control of the public entering and leaving the premises and it affect on the surrounding dwellings and to enable a unification of existing temporary periods for planning permissions for this use.

SITE DESCRIPTION

The application site comprises a Night Club use at first floor level above ground floor shop units to the eastern side of North Street. The night club, Buddha Lounge was previously known as Opium Lounge. A smokers roof-top area was added in 2008. There is vehicular access to the service area to the rear of the site, known as The Mews which contains public parking spaces. The site is within the Core Retail Area of Romford Town Centre.

The surrounding area is characterised by mainly two- and three-storey commercial development to this side of North Street with some residential accommodation above, also within the core retail area of Romford Town Centre. An 8-storey block of 24 flats (with commercial and residential parking on the ground floor) - 'Rubicon Court' is directly opposite the application site in North Street. To St Edward's Way is a large office block and 'Emma House' which has 24 flats with commercial on the ground floor. On the Eastern side of Market Link is a seven-storey 80-bed hotel and 24 residential units. To the south of the application site, planning permission was recently granted for the conversion of the upper floors of 7 Market Place into 4 flats which has an imminent start. In 2006 planning permission was granted for the redevelopment of 23-55 North Street for 86 flats and shops/restaurants to the ground floor fronting North Street; this is currently under construction although work has recently halted.

The application site (barring the most northerly part) is within the Romford Conservation Area and backs onto the rear of St Edward the Confessor Church which is a Grade II* Listed Building built in 1849 and Church House, Grade II Listed.

DESCRIPTION OF PROPOSAL

The proposal is for the temporary retention of the smokers roof terrace and landscaping and surrounding fencing. The supporting documentation indicates that the temporary period should be for three years and that the application also is for a change in the current hours for the smokers area to match those more recently approved for the night club itself.

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

There are no specific hours for the smoking terrace such that they are no different to those for the club as a whole. The hours approved for the night club as a whole under planning approval P0781.11 until 01.10.14 are as follows:

Mondays - Wednesdays: 11am - 11pm

Thursdays: 11am - 3am (the following day)

Fridays: 11am - 4am (the following day)

Saturdays: 11am - 4am (the following day)

Sunday (preceding bank holiday only): 11am - 3:30am (on the Bank Holiday)

Christmas Eve, Boxing Day, New Year's Eve: 11am - 4am (the following day)

RELEVANT HISTORY

There is significant history for the application site. The most relevant are as follows:

P0823.96 - Change of use of basement/ground floor entrance hallway, staircase and first floor area from Financial Use (A2) to Assembly and Leisure (D2) - Approved

P1756.08 - Retention of an extension of the existing fire escape staircase and the erection of roof-top fencing to enable use of the roof as a terrace in connection with the night club use - Approved for temporary period expiring on 04.12.11

CONSULTATIONS/REPRESENTATIONS

Adjoining and nearby neighbouring occupiers were notified of the proposal. A site Notice was displayed and a press notice was published in a local newspaper. Additional consultation (in line with earlier consultations) has been undertaken; this further consultation had not ended at the time of drafting this report and any further comments will be reported orally at Committee, nonetheless 2 objections have been received raising objections on the following grounds:

- the roof terrace is a nuisance
- the roof terrace is the source of constant loud noise (laughing, screaming, arguments, talking etc.) all night long
- the Buddha Lounge should not be allowed to operate right next to a residential building
- the Buddha Lounge should not have been granted a licence to operate when hundreds of flats are being built directly opposite the club
- the roof terrace will add to the misery of long-suffering residents (present and future)
- objections to planning applications and noise complaints are always ignored
- the late opening hours (until 4am) of the club mean that noise levels from smokers is too high for the small hours of the day
- noise from the club itself can be heard through closed windows with earplugs in
- club goes hang around up to an hour after closing time leading to more noise

The Metropolitan Police's Borough Crime Prevention Design Advisor advises that he has consulted with the Licencing Inspector for Havering Police and that the proposal for the retention of the smokers terrace does not raise significant crime prevention or designing for community safety issues.

STAFF COMMENTS

The main issues are whether the development is acceptable in principle and the proposal's impact on the character and appearance of the Romford Conservation Area and the setting of nearby Listed Buildings, visual impact in the streetscene and impact on existing and future residential amenity.

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

BACKGROUND

Around 155 flats and an 80-bed hotel will be located within about 100m of the application site in the near future, some of which (including Rubicorn House and Emma House) have already been completed, with the mixed commercial (ground floor) and 86 residential unit scheme on the opposite side North Street now under construction.

The Council has been working with local operators and the police to manage the night time economy. Three nightclubs have closed in recent years (Hollywood's, Secrets and Tokyo Blue) and these sites {have been} redeveloped, or have planning permission (for residential development in the town centre).

In dismissing the appeal against the 2006 condition restricting the extended hours at the night club to a temporary period consent (Ref: P1838.05), the Planning Inspector stated that "this is an example of a case in which the Council's detailed local knowledge and experience - backed up by advice from the Metropolitan Police - is best placed to judge what precise controls are necessary in order to protect local residential amenity" and that she was not "inclined to delete (or vary) the temporary planning condition."

This current application has been submitted following temporary consent. The temporary consent was implemented to enable new occupiers to have occupied new developments in North Street and the vicinity and for them to have the opportunity to comment on how their residential amenity would be affected. While the largest of the approved residential redevelopment schemes for 86 flats (at 23-55 North Street) has now been started, the development has stalled but it is hoped that works may begin again shortly. Objections have been received from current occupiers and are addressed within this report.

The Premises Licence (No. 002141) issued by the Licensing Authority enables the club to open until 3am Mondays to Thursdays, Until 4am on Fridays, until 5am on Saturdays and on Sundays until 2.30am or 4am for Bank Holiday weekends in May, at Whitsun and August Bank Holidays. Hours from 11am until 5am (the following day) on Christmas Eve, Boxing Day and New Years Eve.

Premises Licences do not take account of future residential amenity through mixed-use schemes in the town centre.

A Premises Licence can be revoked at any time if there are any problems including noise and disturbance. The proposal is for temporary retention of the roof garden for smokers only for 3 years.

On 5th April 2012 an Abatement Notice in respect of Noise Nuisance was served on the Buddha Lounge for "Amplified music played at an excessive volume and amplified voices"

PRINCIPLE OF DEVELOPMENT

The NPPF indicates that it is the vitality and viability of town centres which is of paramount importance and that the main town centres uses are for retail, sport facilities, offices and arts culture and tourism as well as including night-clubs. In addition, housing is considered to be an important element in most mixed-use, multi-storey developments in town centres. It further indicates that planning policies help manage the evening and night-time economy and that there should be an integrated approach so that they complement the Statement of Licensing Policy and the promotion of licensing objectives under the Licensing Act 2003.

Romford Action Area DPD Policy ROM8 indicates that

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

'The daytime and evening economy of Romford will be diversified by:

- Seeking to reduce the concentration of licensed premises in South Street and counting restaurants as A1 uses in numbers 72-116 (even) and 87-131 (odd) South Street for the purpose of retail core policy ROM10;
- Working with developers and operators to secure more restaurants in the town centre;
- Controlling the impacts of food, drink and evening entertainment facilities by the implementation of DC23;
- Controlling the noise or vibrations from developments by the implementation of DC55; and
- Working with landowners to investigate alternative uses for existing pubs and nightclubs'

Staff consider that any application which potentially may affect residential amenity must be considered in the light of either prejudicing the Council's housing policy and/or its impact on both the existing and future residential amenity.

Extensions to existing non-retail uses in the retail centre are acceptable in principle. However, control is to be exercised to ensure that it would not result in disturbance and loss of amenity to other uses, including residential.

The proposed development would therefore be acceptable in principle.

CONSERVATION AREA

The proposal is clearly visible in the street scene both from ground level in North Street (Conservation Area) and from ground level in The Mews, adjoining the Listed Building, St Edward's Church. The proposal is for roof level development. Whilst the fencing is 2.5m high, the fenced area is located back from the parapet edge of the building and the trellis allows views through so that it is somewhat permeable from ground level views. Opposite the site is a 10 storey high flatted development and other development has been approved which would be significantly taller.

Staff consider that while the materials chosen appear somewhat flimsy, the proposal does not result in harm to the visual amenities of the street scene nor does it have an adverse impact in the Conservation Area or on the setting of the Listed Building to the rear.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Staff consider that, as the roof garden's railings and lighting is visible in the streetscene, that it would have material impact on visual amenity in the streetscene. Nonetheless, it has previously been considered that the impact in respect of the streetscene. There is no change to the physical appearance of the roof garden and therefore this consideration carries forward.

IMPACT ON AMENITY

It is recognised that a night-club is an acceptable form of development within a town centre and that people choosing to live in a town centre would not generally expect the same level of residential amenity as people living outside it.

The Police have indicated that they have no concerns with the proposal which removes club goers who smoke from being on the public street outside the club facility.

The objections received particularly raise issues of noise and disturbance due to the use of the roof as a smokers terrace and general roof garden and by club-goers leaving the club up until

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

5am in morning.

Staff consider that some noise and disturbance from the night club is inevitable and that anyone choosing to live near the night club would be aware of these consequences. The roof garden appears to cause some of the noise and disturbance identified by the objections.

While some issues have been raised by adjoining residential occupiers, as a previous temporary consent was granted to enable all the residential development in the vicinity to have been completed, it needs to be taken into account that the major residential development opposite the site for 86 residential units has not yet been completed. Development is underway and it is expected despite a current halt to the works that this will be completed in the next couple of years.

In addition, Environmental Health officers have specifically confirmed that the use of the roof top smoking area is not causing the noise problem which resulted in the service of the Noise Nuisance Abatement Notice and that there are no noise or other environmental health objection to extending the temporary planning permission.

It is recognised that conditions may be attached to any grant of planning permission to overcome some planning issues. It is recognised that noise on an open rooftop can travel some distance outside the boundaries of the site. The management of the club have submitted a Management Scheme for the rooftop area which includes restricting smokers to a maximum of 30 people at any one time and the length of stay to 10 minutes per person with staff patrolling the smokers terrace and the prevention of club goers bringing alcoholic beverages onto the roof. A suitable condition can be attached to ensure that the Management Scheme is adhered to, nonetheless staff consider that upto 40 people would not result in an unacceptable level of noise and disturbance and a separate condition therefore indicates that this would be the maximum number.

Given the Management Scheme outlined and the lack of Police or Environmental Health objection, it is considered that a further consent period is appropriate. Staff therefore consider that a further temporary period of 3 years would be sufficient to enable at least some people to have occupied the 86 flats and to then consider whether the proposal would have a significant adverse impact on residential amenity.

HIGHWAY/PARKING

There is no on-site parking provision. However, in the Town Centre with high public transport levels, it is considered that this would be acceptable. There are no objections on highway grounds to the proposal for the retention of the smokers roof level terrace at the club.

KEY ISSUES/CONCLUSIONS

Extensions to existing non-retail uses in the retail centre are acceptable in principle. However, control is to be exercised to ensure that it would not result in disturbance and loss of amenity to other uses, including residential.

The proposal would be acceptable in terms of its impact in the street scene and on the character and appearance of the Conservation Area/setting of the Listed Buildings. It is considered as an open air night club facility open until 3 or 4 am, that noise could occur, however providing the Management Scheme is adhered to, this should be limited to a degree.

In part as building works have now begun at the site on the opposite side of North Street, Staff

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

consider that in order to confirm that the rooftop smokers terrace would not result in significant harm to future residential amenity, that a period of 3 years would be needed to enable further evaluation of the use of the roof top for club goers who smoke.

It is therefore considered that the proposed retention of the rooftop terrace and access to it would be acceptable for a temporary period in accordance with the NPPF, the LDF Core Strategy and Development Control Policies Development Plan Document and the Romford Area Action Plan Development Plan Document Policies.

RECOMMENDATION

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

1. M SC16 (Temporary permission) INSERT DATE

This permission shall be for a limited period only expiring on 7th June 2015 on or before which date the use of the roof terrace area hereby permitted shall be discontinued and any works carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: In the interests of amenity.

2. Non standard condition

The total number of people using the terrace area hereby approved shall not exceed 40 persons at any one time without the prior written consent of the Local Planning Authority.

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

3. Non standard condition

The Management Scheme identified in the supporting documentation under "Potential Intrusion and Management Control" shall be implemented in strict accordance with the approved details unless otherwise agreed by the Local Planning Authority. The Management Scheme includes details of:

- a) measures to control the maximum number of people using the terrace area at any one time as per the requirements of condition no. 2;
- b) measures to prevent alcoholic beverages being taken onto the terrace area;
- c) measures to limit the access to a 10 minute period for each smoker accessing the smokers terrace

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

1 INFORMATIVE

Reason for approval

This decision to grant planning permission has been taken:

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

(i) having regard to Policies DC23, DC55, DC61 and DC63 of the LDF Development Control Policies Development Plan Document, Policy ROM8 of the Romford Area Action Plan, Policies 2.15, 4.6, 4.7, 7.3, 7.8 and 7.15 of the London Plan and the NPPF.

(ii) for the following reason: The proposed development would cause no significant material harm upon the character and appearance of the Romford Conservation Area or the adjoining Listed Building. Whilst the terrace would enable patrons of the club to gather outside during the early hours of the morning to smoke, subject to the conditions detailed above it is considered that the potential for harm arising to adjoining residential occupiers would be outweighed by the contribution of the club to the vitality and viability of the Romford Town Centre's evening economy, which without the roof terrace would have difficulty meeting its legislative obligations.

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P0075.12	
WARD :	Hylands	Date Received: 23rd February 2012
ADDRESS:	199 - 209 Hornchurch Road Hornchurch	
PROPOSAL:	Change of use of the ground floor unit from office (B1 use) to Nursery (D1 use)	
DRAWING NO(S):	HRMRD-P101; -P102; -E002; -E001; -S101; -S001; -P102; -P101; -P002; -P001; -E102 HRMRD-L000 Rev A; L101 Rev A; L001 Rev A Letter dated 18/5/12	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

199-209 Hornchurch Road is located on the southern side of Hornchurch Road, opposite Cheviot Road and approximately 470 metres east of Roneo Corner, Hornchurch. The application site relates to the ground floor only of a 2-storey flat-roofed office building within B1 Use Class, known as Rodwell House. The site wraps around to the east such that there is one vehicular access to Vicarage Road. The ground floor was vacant at the site visit, nonetheless the first floor appears to be in use as a Business Centre addressed as 2A Vicarage Road.

Access to the site is from Hornchurch Road with 6 parking spaces at the front of the premises directly from Hornchurch Road and there is a rear delivery access from Vicarage Road. There is also a rear access door to the St Mary's School car park area.

The application site also comprises St Mary's School grassed playing area and an area to the front of 237 Hornchurch Road. The latter currently comprises an area of hardstanding surrounded by concrete panelling which is used for vehicle parking in front of a small front garden area to the residential property itself. To the rear of No.s 237 is a small yard with rows of garages/lock-ups (which also extend to the rear of the attached residential property No.239 Hornchurch Road. The access road to the garages/lock-ups also circulates around the two residential properties with two vehicular access onto Hornchurch Road.

The surrounding area is mixed to Hornchurch Road with St Mary's Church, Presbytery, School and playing fields immediately to the west of the application site and a church opposite (Holy Cross) with a Hall and commercial works to the eastern corner of Vicarage Road (where planning permission has recently been granted for one building to change use to a day nursery), but is otherwise mainly residential with a mix of flats and houses to Hornchurch Road, Vicarage Road and Cheviot Road.

DESCRIPTION OF PROPOSAL

The application is for a change of use from Office (B1) of the ground floor to a Children's Day Nursery (within Use Class D1) for up to 44 children, partly to replace the Orchid Montessori and Parklands centres (both at Dukes Hall, Hornchurch) which are imminently to close; these latter currently provide 56 child spaces.

The internal layout of the unit would consist of 2 separate classrooms either side of a large

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

communal area, a reception, open storage areas, Kitchen, toilets and communal facilities.

Proposed opening hours would be from 8am to 6pm on Mondays to Fridays only and there would be 8 full-time employees.

No external alterations are proposed.

The proposal includes access via a rear emergency fire door and the adjoining School's staff car park to the School's playing fields.

The applicant indicates that the proposal is by a community interest group which operates in the area and it is their intention to serve the residents of the Hylands Ward. They indicate that the Council's "Child Care Sufficient Assessment" establishes there is a lack of childcare facilities with a current gap of 128 places for 2-5 years olds. The adjoining school does not have an existing nursery.

It is proposed to provide child care on a sessional basis: morning, afternoon and early evening (after school).

The plans show 6 parking spaces to the front which are proposed to be used for drop-off/pick-up only for the youngest children and 8 parking spaces to the front of No. 237 Hornchurch Road for staff only.

The applicants also indicate that they expect that 35-40% of staff and parents at the existing adjoining school have younger children who could transfer to this nursery and that other children would be drawn mainly from the immediate locality such that walking and use of public transport would predominate as means of transport.

The design and access statement also mentions that the applicants intend to operate a breakfast and after school club, however no further details are provided as to how this would operate on top of the 44-place nursery and as this is not included within the description of development, it does not form part of the current consideration and would require a separate planning application.

The main differences between this and the earlier refused scheme are:

- Reduction in number of children to be accommodated from a maximum of 86 (starting with 40) to a maximum of 44 children
- inclusion of the adjoining playing fields in the application site boundary
- Arrangement for off-site staff parking at 237 Hornchurch Road

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters have been sent to 26 local addresses. No objections were received.

STAFF COMMENTS

The issues arising from this application are the principle of change of use and the impact on this part of Hornchurch, the impact on residential amenity and parking/servicing/highways considerations.

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

BACKGROUND

Whilst recent planning permission (P0835.10) has been granted for conversion of the ground floor of the building to a college within Use Class D1 this has not been implemented. It should be noted that a restrictive condition was attached to this application to prevent it moving to any other use within Use Class D1.

Planning Application P1513.11 was refused last year on the following ground:

"The proposed development would, by reason of the inadequate on site car parking provision for both the retained offices at first floor level and the proposed nursery at ground floor level, together with the lack of a suitable off street dropping off area, result in unacceptable overspill of vehicles onto the adjoining roads to the detriment of highway safety, the free flow of traffic and residential amenity contrary to Policies DC32 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document."

PRINCIPLE OF DEVELOPMENT

LDF Policy CP8 aims to retain and re-provide community facilities where a need exists. Community facilities include, amongst others, day care nursery facilities. The provision of community facilities forms a vital component in improving quality of life and therefore in line with PPS1 and the London Plan, Policy CP8 seeks to reduce social inequalities and address accessibility both in terms of location and access. The proposed use will provide a day nursery which would introduce a use which will have a positive contribution to the community, and provided it has no harmful impact on the amenities of neighbouring occupiers or parking and highway implications, is acceptable in principle.

The proposal would further be subject to Policy DC26 of the LDF document. New community facilities will only be granted where they:

- a) are accessible by a range of transport modes
- b) do not have a significant adverse effect on residential character and amenity
- c) are where practicable provided in buildings which, are multi-use, flexible and adaptable

The proposed use is considered to provide a service which will contribute to the wellbeing of the community and local residents and is therefore acceptable in principle, subject to the details also being acceptable.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal does not involve any external alterations or extensions and would therefore have no impact on the character and appearance of this part of the Hornchurch Road street scene.

IMPACT ON AMENITY

The application site is located on Hornchurch Road which is a busy road with high volumes of traffic and some commercial uses further down the road both in an eastern and western direction. The neighbouring site to the west is St Marys Catholic Church with the St Marys Catholic Primary School adjacent to the church. To the east is a block of residential flats known as Golden Jubilee Court. To the north and south of the site, the area is generally characterised by residential dwellings. The existing building is nonetheless within a commercial use class.

A suitable condition could be attached to any grant of planning permission to ensure that noise does not emanate from the building. It is not considered that this aspect would result in any loss of residential amenity.

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

It is considered that the activities involved, if accessed solely from Hornchurch Road, would not result in any significant impact on residential amenity.

Noise would arise from the use of any outdoor area. However, the outdoor area is within the School grounds where outdoor play and activity occurs throughout the day. The proposed hours are between 8am and 6pm on week days only. It is therefore considered that there would be no significant increase in noise and disturbance given that this is an existing playing field.

It is considered that the amount of staff parking and the drop-off facility would be sufficient for the proposed 44 place nursery such that there should be no unacceptable levels of parking in Vicarage Close which would be to the detriment of adjoining residential occupiers.

The residential property at 237 Hornchurch Road has a small front garden and the proposed parking is located beyond the front wall of the garden area which is made from concrete panel fencing. The area is currently in use for parking and, given standard size parking spaces could only provide 6 spaces in tandem. As this is an existing parking area and there are garages/lock-ups to the rear with a possibly high number of traffic movements, it is considered that the use of the front parking area would not result in any significant harm to these occupiers' residential amenity.

HIGHWAY/PARKING

Parking standards are set out in Appendix 5 of the Development Control Policies DPD. The parking requirement for D1 uses is 1 space per member of staff and a drop-off area for parents. There would be 8 full-time staff. The Design and Access Statement indicates that the proposal would provide 6 parking spaces to the front as a drop-off facility only. It is proposed to provide Staff Parking for 8 vehicles at 237 Hornchurch Road.

The site has a PTAL rating of 1-2 with low levels of access to public transport. It is acknowledged that Hornchurch Road is served by three busses (the 248, 365 and 648) and that cycle storage could be provided. The site is however not close to a train station and there are no public car parks within close proximity. No formal transport assessment has been submitted.

The proposed Staff parking would be located to the front of a residential property (which also has a large number of garages/lock-ups to its rear) approximately 200m from the application site which is considered to be an acceptable distance to walk along a public highway. Documentation has been provided regarding the parking of staff vehicles at 237 Hornchurch Road, which is also within the ownership of the landlord of 199-209 Hornchurch Road. Nonetheless the parking area could only accommodate 6 standard parking spaces in tandem, such that 2 staff parking spaces would need to be provided to the front of Rodwell House (No.199 - 209 Hornchurch Road). This would leave 2 spaces for drop-off/pick-up and two spaces for the office use.

Highways have indicated that they would find the provision of 9 on site parking spaces to be acceptable providing they are retained for the continuous use of the ground floor nursery, however they express reservations that providing only 1 space for the Office Use at first floor level or any future use of the first floor would be unlikely to be acceptable.

It is considered that the development would provide sufficient parking provision and that it would not result in unreasonable levels of on-street parking or highway congestion on adjoining roads.

There is no designated area for refuse bin or cycle storage, however access appears to be acceptable and the nursery would need to have commercial waste storage and collection and

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

cycle provision. Suitable conditions can be attached to any grant of planning permission.

KEY ISSUES/CONCLUSIONS

The proposed change of use is considered to be acceptable in principle. The development would not involve any changes to the external appearance of the building and would therefore not have a detrimental impact on the street scene. The proposed use would not result in any harm to residential amenity and sufficient off-street parking would be provided.

Staff therefore recommend that planning permission is granted.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

2. SC19 (Restricted use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be Day-Nursery only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

3. SC05A (Number of parking spaces) ENTER NO.

Before the building(s) hereby permitted is first occupied, provision shall be made within the site at No.s 199-209 Hornchurch Road for 2 staff car parking spaces and two spaces for drop-off pick up and 6 staff car parking spaces shall be made available at No. 237 Hornchurch Road; thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

4. SC06 (Parking provision)

5. SC28 (Number of children) ENTER DETAILS

The number of children accommodated within the premises hereby approved shall not exceed 44 at any one time, without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control and to avoid disturbance to

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

6. SC59 (Cycle Storage)

7. SC27 (Hours of use) ENTER DETAILS

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 18:00 on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

8. SC32 (Accordance with plans)

9. SC37 (Noise insulation)

10. SC58 (Storage of refuse)

2 The applicant is advised that the day-nursery will need to be registered as a food establishment. Guidance is provided in:

- The Food Industry Guides to Good Hygiene Practice:
- Workplace, Health, Safety and; Welfare Approved Code of Practice L24 ISBN 0-7176-0413-6 available to order from book shops.

Further information is available at the following web sites:

- Food safety www.food.gov.uk/foodindustry/
- Occupational safety & health www.hse.gov.uk

Applicants have found it beneficial to consider the items below before final detailed plans are produced

1. provision of suitable outside bin storage
2. vehicle and pedestrian routes when loading and unloading
3. vehicle and pedestrian routes for customers

Finally, food premises must be registered with us at least 28 days before opening. It is an offence for premises to trade without registration. A registration form is available from our office or at our web site:

online.havering.gov.uk/officeforms/licence_food_business.ofml .

3 Reason for Approval

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC26, DC27, DC28, DC32, DC33, DC36, DC55 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P0389.12	
WARD :	St Andrew's	Date Received: 23rd March 2012
ADDRESS:	124 Upminster Road Hornchurch	
PROPOSAL:	Change of Use from A1 to day nursery(D1) Revised plans Received 23.05.2012	
DRAWING NO(S):		
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

The site comprises a ground floor unit to a semi-detached building which is situated in the Upminster Bridge Minor Local Centre. The property has a vacant retail use at ground floor and flat at first floor. Parking is available for 3 vehicles on a hardstanding to the front of the ground floor unit. The immediate surrounding area consist of similar commercial units at ground floor with residential flats above.

DESCRIPTION OF PROPOSAL

The application is for a change of use from A1 to D2 (day nursery) in order to use the premises for a day nursery for up to 25 children with 3 full time carers.

No external changes are proposed to the front of the building. Artificial grass would be added to the rear garden area in order to be utilised as an outdoor play area.

A 1.8m high close boarded fence is proposed to the rear of the commercial unit in order to separate access to the first floor flat from the outdoor play area.

The proposed nursery would be open from 8:00am to 6:00pm, Monday to Friday. The applicant intend to offer places to children between the ages of 2 and 5 years.

A drop off area is proposed in an adjacent road, Highfield Road. Parking is available in this road for 30 minutes except between 10:30am and 11:30am.

RELEVANT HISTORY

There is no relevant recorded history for the subject site.

CONSULTATIONS/REPRESENTATIONS

Notifications were sent to 33 neighbouring properties and no letters of objection were received.

Highways have not raised an objection in principle to the parking and drop-off provision however the provision of 3 spaces to the front of the commercial unit would require extending the crossover to allow access to these spaces. Highways has safety concerns over a lamp column being positioned between two crossovers and would therefore require it to be relocated along with the litter bin. This would be at the applicant's cost.

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

STAFF COMMENTS

The issues for Staff to consider relate to the impact that a change of use from A1 to D1 would have upon the character and vitality of the retail core of Elm Park, amenity of neighbouring occupiers, highway and parking.

PRINCIPLE OF DEVELOPMENT

Government Policy states that Local Authorities can play a part in rebuilding the economy. When determining planning applications Authorities should support enterprise and facilitate development where it could create jobs and business productivity.

Policy DC16 states that planning permission for retail uses (A1) and other uses appropriate to a shopping area (A2, A3, A4, A5) in the borough's Minor Local Centres will be granted at ground floor level. Exceptions may be made where the applicant can demonstrate, through twelve months marketing information, that the premises have proved difficult to dispose of for any such use. All shop fronts in retail core and fringe areas must be active and maintain the impression of a visual and functional continuity to aid in enhancing the vitality of the town centre.

The policy does not mention D1 uses, however, and in support of the application, the applicant has submitted a letter from a local estate agent, stating that the unit has been unsuccessfully marketed for A1 tenants since 2010 with it only briefly occupied by a bathroom store.

Although in this instance the proposed use would not be retail it would provide a service, retain an active frontage, is open during shopping hours and is not considered to significantly harm the character, function and vitality and viability of this Minor Local Centre. The proposal would also contribute to the London Plan objective of supporting town centres and a mixture of uses.

Nurseries are accepted as being community facilities, where there is a requirement for places within the borough. The Borough's Childcare Sufficiency Assessment 2011 recommends that the Local Authority continues to support provisions in offering more flexible places. The Borough's Childcare Sufficiency Review 2010/2011 states that there is a particular gap in places for ages 3-4, which is covered by childminders. An increase in the number of children within this nursery would contribute, albeit in a small way to providing for the significant shortfall of places.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The applicant advised that there would be no external changes to the front of the building, so the proposal would have no impact within the street scene.

Changes to the rear would include the provision of artificial grass and a 1.8m high close boarded fence to the rear of the commercial unit in order to separate the access to the first floor flat from the outdoor play area.

These proposed changes to the rear are minor and would not result in an unacceptable impact on the rear garden environment.

IMPACT ON AMENITY

Policy DC26 supports community uses which do not have a significant adverse impact on residential character and amenity. In particular, care should be taken to ensure that no adverse noise and disturbance is caused to neighbours resulting from the arrival and collection of children from early in the morning to early evening.

The proposal would result in some degree of noise and general disturbance to the adjoining

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

properties from noise being carried from within the building. However, given the day time opening hours and the cafe use of the attached ground floor unit, Staff do not consider any noise to be of such a nature as to warrant a refusal.

Noise would also be generated by outdoor play activity. Care should be taken to ensure the levels of noise and disturbance to occupiers of nearby properties is not significantly greater than that which is generated by the existing uses in the surrounding area. Given the commercial nature of the area, Staff do not consider the additional noise that will be created at certain limited times during the day as a result of outside play will be to an unacceptable degree. It should also be noted that there has not been any objections to the proposal from neighbouring occupiers.

The existing size of the property and the number of children proposed are considered sufficient to accommodate the nursery without a significant impact on neighbour's amenities. It is therefore not considered that the relationship of the application site with adjoining and nearby residential properties is one for concern.

HIGHWAY/PARKING

Policy DC26 requires community uses to be accessible by a range of transport modes including walking, cycling and public transport and sufficient on street car parking should be provided.

For D1 use, which includes day nurseries and creches, 1 car parking space per member of staff should be provided. There is also a requirement for a drop off area.

The scheme proposes parking on site accommodating 3 vehicles to the front of the building. A drop off area is proposed in and adjacent road, Highfield Road. Parking is available in this road for 30 minutes except between 10:30am and 11:30am.

Highways have not raised an objection in principle to the parking and drop-off provision however the provision of 3 spaces to the front of the commercial unit would require extending the crossover to allow access to these spaces. Highways has safety concerns over a lamp column being positioned between two crossovers and would therefore require it to be relocated along with the litter bin. This would be at the applicant's cost.

Although the peak time early morning and late afternoon traffic caused by parents dropping off/picking up children would cause an increase in activity in this part of the Borough and Highfield Road, it is not considered that this would be of such magnitude as to warrant refusal of permission.

KEY ISSUES/CONCLUSIONS

In conclusion, it is considered that, given the scale of the property and the size of day nursery proposed, the change of use could be accommodated within this site. Staff do not consider that the increase in activity in the early mornings and early evening would adversely affect neighbouring amenity.

The use of this premises would be acceptable and reasonably located to avoid adverse impact to neighbours amenities and the character of the area. It is considered that the use has an acceptable relationship with adjoining properties. The property does not undermine the character of the area given the limited external alterations and nature of use. It is recommended that planning permission be granted in this instance.

RECOMMENDATION

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

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

1. S SC4 (Time limit) 3yrs

2. S SC19 (Restricted use)

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be used for a day nursery only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

3. S SC28 (Number of children)

The number of children accommodated within the premises hereby approved shall not exceed 25 at any one time, including the applicants own children without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control and to avoid disturbance to adjoining residents, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. S SC32 (Accordance with plans)

5. S SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 18:00 on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

6. SC58 (Storage of refuse)

7. SC59 (Cycle Storage)

8. Non Standard Condition 1 (Pre Commencement Condition)

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development required by condition 9.

Reason:

REGULATORY SERVICES COMMITTEE

7th June 2012

OUTSIDE STATUTORY PERIOD

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

9. Non Standard Condition 2 (Pre Commencement Condition)
The use shall not commence until vehicular/pedestrian/cycle access from the public highway has been provided in accordance with the approved plans.

Reason:

To ensure highway safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61

- 4 The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC29, DC33 and 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 is needed.

- 5 The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
- 6 Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
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