



## REGULATORY SERVICES COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 13 December 2012</b>	<b>Havering Town Hall, Main Road, Romford</b>
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Members 11: Quorum 4

**COUNCILLORS:**

**Conservative Group  
( 7 )**

**Residents' Group  
( 2 )**

**Labour Group  
( 1 )**

**Independent  
Residents'  
Group  
( 1 )**

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

Linda Hawthorn  
Ron Ower

Paul McGeary

Mark Logan

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

## **AGENDA ITEMS**

### **1 CHAIRMAN'S ANNOUNCEMENTS**

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

The Chairman will announce the following:

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

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

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

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

### **2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### **3 DISCLOSURE OF PECUNIARY INTERESTS**

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.*

### **4 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 14)**

### **5 R0001.12 - RAIL DEPOT, JUTSUMS LANE (Pages 15 - 24)**

### **6 P1048.12 - NETWORK RAIL MDU, WATERLOO ROAD (Pages 25 - 42)**

### **7 P1155.12 - 64 WINGLETYE LANE, HORNCHURCH (Pages 43 - 54)**

**8 P1290.12 - LAND TO THE REAR OF 182-200 HIGH STREET, HORNCHURCH**  
(Pages 55 - 72)

**9 P1255.12 - YEW TREE RESOURCE CENTRE, YEW TREE GARDENS, ROMFORD**  
(Pages 73 - 78)

**10 URGENT BUSINESS**

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

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

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# Agenda Item 4

## Regulatory Services Committee

13 December 2012

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-5	P0177.12	Brooklands	131 Crow Lane, Romford
6-11	P0987.12	Pettits	24 Greenock Way, Romford

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**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

<b>APPLICATION NO:</b>	<b>P0177.12</b>	
<b>WARD :</b>	Brooklands	<b>Date Received:</b> 8th February 2012 <b>Expiry Date:</b> 5th April 2012
<b>ADDRESS:</b>	131 Crow Lane Romford	
<b>PROPOSAL:</b>	Demolition of dwelling and mobile home and erection of single replacement dwelling	
<b>DRAWING NO(S):</b>		
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report given at the end of the report.	

### **CALL-IN**

The application has been called in by Cllr Barry Tebbutt as he does not agree with the Officer's recommendation for refusal based on impact on streetscene

### **SITE DESCRIPTION**

The application site is situated on the southern side of Crow Lane and comprises a detached chalet type dwelling with high duo pitched roof in a ribbon of development consisting of similarly designed dwellings. To the rear of the property is a mobile home and a single storey building which is used for commercial purposes.

To the south of the site is golf course, to the north on the opposite side of the road are a series of residential and commercial buildings, with residential properties both to the west and east. This site is within the Metropolitan Green Belt and Thames Chase Community Forest.

### **DESCRIPTION OF PROPOSAL**

It is proposed to demolish the existing dwelling and mobile home and construct a replacement detached two storey four bedroom dwelling on the site. The replacement dwelling has an overall footprint of approximately 137sq.m and measures 15m wide, 10m deep and 8.9m in height.

The proposed dwelling will be aligned with the front building lines of the immediate neighbour at Nos. 135 and 125 Crow Lane. The existing cross over is to be retained and a new hardstanding area and soft landscaping is proposed to the front of the dwelling.

### **RELEVANT HISTORY**

- E0005.11 - Certificate of Lawfulness for the Existing stationing of mobile home and occupation as a residence.  
PP not required      12-08-2011
- P1039.09 - Demolish existing dwelling and construct 5 bedroom detached house.  
Refuse      14-09-2009

### **CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 10 properties and no letters of objection were received. A site notice was displayed advertising a development within the Green Belt.

## **REGULATORY SERVICES COMMITTEE**

**13th December 2012**

The Borough Crime Prevention Design Advisor requested a Community Safety Informative to be added to the decision notice.

The Highways Authority have no objections.

Thames Water raised no objection to the proposal.

Environmental Health require the submission of a land contamination report.

### **RELEVANT POLICIES**

#### **LDF**

CP14 - Green Belt  
CP17 - Design  
DC2 - Housing Mix and Density  
DC3 - Housing Design and Layout  
DC33 - Car Parking  
DC45 - Appropriate Development in the Green Belt  
DC61 - Urban Design  
DC63 - Delivering Safer Places  
DC72 - Planning Obligations  
SPD11 - Draft Planning Obligation SPD  
SPD4 - Residential Extensions & Alterations SPD  
SPD9 - Residential Design SPD

#### **OTHER**

LONDON PLAN - 3.4 - Optimising housing potential  
LONDON PLAN - 3.5 - Quality and design of housing developments  
LONDON PLAN - 7.1 - Building London's neighbourhoods and communities  
LONDON PLAN - 7.16 - Green Belt  
LONDON PLAN - 7.4 - Local character  
LONDON PLAN - 8.3 - Community infrastructure Levy  
NPPF - National Planning Policy Framework

### **MAYORAL CIL IMPLICATIONS**

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 236m<sup>2</sup> and amounts to £4720.

### **STAFF COMMENTS**

The issues for Members to consider are the principle of the development, the impact that the demolition of the existing dwelling and mobile home and construction of a four bedroom dwelling with associated hardstanding has upon its Green Belt setting, amenity and highway implications.

### **BACKGROUND**

It should be noted that a similar previous application under P1039.09 was refused planning permission for the following reasons:

1.The site is within the area identified in the LDF as Metropolitan Green Belt. The LDF and Government Guidance as set out in Planning Policy Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect



**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

the existing rural character of the area so allocated and that a new building will only be permitted outside the existing built up areas in the most exceptional circumstances. Inadequate special circumstances have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the LDF Development Control Policies Development Plan Document as well as PPG2.

2.The proposed replacement dwelling would have a volume over 200% greater than the volume of the original dwelling house, resulting in a dwelling significantly larger than the dwelling it replaces and representing an intrusive development, out of scale and character with this and nearby dwellings and would reduce the open aspect of the area to the detriment of the appearance of the Metropolitan Green Belt as well as being materially harmful to its open character, contrary to Policy DC45 of the LDF Development Control Policies Development Plan Document and PPG2.

3.The proposed development would, by reason of its height, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area and in particular the Metropolitan Green Belt, contrary to Policies DC45 and DC61 of the LDF Development Control Policies Development Plan Document.

The current proposal differs in that the applicant is prepared to remove a mobile home to the rear of the property. The mobile was granted an established use certificate in 2011 under E0005.11. The significance of the removal of the mobile home on the current submission would be addressed later in this report.

#### **PRINCIPLE OF DEVELOPMENT**

The application site lies within the Metropolitan Green Belt. The basic objective of London's Green Belt is to prevent the spread of the built-up area and to preserve the open nature of the countryside.

The National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Policy DC45 states that extensions, alterations and replacement of existing dwellings will be allowed provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling.

Subject to good design therefore, it is not considered that the proposed development would be unacceptable in principle.

#### **GREEN BELT IMPLICATIONS**

The NPPF states that replacement dwellings are acceptable in the Green Belt provided that the replacement building is in the same use and not materially larger than the original dwelling. Policy DC45 of the LDF accepts the principle of re-building provided that the cubic capacity of the new dwelling does not exceed the cubic capacity of the original dwelling by more than 50% (i.e. akin to an extension to the existing house) and subject to its impact on the openness of the Green Belt.

Consequently land within the Green Belt should generally be kept free from development. Where buildings are considered to be appropriate, in principle, the Council will carefully control

**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

the scale and position of any buildings to ensure that the predominantly open character of Green Belt sites is protected. Where a development is considered inappropriate and harmful to the Green Belt, the applicant would need to demonstrate very special circumstances exist to justify the proposal.

The existing dwelling has a footprint of 62m<sup>2</sup> and a volume of approximately 289m<sup>3</sup>. The current proposal increases the footprint of the building to 137m<sup>2</sup>, which is more than double. The total volume is increased from approximately 289m<sup>3</sup> to 882m<sup>3</sup>, with the additional volume being 593m<sup>3</sup>. This proposes a 292% increase in volume over the original house and significantly exceeds the 50% guideline suggested by Policy DC45.

The applicant has put forward circumstances in order to justify the departure from policy in this case and states that the removal of the mobile home to the rear of the site would contribute to increasing the openness of the Green Belt at this point and that the new dwelling would only result in an increase of 50% when considering the combined volume of the existing bungalow and lawful mobile home. Staff agree with this assessment and conclude that the overall impact on the Green Belt would be within the realms of acceptability in this instance, given the circumstances outlined. In the event of an approval, a Section 106 Legal Agreement would be needed to extinguish the lawful development certificate and secure the removal of the mobile home from the site.

Although the application has addressed the previous Green Belt refusal reason, the potential impact on the streetscene is still of concern and will be assessed below.

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

The applicant has stated that Crow Lane has a mixed character with commercial and residential buildings of varied design and sizes, the area along Crow Lane reflects urban sprawl, the properties in this part of Romford are larger than average plots and the development would not have a detrimental effect on the area.

This particular property is located in a ribbon of development, which is marked by houses of similar sizes, and several outbuildings. The majority of dwellings in the area are chalet/bungalow type buildings incorporating hipped roof dormers to the front and rear elevations.

The new dwelling would be the only full two storey height building within this part of Crow Lane. Given the continual relatively uniform design and one and a half storey height of buildings in the area, the impact of a two storey development upon the streetscene would be significantly harmful. In this respect, the previous refusal reason has not been addressed.

#### **IMPACT ON AMENITY**

The proposal would not have a detrimental impact on surrounding residential amenity, as there is a distance of at least 15m between the nearest neighbours.

In the event of an approval, Staff would recommend that permitted development rights are removed for the property (classes A-E) in order that the Council can control any future changes on the site. This could be secured via condition. Permitted development rights for hard surfacing would also be removed together with those for fencing or enclosures.

#### **HIGHWAY/PARKING**

There is sufficient space on-site for parking in accordance with Annex 5 of the LDF car parking

**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

standards.

**SECTION 106**

The proposal is not required to make a infrastructure contribution in accordance with the Draft Planning Obligations Supplementary Planning Document as the application was submitted prior to the implementation of the this draft document.

**KEY ISSUES/CONCLUSIONS**

Staff consider the potential impact to the Green Belt to be acceptable given that there would only be a 50% increase in volume. The proposal would not result in an impact on amenity and no highways or parking concerns are raised.

Although most of the previous reasons for refusal have been addressed Staff are still concerned with the potential impact on the streetscene and surrounding area. The replacement dwelling, to a scale and height as proposed, would have a harmful impact on the streetscene and surrounding area.

In view of the above factors, the proposal is considered contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document. It is therefore recommended that planning permission be refused

**RECOMMENDATION**

It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

**1. Reason for refusal - Streetscene**

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

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**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

<b>APPLICATION NO:</b>	<b>P0976.12</b>	
<b>WARD :</b>	Pettits	<b>Date Received:</b> 2nd August 2012 <b>Expiry Date:</b> 27th September 2012
<b>ADDRESS:</b>	24 Greenock Way Romford	
<b>PROPOSAL:</b>	Two storey side and rear extension, single storey front extension	
<b>DRAWING NO(S):</b>	JCC2 JCC1 JCC3	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

### **CALL-IN**

The application has been called into Committee by Councillor Armstrong on the grounds of impact on the streetscene, size and mass.

### **BACKGROUND**

This application was reported to Regulatory Services on 29th November 2012. The sequence of voting at the previous committee, with a motion to refuse being defeated and the substantive motion to approve not being supported by a majority vote, means no decision was made. The proposition that a substantive vote to approve not being supported by the majority of votes equates to refusal is mistaken and therefore the proposal is remitted for further consideration and determination.

The application had previously been deferred from the Regulatory Services Committee meeting on 15 November 2012 to allow members to visit the application site.

At the 15 November meeting, Staff updated the Committee about an additional letter of objection which had been received which gave the same objections as those listed in the report below together with concerns about the impact upon highway safety and insufficient parking for a house of the size proposed.

The report set out below is the same as that previously presented to both the 15 November and 29 November committee meetings.

### **SITE DESCRIPTION**

The application relates to a two storey, hipped roof, semi-detached house with a garage to the rear with one off-street parking space available to the front of the garage. The ground level rises slightly to the left (west) of the property.

### **DESCRIPTION OF PROPOSAL**

The proposal is for a two storey side and rear extension and a single storey front extension.

A canopy roof is provided to the pair of semi-detached houses, of which the subject dwelling forms one half, which extends over the front bays and front door. The subject dwelling has

**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

enclosed the front door creating a porch. It is now intended to construct a porch which will be 2.5m wide by 1.4m deep from the main front wall of the property. It will be provided with a hipped roof 3.7m high.

At the side of the property a 3.6m wide extension is proposed which, at ground floor, will project 600mm forward of the main front wall of the property to align with the front bay projection and at first floor level will be setback 1m from the main front wall. A 7.4m high hipped roof will be provided over with a 3.9m high, mono-pitched roof constructed over the ground floor element.

The side extension will project 2.7m beyond the original rear wall of the property to achieve a width of 6m when viewed in the rear elevation with a hipped roof 7.4m high.

### **RELEVANT HISTORY**

P0630.12 - Two storey side and rear extension, single storey front extension - Refused, for the following reason:

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

### **CONSULTATIONS/REPRESENTATIONS**

Consultation letters were sent to eleven local residents. Six letters of objection have been received plus a petition with 31 signatures from 19 of the 27 properties in Greenock Way.

Objections are summarised below:

- \* The only difference between this application and the earlier, refused application is the shape of the roof and the slight increase in distance between the flank wall and the boundary of the site;
- \* The writers' reiterate their previous objections that the increase from a three bedroom dwelling to a five bedroom dwelling is gross over-development of the site which is out of character in the area;
- \* Although in theory two parking spaces exist, in practice this cannot be achieved. The applicant has already had to ask for neighbours' vehicles to be moved to enable access to the rear garage. If this application is granted planning permission, existing parking problems will be made worse;
- \* The proposed development will change the whole look of Greenock Way;
- \* No.25 will automatically have all sunlight blocked at the rear of their house and will have a problem selling their property in the future;
- \* The estate was built upon clay and with major extensions of this size it could cause serious problems to the existing houses;
- \* This development will enlarge a house to be sold for extra money or leased out privately or for DSS use;
- \* Deprivation of light,; disproportionately high property value; uncertainty about eventual use of

**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

the property; likely excessively long development period; increased road traffic; irregular hours;

\* Although the new proposed extension is smaller than the proposal, it will actually appear to be bigger. It is self-evident that an extension that has a greater area in plan than the parent building cannot possibly be regarded as subordinate to it;

\* Almost doubling the size of No.24 will radically and irretrievably alter the balance between the two houses;

\* A number of irregularities have been noted in the planning process related to this second proposal regarding the failed delivery of neighbour notification letters, inability of a neighbour to be provided with sets of plans for each application which seems to the writers to be highly suspicious.

In response to these comments, loss of property value, increased value of the subject dwelling and any future rental of the property are not valid planning considerations that can be taken into account during assessment of the proposal.

To ensure that neighbours were notified of the application, a second set of neighbour notification letters were delivered by hand by Staff.

#### **RELEVANT POLICIES**

Supplementary Design Guidance (Residential Extensions and Alterations).  
Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.  
London Plan (adopted 2011), Policy 7.4 - Local Character and Policy 7.6m - Architecture

#### **MAYORAL CIL IMPLICATIONS**

Not CIL liable.

#### **STAFF COMMENTS**

A previous application, reference P0630.12, was refused planning permission on 10th July 2012. The proposed development was similar but larger. The difference between that scheme and the one now under consideration is itemised below:

1. The proposed side extension will be reduced in width from 4.35m to 3.6m.
2. The first floor to the side will be setback 1m from the main front wall of the property instead of 600mm;
3. A lower hipped roof is provided over this element;
4. The depth of the extension at both levels to the rear will be 2.7m with a hipped roof provided over rather than twin hipped roofs.

The acceptability of these changes will be discussed below.

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

Greenock Way is a fairly narrow, roughly "T"-shaped cul-de-sac which comprises two storey properties. No.24, the subject dwelling, occupies a prominent corner position.

No objection is raised to the proposed front porch element of the proposal. This is considered to be modest in nature and will relate satisfactorily to the dwelling.

**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

No objection is now raised to the two storey side/rear extension which complies with Guidance, which advises that the symmetry of semi-detached houses and the spacing between pairs are important considerations for side extensions. Side extensions should be subordinate to the existing dwelling to ensure they do not unbalance a pair of semi-detached properties. The side extension has now been reduced in width and setback a full 1m from the main front wall of the dwelling at first floor level. In all, the development is considered to have a subservient appearance that will not unacceptably unbalance the appearance of this semi-detached pair of properties.

It should be noted that the attached neighbour, No.25, will not be able to extend in a similar manner due to site constraints. However, this is the case for many pairs of semi-detached properties in the borough and is not a reason, in isolation, to refuse planning permission.

Guidance goes on to say that in regard to two storey extensions to corner properties, where a side extension is to be combined with a two storey rear extension, a particularly sensitive approach should be adopted in view of the generally greater impact on the street scene.

The flank wall of side extensions to corner properties must be set back at least one metre from the back edge of the footway and should not project forward of the building line of properties along the adjoining street in order to maintain the building line. In this instance, a 2.4m separation from the side boundary will be maintained, although it is noted that the side extension will project forward of the front building line of the properties to the rear of the site in Greenock Way.

Research of Council records has revealed that planning permission was granted in 2005 for a two storey side extension to No.37 Helmsdale Road nearby which is a corner property on the junction of Greenock Way and Helmsdale Road. Although separated from the side public highway by about 2.85m, the side extension also projects forward of the front building line of properties in Greenock Way. Seen in this context, staff consider that such an arrangement is not out of character with its surroundings or unduly obtrusive in the street scene.

Further comparison with No.37 reveals that the subject dwelling has a width of 6m and the proposed extension is to be 3.6m wide whereas No.37 Helmsdale Road has a similar width of 6m with the side extension 4.18m wide. Additionally, the two storey element to the rear of No.37 is 6.55m wide as opposed to 6m in this proposal, although the depth is less at 1.35m instead of 2.7m.

Turning to the rear of the property, at a width of 6m, the extension is considered to now relate better to the property and the single hipped roof is more appropriate.

Having regard to the constraints of the site and its surroundings, Staff consider the proposal as revised addresses previously raised street scene concerns and now meets the spirit of guidelines. No objections are thus raised to the development from the visual impact point of view.

#### **IMPACT ON AMENITY**

The existing 2.1m deep conservatory extension which is to the full width of the property at present, will be retained in part close to the attached neighbours' (No.25) boundary.

In respect of No.25, who is set to the east, it is considered this neighbour will not be unreasonably affected by the proposed two storey side/rear extension as it will only be 2.7m

**REGULATORY SERVICES COMMITTEE**  
**13th December 2012**

deep (which falls within Guidance) and a 3.7m separation from the common boundary will be maintained which also falls within Guidance, which advises a minimum 2m separation. The proposed front porch extension will not affect this neighbour either.

No other neighbouring properties will suffer any direct loss of amenity due to the subject dwelling's corner location.

**HIGHWAY/PARKING**

Two additional bedrooms will be provided to the property as a result of the development but two off-street parking spaces are available at present which comply with Policy DC33. No highway issues therefore arise.

**KEY ISSUES/CONCLUSIONS**

For the reasons given above, the proposal is considered to be in accordance with the aims and objectives of the above Policies. Approval of planning permission is therefore recommended.

**RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

**1. SC4 (Time limit) 3yrs**

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. SC08 (Garage - restriction of use)**

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

**3. SC10 (Matching materials)**

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.



**REGULATORY SERVICES COMMITTEE**

**13th December 2012**

**4. SC32 (Accordance with plans)**

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this 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.

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**INFORMATIVES**

**1 Reason for Approval**

Reason for Approval

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

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

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# REGULATORY SERVICES COMMITTEE

# REPORT

13 December 2012

**Subject Heading:**

**R0001.12 – Rail Depot at Jutsums Lane, Romford (Date received 24/08/2012)**

**Proposal**

**Prior Approval Request for the Relocation of the Maintenance Delivery Unit to Jutsums Lane**

**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	[X]

## SUMMARY

This request is for prior approval for the relocation of the Network Rail Maintenance Delivery Unit from its current location on land to the west of Waterloo Road and south of the railway, to land north of the Crow Lane Gas Works accessed from Jutsums Lane. This new building would provide replacement facilities to ensure that the MDU can continue to operate from Network Rail land west of Romford Station. The building would be 2 storeys in height and 55 jobs would be relocated, operating the facility 24/7 on a shift basis.

An Environmental Statement for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 was submitted with the Prior Approval request and also with the application P1048.12 for the development of a Rail Operating Centre on the site of the existing MDU considered elsewhere on this agenda. This considers the potential environmental impacts arising from the development both from the construction and operational phases of the development, measures to mitigate them and potential alternatives. The environmental information contained in the Environmental Statement has been taken into consideration in reaching the recommendations contained in this report.

As this is a prior approval request for the exercise of permitted development rights the main issues to be considered by Members are restricted to consideration of the location of the proposed development on the site, the design and appearance of the building and whether it would be harmful to the amenity of the area and consideration of the means of access thereto..

Staff conclude that there is no justifiable reason to oppose the development and that prior approval should be granted.

## RECOMMENDATIONS

That the Committee resolve that having taken account of the environmental information included in the Environmental Statement, that no objection be raised to the request for prior approval subject to the imposition of the following conditions:

1. *External Lighting* - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

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

2. *Accordance with Environmental Impact Assessment and Mitigation Measures* - The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to the application, appendices thereto submitted in August 2012, and any additional submission documents.

Reason: To ensure that the development is carried out in accordance with the appropriate standards, measures, requirements and methods as set out in the Environmental Statement and the mitigation measures identified therein.

## REPORT DETAIL

### 1.0 **Site Description and Background**

- 1.1 The proposed MDU site is located on an elongated 3.89ha area of land west of Nursery Walk and the site of the proposed Rail Operating Centre (ROC) and east of Jutsums Lane. The site is a largely undisturbed tract of rail-side land which is identified as a Grade II Borough Site of Nature Conservation Importance, as well as land to which Crossrail safeguarding applies.
- 1.2 Surrounding land uses comprise a mixture of commercial, industrial and residential buildings. Romford Gas Works/Gas Holder Station and the Royal Mail depot in Sandgate Close are adjacent to and south-east of the site, Residential properties are present directly to the south-west in the area of Beechfield Gardens, beyond which to the west lie further commercial and industrial premises. The mainline railway tracks lie directly north of the site, with houses in Sheringham Avenue present on the opposite side of the tracks.
- 1.3 The application site is situated on a slightly raised embankment that extends to the east beyond Nursery Walk where the difference in height is even more marked. The site is inaccessible to the general public, although a poorly maintained public footpath runs alongside the fenced boundary of the site from Jutsums Lane to Nursery Walk. Two high pressure gas pipelines run through the site aligned with the southern boundary.
- 1.4 The identification of the site for the MDU arises from the proposed construction of the ROC on the site of the existing MDU and the wish to retain the MDU function at Romford. The MDU is responsible for a geographical area of railway covering London and other areas of the Anglia Region. The maintenance of the railway is carried out 24 hours a day so

different teams work shifts ensuring that there is full 24 hour cover in case of accidents or track faults.

## 2.0 **Description of Proposal:**

- 2.1 This request for prior approval is submitted under Part 11 of the General Permitted Development Order (GPDO) for the relocation of the Network Rail Maintenance Delivery Unit to a new site accessed from Jutsums Lane. Part 11 of the GPDO relates to permitted development which is authorised by, amongst other things, a local or Private Act of Parliament. In this instance the applicants are relying upon the original legislation under which the railway was constructed, namely the Eastern Counties Railway Act 1836 which contained equivalent provisions in relation to development as those contained in Section 16 of the Railway Clauses Consolidation Act 1845, neither of which have been repealed.
- 2.2 The proposed MDU building would be located to the north of the eastern end of Sandgate Close in a position approximately half way along the boundary with the former Gas Works site. The building would comprise a two storey structure up to 8.2m in height, 67m in length and 21m deep, with the long axis orientated on an approximate east-west direction. The building would have a gross internal floor area of 2,604m<sup>2</sup> accommodating offices where proposed maintenance is planned, meeting rooms, training rooms, mess room, changing and toilet facilities, records storage and materials stores.
- 2.3 The building would be flat roofed with a ground floor material comprising brick slip panelling up to the top of the ground floor windows, a micro rib insulated cladding panel system above and powder coated aluminium windows.
- 2.4 Other facilities at the MDU site would include a weighbridge and scrap metal storage delivery area, both of which are currently present on the existing MDU site.
- 2.5 Vehicular access to the site would be taken from Jutsums Lane where various Network Rail storage facilities are accessed from. The majority of the access from this point will utilise existing hard surfaced areas, but from a point 100m to the west of the end of Beechfield Gardens a new access will be constructed to be aligned to run along the top of the embankment and at its closest point, 16m from the flank boundary of 47 Beechfield Gardens and would provide access to the employee and operational parking area, weighbridge and scrap storage area. The existing private footpath from Romford Station accessed via Platform 2 would be extended alongside the ROC site to ensure continued access on foot for those employees arriving by train.
- 2.6 The building, car park and access route would be lit by lighting columns 4m and 5m in height with directional lighting heads providing an average luminance of 20-30 lux..

2.7 A comprehensive package of landscaping and habitat enhancement measures is proposed.

### 3. **Relevant History**

3.1 There are no previous planning decisions of particular relevance to this application.

### 4. **Consultations and Representations:**

4.1 The proposals have been advertised as request for prior approval accompanied by an Environmental Statement by the display of site notices and by an advertisement in the Recorder. A total of 145 individual properties were notified directly of the proposals. Two representations have been received objecting on the basis that the embankment to the railway land gives rise to direct overlooking of adjacent gardens. This has been exacerbated by the site clearance which has been carried out. Concern is expressed about the potential for cars and lorries to pass close to their property with little or no screening to be provided and creating additional noise. It is also queried why the new access road could not be constructed further away from the residential boundary.

#### **Consultee Responses**

**Environment Agency** – Have not responded at the time of report preparation. Any subsequent response will be reported orally.

**National Grid** – Advise that they have identified that it has apparatus in the vicinity of the development.

**Natural England** – No response.

### 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 CP3 (Employment), CP9 (Reducing the need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP 16 (Biodiversity and Geodiversity), CP17 (Design), of the Local Development Framework Core Strategy are considered relevant

5.3 Policies DC11 (Non-Designated Sites), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Management), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC53 (Contaminated Land), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC61 (Urban Design), DC62 (Access) and DC63 (Delivering Safer Places) of Local

Development Framework Development Control Policies Development Plan Document are also considered to be relevant.

- 5.4 London Plan policies: 2.8 (Outer London Transport), 4.1 (Developing London's Economy), 5.1 (Climate Change Mitigation), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.11 (Green Roofs) 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.21 (Contaminated Land), 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport), 6.4 (Enhancing London's Transport Connectivity), 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure), 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.
- 5.5 The National Planning Policy Framework is a further material consideration.

## 6.0 Staff Comments

- 6.1 This request has been submitted for prior approval under condition A1 of Part 11 of the GPDO which requires details to be submitted to the Council for the prior approval to the design and siting of the proposed works, including the formation or alteration of a means of access. Members should note that under Condition A2 of Part 11 that prior approval cannot be refused unless Members are satisfied that the development ought to be and could reasonably be carried out elsewhere on the land, or the design or external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification so as to avoid such injury.
- 6.2 The issues arising from this application are therefore limited to consideration of those matters on which the Council could legitimately have concerns as detailed above and those over which the Council may wish to impose reasonable conditions.
- 6.3 The proposed relocation of the MDU to the west of the existing site has been chosen on the basis that it will ensure the continued delivery of maintenance functions from the site and the existing levels of employment. It will maintain the link to Romford Station for workers, utilise an existing hard surfaced route through existing depot area served from Jutsums Lane and also maintain good access to existing rail sidings which are used for maintenance purposes. The proposed positioning of the building to the north of the Crow Lane Gas Holder Station results in the main locations where the building would be visible from being Sandgate Close and Nursery Walk.
- 6.4 In design terms the proposed MDU, although more utilitarian in appearance than the proposed ROC, does represent a significant improvement upon the existing portacabin structures which it will replace. The closest buildings to the MDU are those located on Sandgate Close (including the Post Office Sorting Office) and the Gas Holder Station, none of which are environmentally sensitive. Visibility from residential properties in Beechfield



Gardens to the west and Stockland Road and Sheringham Avenue to the north of the railway lines is limited and either is, or is proposed to be, largely screened by existing vegetation and proposed habitat enhancement and landscaping works.

- 6.5 The nature of the functions carried out from the site and the proximity of the building to the operational rail lines dictate that the building has to be of durable quality and easily maintained. Staff are therefore satisfied that the building is acceptably located on the site and that its design and external appearance will not cause harm to the amenity of the area.
- 6.6 The relocation of the scrap rail storage area to the site is an operation that is being undertaken under other permitted development rights applicable to Network Rail and is not therefore part of the development for which prior approval is sought.
- 6.7 The access to the site necessitates the creation of a new vehicular route in relatively close proximity to residential properties at the end of Beechfield Gardens. The location of the route in relation to Beechfield Gardens is nevertheless considered to be at the maximum distance possible to ensure the efficient working of the site and good access to the rail sidings. Predicted use of the access is set out in the Transport Assessment included as part of the Environmental Statement which suggests a peak hour flow of 10 vehicles in either direction which is not likely to cause unacceptable harm to the residential amenity of properties in Beechfield Gardens or give rise to any perceptible increase in noise.
- 6.8 The potential for the site to be accessed from Sandgate Close has been evaluated by Network Rail but was not preferred for a number of reasons. The change in levels between Sandgate Close and the MDU site would necessitate considerable earthworks and a ramp which in turn would require a larger turning areas for HGV's entering the site which would result in the shifting of the position of the car and vehicle parking area bringing this closer to properties in Beechfield Gardens. An entrance from this point would also require a crossing of the High Pressure Gas Pipelines and would cut across the wildlife/ecological corridor which is to be maintained along the southern edge of the site. Furthermore, such an access would introduce a further potential route into the ROC site, which is a sensitive high security infrastructure site that British Transport Police are keen to minimise access to.
- 6.9 The proposed lighting of the access route, the building and its surrounds has the potential to impact upon residential amenity and the function of the area as a wildlife corridor. Whilst the Prior Approval Statement emphasises that the design of the lighting is intended to minimise light spill, it is considered reasonable that a condition be imposed to ensure that a scheme for the lighting be submitted and approved in advance of the commencement of construction.
- 6.10 Works to mitigate the impact upon the nature conservation importance of the area are specified within the Environmental Statement which

accompanied this request and the application for the ROC, P1048.12. As a result selective site clearance and the trapping and relocation of reptiles, most notably, lizards, has been undertaken. These works and associated improvements to the habitats on this and the adjacent ROC site area have been undertaken and form part of a 10 year management plan for the enhanced areas of retained habitat on this and the adjacent ROC site. Given the SINC status of the site is considered reasonable that a condition be imposed requiring that the mitigation measures described within the ES be carried out.

## **7 Conclusions**

- 7.1 Overall Staff are of the opinion that the proposal would not detract from the appearance of the area and that it would have a negligible impact upon residential amenity. The building is also considered to be of acceptable design and in an appropriate location. The development will ensure that the current levels of employment associated with the MDU are retained in the Borough. Subject to the imposition of conditions as detailed in the report it is recommended that Prior Approval be granted.

## **IMPLICATIONS AND RISKS**

### **8. Financial implications and risks:**

- 8.1 None arising.

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

- 9.1 None arising.

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

- 10.1 None arising.

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

- 11.1 The Council's planning policies are implemented with regard to equality and diversity. The development makes full provision for disabled parking close to the main entrance to the building.

## **BACKGROUND PAPERS**

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.

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

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# REGULATORY SERVICES COMMITTEE

# REPORT

13 December 2012

**Subject Heading:**

**P1048.12 – Network Rail Maintenance  
Delivery Unit, Waterloo Road, Romford  
(Date received 24/08/2012)**

**Proposal**

**Development of a Rail Operating  
Centre (ROC) including associated  
parking on existing operational railway  
land.**

**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	[X]

## SUMMARY

This planning application proposes the construction of a Rail Operating Centre on land to the west of Waterloo Road and south of the railway which is currently used for the purposes of the existing Maintenance Delivery Unit. This new building would provide a new signal control centre facility for the wider Network Rail region, including Crossrail and will be one of 14 major signalling centres proposed across the UK. The building would be 3 storeys in height and up to 450 staff would be based there operating the facility 24/7 on a shift basis.

An Environmental Statement for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 was submitted with the application and the Prior Approval application R0001.12 considered elsewhere on this agenda. This considers the potential environmental impacts arising from the development both from the construction and operational phases of the development, measures to mitigate them and potential alternatives. The environmental information contained in the Environmental Statement has been taken into consideration in reaching the recommendations contained in this report.

The main issues to be considered by Members in this case are the principle of development, visual impact, amenity, access considerations, ecology, flood risk and drainage, and other considerations.

Staff conclude that the development is acceptable and that planning permission should be granted subject to appropriate planning conditions.

## RECOMMENDATIONS

That the Committee notes that the development is liable for a Mayoral Community Infrastructure Levy contribution in accordance with London Plan Policy 8.3 and that the applicable fee based on an internal gross floor area of 7,007sqm is £140,140.

That the Committee resolve that having taken account of the environmental information included in the Environmental Statement, that planning permission be granted subject to the following conditions:

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

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

2. *Submissions and Approvals* - Any application or submission for any other approval required by any condition attached to this permission shall be made in writing to the Local Planning Authority and any approval shall be given in writing. Any approved works shall be carried out and retained thereafter in accordance with that approval.

Reason: To ensure that the Development is satisfactorily implemented in accordance with any approvals.

3. *Accordance with Environmental Impact Assessment and Mitigation Measures* - The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to the application, appendices thereto submitted in August 2012, and any additional submission documents.

Reason: To ensure that the development is carried out in accordance with the appropriate standards, measures, requirements and methods as set out in the Environmental Statement and the mitigation measures identified therein.

4. *Parking Provision* - Before the building 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 in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

5. *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.

6. *Surface Water Drainage* - Development shall not begin until a surface water drainage scheme for the site, based on the agreed Flood Risk Assessment for the Romford ROC and MDU, reference REP-FRA-001 (Final), compiled by Ove Arup & Partners, dated 21 August 2012 has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- Network drainage system designed for 1 in 100 year storm with an allowance for climate change (FRA section 5.3, page 15).
- A maximum surface water discharge rate of 5 litres per second (FRA section 5.3, page 16).
- SUDS and attenuation provided in rainwater harvesting tanks, permeable paving and underground storage systems on both the ROC and MDU buildings with the inclusion of a green roof within the ROC construction (FRA table 1, section 5.4, page 16).

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

7. *Accordance with Plans* - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications to the satisfaction of the Local Planning Authority.

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

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

Reason:- In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

9. *Storage of Refuse* - The development shall not be occupied or brought into use until a scheme for the collection and storage of refuse and recycling is submitted to and approved in writing by the local planning authority and the refuse storage is provided in accordance with the approved scheme. Refuse and recycling collection and storage arrangements shall be maintained in perpetuity in accordance with the approved scheme.

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



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

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

11. *External Lighting* - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include the low level lighting of the access road. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

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

12. *Landscaping* - The development shall be carried out entirely in accordance with the hard and soft landscaping proposals shown on drawings no. AK930, AK931, AK932, AK935, AK936 and AK948 hereby approved. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

13. *Fencing and Boundary Treatment* - The development shall be carried out in accordance with the details of fencing and boundary treatment shown on drawing no's AK922 and AK943 hereby approved unless alternative drawings are otherwise submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

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

14. *Biodiversity* - The development shall be carried out in accordance with the mitigation strategy set out in Section 7.8 of the Environmental Statement Romford ROC & MDU\_ES\_218061-50 issued on 20 August 2012 and as

shown in drawings no AK948, AK949 and AK950 plans hereby approved unless alternative drawings are otherwise submitted to and approved in writing by the Local Planning Authority. The ecological mitigation measures shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

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

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

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

16. *Construction methodology* - Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

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

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

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

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

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

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

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

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

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

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

development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

18. *Air Quality* – No development shall take place until a scheme for the CHP stack height has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the stack height calculations, inputs and outputs and a plan showing the location of the CHP stack and a cross sectional view to show how the stack relates to the building. The approved details shall be implemented in full and permanently maintained in accordance with the approved details.

Reason: To protect residential amenity and to ensure that there is no diminution of air quality in the vicinity of the development in order that the development accords with LDF Development Control Policies Development Plan Document Policy DC52 and DC61.

19. *Site Waste Management Plan* – The development hereby approved shall be carried out in accordance with the submitted Site Waste Management Plan version 2.3.2 received on 23 August 2012 unless otherwise submitted to and approved in writing by the Local Planning Authority.

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

20. *Use of Local Labour During Construction* – Before the development hereby approved is first commenced a scheme detailing the measures that are to be taken to ensure that local labour is employed during the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and adhered to during the construction phase of the development.

Reason: To ensure that construction jobs are made available to the local workforce in order that the development accords with LDF Development Control Policies Development Plan Document Policy DC13.

#### 1. Reason for Approval

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP3, CP9, CP10, CP12, CP15, CP16, CP17, of the LDF Core Strategy Development Plan Document; Policies DC11, DC13, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC53, DC58, DC59, DC61, DC62 and DC63 of the LDF Development Control Policies Development Plan Document; Policies 2.8, 4.1, 5.1, 5.2, 5.3, 5.7, 5.11, 5.12, 5.13, 5.16, 5.21, 6.2, 6.4, 6.5, 6.9, 6.10, 6.13, 7.3, 7.4, 7.6, 7.15 and 7.19 of the London Plan 2011, and the National Planning Policy Framework .

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 22.11.2012. A fee of £97 per request (or £28 where the related permission was for extending or altering a dwellinghouse) is needed.

## INFORMATIVE

In order to discharge condition 3 the Environment Agency have advised that they would expect to see the following information:

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

2. Confirmation of the critical storm duration.

3. Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

4. Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.

5. Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.

6. Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

## REPORT DETAIL

### 1.0 Site Description

1.1 The proposed ROC site is located on a rectangular 1.85ha area of land west of Romford Station and Waterloo Road and is currently used as an existing Maintenance Delivery Unit (MDU) and for other rail-related operations. The flat areas of the site are covered mainly by tarmac surfacing and a large number of two-storey portacabins, with existing maintenance and delivery vehicles accessing the site via Waterloo Road to the east. The embankment to the south and area to the west of the MDU buildings are densely covered in trees and vegetation.

1.2 The application site is situated on a raised embankment that extends north to include the mainline rail land and to the west in the area of the proposed MDU site. Ground levels to the south and east are approximately 5 metres

lower than the site itself with an embankment running along the southern boundary of the site. With the exception of the embankment, the site itself is predominantly flat although the eastern end slopes gently downward towards Waterloo Road.

- 1.3 The MDU is responsible for a geographical area of railway covering part of London, Essex and other areas of Greater Anglian Region. The maintenance of the railway is carried out 24 hours a day from the MDU with teams working different shifts to ensure that there is a full 24 hour cover in case of incidents or track faults. The MDU buildings are centrally located and consist of a two-storey arrangement of Portacabins used as offices, changing facilities, a canteen, and for storage. The MDU is used to plan all the proposed maintenance work (in an office environment), as well as to store and prepare each shift.
- 1.4 The MDU is a base for a number of vans and specialist vehicles together with areas for secure storage. The existing car parking area is located to the north east of the buildings.
- 1.5 The northern portion of the ROC site is occupied by operational railway track used by Network Rail for tamper train operations. On average there is one tamper movement per night. In the eastern portion of the ROC site close to the junction with Waterloo Road there is an area of trees and vegetation.
- 1.6 Land uses surrounding the ROC site include operational rail land directly to the north associated with Great Anglian mainline rail services stopping at Romford National Rail Station directly to the north-east. Waterloo Road (A126) underpass is present directly to the east, beyond which lie commercial and industrial buildings.
- 1.7 A series of multi-storey residential (mainly key worker housing) apartment blocks on Union Road associated with the redevelopment of the Oldchurch Hospital site are located directly to the south. Nursery Walk is set in a cutting directly to the west of the site, beyond which lies the site for the proposed relocated MDU, whilst Romford Gas Works is located to the south-west.

## 2.0 **Description of Proposal:**

- 2.1 This planning application proposes the construction of a Railway Operating Centre comprising a 3 storey building with a footprint of 71.45m by 34.8m, a maximum height of 16.74m and a gross internal floor area of 7,007m<sup>2</sup> inclusive of roof level plant room and storage.
- 2.2 Vehicular access to the site would be from the existing access point on Waterloo Road to the south of the rail bridge/road tunnel and north of the junction with Union Road. There is also a private footpath from Romford Station accessed via Platform 4 with gates at each end, which passes over Waterloo Road along the railway bridge and into the site.

- 2.3 The new building would replace the existing MDU buildings and associated uses, the relocation of which is the subject of a prior approval application which is considered elsewhere on the agenda. Operational security arrangements for the building require that it be buffered on at least 3 sides by a 20m vehicle exclusion zone, resulting in the building being located closest to the northern site boundary / railway lines. Secure fencing would define the 20m exclusion zone, with security access control gates at all access points.
- 2.4 The upper floors of the building would accommodate the main rail traffic operational control facilities, together with meeting rooms, training and incident rooms and staff kitchen and break out areas. These are designed to enable the functioning area to be expanded as more of the network comes on stream for the modernised control systems. The ground floor would house administration offices, meeting rooms shower and changing facilities and support workshop.
- 2.5 The north and south elevations of the building incorporate a central recessed area in a contrasting curtain wall glazing with look alike insulated panels, with the addition of a horizontal solar screening bris soleil on the southern face. Materials for the sections either side of this would be Glass Reinforced Concrete (GRC) system. The east and west elevations would utilise the same palette of materials, but with vertical solar screening to the central first and second floor glazing. The eastern end would include the main glazed front entrance whilst the western end would incorporate a recessed terrace accessed from the first floor. The roof would comprise a shallow angled plant room facility with louvred sides with most of the roof area devoted to a green roof with sections for photovoltaic panels and rooflights.
- 2.6 The parking area to the east of the building would provide 108 parking spaces including 7 parking spaces for disabled users. 16 secured cycle spaces are proposed. A comprehensive landscaping scheme with provision of seating areas for staff and native tree and shrub planting is proposed. The area to the west of the building would also accommodate external plant structures.

### **Supporting Information**

- 2.7 The application is also accompanied by a number of supporting documents. These include:
- Design and Access Statement
  - Statement of Consultation
  - Environmental Statement
  - Transport Assessment
  - Sustainable Design and Construction Statement
  - Contamination Assessment
  - Site Waste Management Plan

### 3. **Relevant History**

3.1 There are no previous planning decisions of particular relevance to this application.

### 4. **Consultations and Representations:**

4.1 The proposals have been advertised as a major development and as an application accompanied by an Environmental Statement by the display of site notices and by an advertisement in the Recorder. A total of 385 individual properties were notified directly of the proposals. No letters of representation have been received.

#### **Consultee Responses**

**British Transport Police** – Advise that they have been in regular contact with the Network Rail project team about the development and have been working with them to ensure that the design of security fencing and systems are of a high standard to reduce the risk of crime and to ensure that they meet Network Rail’s requirements.

**Environment Agency** – Have requested a condition requiring that a surface water drainage scheme based upon the FRA be submitted and approved prior to the commencement of development.

**LFEPA** – Satisfied with the proposals.

**London Fire Brigade** – No response.

**National Grid** – Advise that they have identified that it has apparatus in the vicinity of the development.

**Natural England** – No response.

**Thames Water** - Advise of the requirements in terms of surface water drainage and petrol interceptors to car parking areas. No objections are raised to sewerage connections.

**Essex Wildlife Trust** – Note that a lot of research and work has been done on the environmental aspects of the development and request that everything possible is done to maintain the integrity of the wildlife corridor.

**Streetcare** – No objections but a construction management condition is requested.



## 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 CP3 (Employment), CP9 (Reducing the need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP 16 (Biodiversity and Geodiversity), CP17 (Design), of the Local Development Framework Core Strategy are considered relevant
- 5.3 Policies DC11 (Non-Designated Sites), DC13 (Access to Employment Opportunities), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Management), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC53 (Contaminated Land), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC61 (Urban Design), DC62 (Access) and DC63 (Delivering Safer Places) of Local Development Framework Development Control Policies Development Plan Document are also considered to be relevant.
- 5.4 London Plan policies: 2.8 (Outer London Transport), 4.1 (Developing London's Economy), 5.1 (Climate Change Mitigation), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.11 (Green Roofs) 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.21 (Contaminated Land), 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport), 6.4 (Enhancing London's Transport Connectivity), 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure), 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), 7.19 (Biodiversity and Access to nature) and 8.3 Mayoral CIL are considered to apply.
- 5.5 The National Planning Policy Framework is a further material consideration.

## 6.0 Staff Comments

- 6.1 The issues arising from this application are the principle of development, the layout of the proposal and the impact of the design, scale and massing on the character and amenity of the locality, the quality of the design, employment considerations, the impact on residential amenity, parking and highway matters and environmental considerations including energy efficiency and sustainability and nature conservation.

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

- 6.2 The land the subject of this application falls within an area that has historically been operational railway land. Although Policy DC11 would

normally require land outside of designated employment areas to be developed for housing purposes, this land is not available for development in the wider sense. It is, and will remain for the foreseeable future, operational railway land and accordingly there is no objection in principle to its continued use and redevelopment for railway related purposes. Moreover, given that the development is intended to assist with the delivery of a safe and reliable modern rail network the principle of development is fully in accordance with the NPPF and the London Plan.

### ***Site Layout, Design and Visual Impact***

- 6.3 The positioning of the building on the site is largely dictated by the internal space requirements for the building, the requirement for a secure perimeter, and the extent to which the shape of the site and the embankment along the southern boundary of the site restrict the width available. In the proposed location the new building will replace a long standing two storey array of portacabins which extend over a greater length of the site.
- 6.4 Towards the western end of the site the existing untidy cluster of containers will be replaced by an area of naturalized grassland, wild flower mix, tree planting and habitat enhancement measures around a number of mechanical plant enclosures.
- 6.5 The disposition of the access to the site from Waterloo Road and the need to maintain a secure perimeter for the building also dictate that the parking area for the site should be at its eastern end. This replicates the existing arrangement on the site. No objections are raised to the layout proposed which staff consider will enhance the appearance of the site.
- 6.6 The scale of the building is slightly larger than the existing MDU buildings but staff are satisfied that the location close to the railways lines is sufficiently separated from surrounding land uses so as to reduce the apparent size and visual impact of the development.
- 6.7 The design of the building is considered by staff to be attractive and in keeping with its surroundings. It demonstrates care in the choice of materials which are used to create a modern and sustainable building and incorporates many architectural features and techniques that are designed to reduce solar gain and improve sustainability which accord with policy and guidance.

### ***Impact on Residential Amenity***

- 6.8 The proposed ROC will be a minimum of 50m from any residential properties to the north and separated from them by the railway lines and no direct adverse impact on residential amenity will arise.
- 6.9 To the south the minimum separation from the key worker housing on the former Oldchurch Hospital site is at its minimum 22m. The accompanying documentation demonstrates that there would be a marginal impact upon

levels of daylight to some of the ground floor windows of these flats, but such impact would be limited and given the northern orientation of such windows it is not considered that any such impact would cause significant harm to residential amenity.

- 6.10 The ROC will be a substantial building and will be visible from the surrounding area. From the north the building will be visible from various points within the Waterloo Road estate, but it is not considered by staff that this will be unduly harmful to residential outlook. From the south the building will be a dominant feature in the outlook from the three westernmost blocks of the “key worker” flats on Union Road, particularly those flats located on the upper floors. However, it is considered that the design of the building is attractive and incorporates louvred windows which will limit any light impact at night. The building will be 20m from the boundary and its appearance and bulk will be softened and screened by the existing woodland and scrub along the southern side of the site which is to be maintained and enhanced and by the planting of a screen of native Hawthorn and Blackthorn which is to be planted along the top of the embankment.
- 6.11 The nature of the use is not an inherently noisy one, being office based and staff are satisfied that no material harm would arise.

#### ***Environmental Considerations***

- 6.12 Policy DC58 advises that planning permission will not be granted for development that adversely affects any site of Importance for Nature Conservation unless the economic or social benefits of the proposal clearly outweigh the nature conservation importance of the site and only then if adequate mitigation can be provided and no alternative site is available. The policy also promotes the protection and linking of habitats via wildlife corridors.
- 6.13 In this instance the site is identified as both a Grade II Borough Site of Nature Conservation Importance and part of a Wildlife Corridor. However, staff are satisfied that the submission pays due regard to this designation. The proposal includes extensive new native planting and the creation of new, and enhancement of existing, habitats. The embankment area is also identified as a receptor site for wildlife being trans-located from the site of the proposed new MDU. On this basis the scheme demonstrates that there would be no harm caused to the nature conservation importance of the site or to its function as a wildlife corridor.
- 6.14 In terms of energy efficiency and sustainability the scheme is targeting a BREEAM rating of excellent which exceeds the Council’s requirements as set out in the Sustainable Design and Construction SPD which would require that a rating of very good be achieved. Network Rail is also committed to submitting a Design Stage BREEAM Assessment for an Interim Certificate prior to construction and to undertake a post construction

BREEAM assessment. These commitments are echoed by suggested conditions in the event that Members are minded to approve.

- 6.14 In order to maximize energy efficiency for the building it is proposed to use improved standards for the building fabric, high efficiency heating and cooling systems and daylight-linked lighting and energy efficient luminaires. This would be provided by means of low carbon generation technologies, specifically a Combined Cooling, Heating and Power (CCHP) system and a solar thermal array on the roof. Efficient water use is to be promoted by the use of low flush and flow sanitary ware and leak detection monitoring. In addition the ROC will utilise an established developed site and therefore represents a brown field development with demolition waste from the site being re-used as far as is possible on this or the adjacent site.
- 6.15 It is proposed to use porous hard surface materials wherever possible as well as employing rainwater harvesting and a green roof in order to maximize the use of SUDS throughout the development. This will ensure that the surface water run-off from the site is no greater than existing levels as required by the Flood Risk Assessment.

#### ***Transportation, Highways and Parking***

- 6.16 The scheme does not propose any changes to the existing access to the site from Waterloo Road. The access functions adequately at present for both staff and servicing and the proposal will not give rise to any significant increase in use in either respect. No objections are raised.
- 6.17 The level of parking proposed exceeds the standard identified within the LDF for a development of this nature but is designed to accommodate potential peaks of parking at shift changeover times and is considered acceptable. Parking for disabled persons and cycle parking are also to be incorporated to the levels required by policy and conditions are suggested to cover this.

#### ***Employment***

- 6.18 As identified in para 6.2, although the site falls outside of any designated employment area, the site has long been established in use for operational railway purposes and is currently the location of the MDU which supports 55 jobs. The proposed use is close to Romford Town Centre and the application proposes that there would be demonstrable benefits to the appearance and environment of the site and that the amenities of nearby housing will not be adversely affected. The application is therefore considered to accord with the requirements of Policy DC11.
- 6.19 It is anticipated that the ROC will, over time, employ approximately 450 staff, with the signal controllers working on a 3 shift basis to ensure 24/7 coverage. This level of employment will come on stream over a number of years as the rail network of the region is upgraded to the modern signalling system that will be operated from the ROC. The applicants advise that a

proportion of the signal control jobs will be redeployments of existing staff from other signal control centres and boxes throughout the wider region as the network is upgraded. However, there will undoubtedly be increased employment opportunities for local people both during the construction and operational stages of the development. A specific condition relating to the need to provide a scheme for local employment opportunities is suggested.

- 6.20 Current employment on the site within the MDU would be maintained by the proposed relocation of the MDU to the west as is proposed by the prior approval application considered elsewhere on the agenda.

### ***Designing for Community Safety***

- 6.21 Designing for community safety is a material planning consideration and Policy DC63 of the LDF is relevant, as is ODPM guidance 'Safer Places'. The facility is not accessible to the public but as a key component in the Network Rail infrastructure the ROC has high security requirements. These have been developed in close conjunction with the British Transport Police and raise no significant planning issues.

### ***Mayoral CIL***

- 6.22 There are no exemptions for developments that are in part related to Crossrail so the proposal is CIL liable and based upon on an internal gross floor area of 7,007sqm, £140,140 will be payable.

## **7 Conclusions**

- 7.1 Overall Staff are of the opinion that the proposal would not detract from the appearance of the area and that it would have a negligible impact upon residential amenity. The building is considered to be well designed and the development will have a beneficial impact upon employment prospects in the Borough assisting with the delivery of a more efficient rail network. The development will be sustainable and will have positive impacts upon the nature conservation value of the site. The development is therefore considered to be acceptable and in accordance with all relevant planning policies and it is recommended that planning permission be granted.

## **IMPLICATIONS AND RISKS**

### **8. Financial implications and risks:**

- 8.1 None arising.

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

- 9.1 None arising.

10 **Human Resources implications and risks:**

10.1 None arising.

11 **Equalities implications and risks:**

11.1 The Council's planning policies are implemented with regard to equality and diversity. The development makes full provision for disabled parking close to the main entrance to the building,.

**BACKGROUND PAPERS**

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

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

13 December 2012

**Subject Heading:**

**P1155.12 – 64 Wingletye Lane,  
Hornchurch**

**Conversion of six bedroom house to 4  
no. one bedroom flats, external  
alterations, demolition of conservatory  
and part of single storey side  
extension (Application received 21<sup>st</sup>  
September 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	[x]
Excellence in education and learning	[ ]
Opportunities for all through economic, social and cultural activity	[ ]
Value and enhance the life of every individual	[x]
High customer satisfaction and a stable council tax	[ ]

## SUMMARY

This report concerns an application for the conversion of a six bedroom house to 4 No. one bedroom flats, external alterations, demolition of conservatory and part of a single storey side extension. A Section 106 Legal Agreement is required in accordance with the draft 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 £18,000 to be used towards infrastructure costs in accordance with the draft 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, prior to completion of the Agreement, irrespective of whether the agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the Agreement.

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

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

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



2. Matching materials - All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

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. 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

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

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

6. Cycle storage - Prior to completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and agreed

in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

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

7. 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.

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

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

9. Obscure glazing - The ground floor shower room and bathroom windows and the first floor bathroom and en-suite windows on the rear façade of the building 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.

10. 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.

11. 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.

## INFORMATIVES

### 1. Reason for Approval

The proposal is considered to be in accordance with Policies CP1, CP2, CP17, DC2, DC3, DC4, DC33, DC35, DC61, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as 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 8.2 of the London Plan.

2. 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 £97 per request is needed.

3. In aiming to satisfy condition 11 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).

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 junction of Wingletye Lane and Dury Falls Close. Dury Falls Close slopes downhill from north west to north east. There is a raised patio area to the rear of the dwelling with steps leading down to the rear garden. The site is presently occupied by a two storey detached dwelling. The site has a maximum frontage onto Wingletye Lane of approximately 26 metres and the whole site has a depth of approximately 45 metres. There is a 1.8m high timber paling fence and low brick wall on the front boundary of the site with shrubs and plants. There is a low brick wall with a 2 metre high hedge on the north eastern boundary of the site. There is a 1.8m high brick wall on the north eastern boundary of the site to the rear of the existing dwelling. The surrounding area is predominantly residential in character, comprising of two storey detached, terraced and semi-detached properties. There is a public car park located opposite the site. There are two link detached dwellings with garages located to the rear of the application site.

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

- 2.1 The application seeks permission for the conversion of a six bedroom house to 4 No. one bedroom flats, external alterations, demolition of a conservatory and part of a single storey side extension.
- 2.1.1 The proposal includes infilling the existing recessed porch area to create a cloak room and hallway. The external alterations include infilling a door and window to the flank wall of the existing utility room and creating a new door and window on its rear façade, which will serve the kitchen/dining room of the maisonette. The garage door on the front façade of the dwelling would be replaced with a door and window to serve the maisonette. Two arched windows on the north eastern flank of the dwelling would be removed. The proposal includes the creation of one ground floor and one first floor window on the front façade of the dwelling.

- 2.1.2 There would be one main entrance that would serve two ground floor flats and a first floor flat. There would be a maisonette on the ground and first floors with a separate entrance adjacent to the south western boundary of the site. There would be eight off street parking spaces on hardstanding including one disabled space.

### **3. Relevant History**

- 3.1 N0028.11 – Minor amendment request to P0659.08 – Approved.

P0659.08 – Construction of 2 no. 4 bedroom detached houses with detached garages and 2 no. link detached 3 bedroom houses with garages – Approved.

P0123.08 – Proposed construction of 2 no. 4 bedroom detached houses with detached garages and 2 no. link detached 3 bedroom houses with garages – Withdrawn.

P1169.05 – Demolition of existing detached house and outbuildings and construction of four, 2 bedroom houses and two 3 bedroom houses – Refused. Appeal dismissed.

P0019.96 – Single storey side/rear extension – Approved.

P1377.94 – Single storey side/rear extension – Refused.

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

- 4.1 The occupiers of 26 neighbouring properties were notified of this proposal. No letters of representation have been received.
- 4.2 Crime Prevention Design Advisor - Recommends a condition and informative if minded to grant planning permission.
- 4.3 The Highway Authority has no objections to the proposals and recommends informatives if minded to grant planning permission.
- 4.4 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  
DC4 – Conversions to residential and subdivision of residential uses  
DC11 – Non-designated sites  
DC33 – Car parking  
DC35 - Cycling  
DC61 – Urban design  
DC63 – Delivering safer places  
DC72 – Planning Obligations

Supplementary Planning Document (SPD) for Residential Design  
Draft 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 – Planning obligations

### 5.4 National Planning Policy Framework

Chapter 6 - Delivering a wide choice of high quality homes  
Chapter 7 - Requiring good design

## 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 Planning permission was granted for the construction of 2 no. 4 bedroom detached houses with detached garages and 2 no. link detached 3 bedroom houses with garages under planning application P0659.08. It is noted that the applicant has implemented planning permission P0659.08 by constructing two of the four houses approved under this consent. The retention and conversion of the house means that the remaining two houses cannot be constructed.

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 converting the six bedroom dwelling into 4 no. one bedroom flats 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 0.0674 hectares and the proposal would produce a density of 59 dwellings per hectare which is deemed to be acceptable.

6.3.2 In terms of the form of development, the proposal needs to be considered having regard to the provisions of Policy DC4 of the DPD which relates to proposals to sub-divide houses to provide more residential units. With regards to this policy, any proposal will be required to satisfy a number of criteria. These are that each flat should be of an adequate size, self contained with a reasonable outlook and aspect; should not materially reduce the privacy enjoyed by the occupants of adjoining properties; should provide a suitable degree of amenity space; and should meet required parking standards. Policy DC4 of the DPD also outlines the above and states that the living rooms of new units should not abut the bedrooms of adjoining units. The specific criteria in terms of Policy DC4 are assessed throughout the course of this report.

6.3.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In this instance the four flats would benefit from a communal rear garden area of approximately 255 square metres, which includes paved seating areas for the three flats on the ground floor. There would be 1 metre high obscure glazed screens on the perimeter of the paved seating areas that are located on an elevated patio area, which would prevent any undue loss of privacy. Staff are of the view that the proposed rear garden area is 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.

6.3.4 It is noted that the two houses to the rear of the site (approved under application P0659.08) had a rear garden depth of approximately 15 metres. The site layout for this planning application provides a rear garden depth of approximately 12 metres for these two dwellings, which is deemed to be acceptable.

- 6.3.5 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. This proposal is for the conversion of the existing dwelling into 4 no. one bedroom flats.
- 6.3.6 The London Plan seeks a minimum internal floor area of 50 square metres for a flat with one bedroom and 2 bed spaces. The three one bedroom flats would have internal floor areas of approximately 55, 65 and 68 square metres, which is acceptable. The one bedroom maisonette would have an internal floor area of approximately 87 square metres, which is acceptable.
- 6.4 Impact on local character and street scene:
- 6.4.1 No objections are raised the demolition of the conservatory and part of the single storey side extension. It is considered that the proposed external changes would integrate satisfactorily with the existing dwelling and the streetscene.
- 6.5 Impact on amenity
- 6.5.1 With regard to amenity issues, consideration should be given to future occupiers of these flats and also the amenity of the occupiers of neighbouring properties. Policy DC61 of the DPD states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties.
- 6.5.2 In respect of the sub-division, Policy DC4 states that applicants will normally be encouraged to provide living rooms in new units which do not abut the bedrooms of adjoining dwellings. It is considered that the internal layout of the flats complies with Policy DC4. It is considered that the flats have a reasonable outlook and aspect.
- 6.5.3 In terms of loss of privacy it is considered that the external alterations and converting the existing dwelling into four one bedroom flats would not add to the overlooking that currently exists. Following a site visit, it is noted that there is no boundary treatment between the two dwellings to the rear of the site and the application dwelling. Details of boundary fencing will be secured by condition if minded to grant planning permission.
- 6.5.4 It is considered that the proposal would not adversely affect No. 2 Lee Gardens Avenue or No.'s 7, 9, 11 and 15 Dury Falls Close, as they are located on the opposite side of the road. It is considered that the proposal would not adversely affect No.'s 10 to 26 Dury Falls Close, as their rear gardens provide a separation distance of approximately between 10 to 18 metres.



6.5.5 It is Staff's view that the proposal would not result in a significant loss of amenity to the two new dwellings to the rear of the application site (which front onto Dury Falls Close), as there would be a back to back distance of approximately 24 metres between the rear façade of the conservatories of these dwellings and the rear façade of the application dwelling. The first floor bathroom and en-suite windows on the rear façade of the building will be obscure glazed and fixed shut with the exception of top hung fanlights if minded to grant planning permission.

6.5.6 It is Staff's view that the proposal would not result in a significant loss of amenity to No.'s 6 and 8 Dury Falls Close, as they are sited at an oblique angle to the application site and there would be a minimum back to back distance of approximately 20 metres between the rear façade of No. 6 Dury Falls Close and the rear façade of the existing single storey rear projection of the existing dwelling.

## 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 eight spaces on hardstanding (including a disabled space), which equates to two spaces per flat. The Highway Authority has no objections to the proposals. The Fire Brigade is satisfied with the proposals.

## 7. The Mayor's Community Infrastructure Levy

7.1 The application seeks consent for the conversion of the existing six bedroom house to 4 no. one bedroom flats, external alterations, the demolition of a conservatory and part of a single storey side extension and as such, is not liable for Mayoral CIL.

## 8. Planning Obligations

8.1 A Section 106 Legal Agreement is required to secure a financial contribution of £18,000 to be used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.

## 9. Conclusion

9.1 The conversion of the dwelling into 4 no. one bedroom flats is considered to be acceptable in principle and no objections are raised to the demolition of the conservatory and part of a single storey side extension. It is considered that the external alterations would integrate satisfactorily with the existing dwelling and the streetscene. 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 £18k 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 a design and access statement received on 21<sup>st</sup> September 2012 and revised plans submitted on 19<sup>th</sup> November 2012.

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

13 December 2012

**Subject Heading:**

P1290.12 – Rear of High Street  
Hornchurch – Demolition of existing  
building and garages and construction of  
new building consisting of 8, 1-bed flats  
with off street parking and amenity space  
(received 16 October 2012)

**Report Author and contact details:**

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01708 432800

**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

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

**SUMMARY**

This report concerns an application for the demolition of the existing building and garages and the erection of a block of 8 1-bed flats with ancillary parking and amenity space. Staff consider that the proposal would accord with housing, environment and highways/parking policies contained in the Local Development Framework Core

Strategy and Development Control Policies Development Plan Documents and approval is therefore recommended, subject to conditions and the completion of a Legal Agreement.

## RECOMMENDATIONS

That the committee notes that 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 447.55m<sup>2</sup> which equates to a Mayoral CIL payment of £8,951.

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 £48,000 to be used towards infrastructure costs in accordance with the Draft 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 preparation of the Agreement, prior to completion of the Agreement, irrespective of whether the Agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the Agreement.

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

1. 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).

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

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

development accords with the LDF Development Control Policies Development Plan Document Policy DC61 and DC68.

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

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

4. 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 the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

5. Prior to completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

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

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

**Reason:** To prevent noise nuisance to adjoining properties in accordance with the recommendations of the NPPF.

7. Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be approved in writing by the Local Planning Authority, 2 metres high shall be erected on the shared boundaries between the new properties and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority. In addition, until the proposed hedging to the eastern boundary attains the height of at least 1.8m, a screen fence of 2m in height shall be maintained on that boundary.

**Reason:** To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties in accordance with Policy DC61.

8. The development hereby approved shall not be occupied until external lighting has been provided in accordance with details which shall previously have been submitted to and approved by the Local Planning Authority in writing.

**Reason:** In the interests of residential amenity in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

9. No construction works or construction related deliveries into the site shall take place other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

10. Prior to the commencement of the development, a soft and hard landscaping scheme, which shall include full details of the proposed "Green Wall", shall be submitted to the Local Planning Authority. Once approved in writing the scheme shall be implemented in accordance with the approved details. All planting, seeding or turfing shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To enhance the visual amenities of the development and in order that the proposal complies with Policies DC60 and DC61 and the SPD on Landscaping.

11. Before any development is commenced, a scheme for protecting the proposed dwellings from noise from adjacent commercial premises plant and activities shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings is first occupied.

**Reason:** To prevent noise nuisance to the proposed properties in accordance with Policy DC55 of the LDF Core Strategy and Development Control Policies DPD.

12. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (having previously submitted 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):

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

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

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

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

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

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

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

**Reason:** To ensure the safety of the occupants of the development hereby permitted and the public generally, and in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC54.

13. 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 the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

14. Before commencement of the proposed development, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
  - b) storage of plant and materials;
  - c) dust management controls;
  - d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
  - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
  - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
  - g) siting and design of temporary buildings;
  - h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
  - i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the submitted and approved 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.

18. Archaeology - No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and



approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on this site. Accordingly, the Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in Policy PPG16, and in order that the development accords with Development Control Policies Development Plan Document Policy DC70.

## INFORMATIVES

### 1. **Community Safety - Informative:**

In aiming to satisfy Condition 13, the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

### 2. **Archaeology – Informative:**

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

### 3. **Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010:**

No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

### 4. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP17, DC2, DC3, DC33, DC34, DC36, DC37, DC55, DC61, DC62, DC63 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and London Plan Policies 3.3, 3.5, 3.8, 4.7 and 7.3 and the NPPF.

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 £97 per request (or £28 where the related permission was for extending or altering a dwellinghouse) is needed.

5. 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.

## **Mayoral CIL**

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 447.55m<sup>2</sup> which equates to a Mayoral CIL payment of £8,951. This a fixed rate tariff calculated on the basis of the new floorspace formed. The payment required here is based on a gross internal floor area at £20 per square metre. This payment is secured by way of a Liability Notice which will be issued on discharge of the last pre-commencement condition should planning permission be granted.

### **REPORT DETAIL**

## **Background**

There is no change to the building envelope or footprint or the number of parking spaces provided since the planning approval earlier this year - P0257.12 (Demolition of existing buildings and garages and construction of new building consisting of 2 B1 (Office) units and 5 flats with 6 parking spaces and amenity space). However, the applicant has indicated that in his view, the approved scheme is not viable and that a purely residential scheme of 8 flats is a more commercially viable option.

### **1. Site Description**

- 1.1 The application site, located to the rear of the existing shops/residential properties which front onto High Street, Hornchurch, comprises a building located to the eastern/southern boundary used previously as a garage for the repair of motor vehicles with garages/lock-ups to the rear (southern boundary) and hardstanding otherwise. The wall to the southern boundary of the application site is just under 3.3m high with the part adjacent to the commercial unit being 3.8m high. Access to the site is via a shared service road connecting to High Street to the east/north of the application site. The site is within the Hornchurch Major District Centre. The site area is 0.176 Acres.

- 1.2 The surrounding area is a mixture of buildings and uses with two- and three-storey commercial/residential properties to the north and west fronting onto High Street and Station Road, a swimming pool sales building to the east with Lodge Court (2-storey residential accommodation) further east and to the south are two-storey residential properties fronting onto Mavis Grove.

## **2. Description of Proposal**

- 2.1 The proposal is for the demolition of the existing building and garages and the erection of a single 2-storey building to provide 8 flats with 2 to the ground floor, 4 at first floor level and two in the roofspace. All the flats would be 1-bedroom.
- 2.2 The building would be located across the site on a generally East-West orientation with the two end sections projecting towards the southern boundary. The building would be set back from the access way by approximately 11.5m (in part due to the existing electricity sub-station) and would have a maximum width of 33.5m with section depths of 10.7m, 7.8m and 13.4m (from west to east) and a mansard-style roof with a maximum ridge height of 8.15m. The nearest part of each section of the building to the southern boundary would be 3.7m, 9.3m and 0.5m (min.) (from west to east). In this respect there is no change to the building envelope or footprint or the number of parking spaces provided since the planning approval given earlier this year for a similar scheme (details set out below in history section).
- 2.3 There would be an area of communal amenity space to the rear (south) of the building of 290 sq.m. There would also be a single balcony/terrace at first floor to Flat 4 of 23 sq.m. Each of the ground floor flats (located where the previous B1 Units were) would have a separate outside area.
- 2.4 It is proposed to provide 6 parking spaces; 5 of which would be provided in an under-croft.
- 2.5 The main differences between the current scheme and that approved earlier in 2012 are:
- loss of the two B1 Units to the ground floor
  - increase in number of residential units from 5 to 8 (two occupying the ground floor spaces and one additional one at roof level)
  - provision of additional velux windows in roof to additional roof level flat
  - provision of separate amenity areas for two ground level flats
  - proposal for a green wall between the bedroom window of the ground floor flat nearest the electricity sub-station

## **3. History**

- 3.1 P1041.09 - Redevelopment of the site with a two storey flatted block to form 9 units consisting of 5x1-beds and 4x2-beds and parking spaces - refused 02-10-09; subsequent appeal dismissed 30-06-2010

In relation to the appeal for P1041.09 which was decided after the later scheme (P1563.09) was refused, the Planning Inspector considered that the 9 flat scheme was not acceptable:

- "Due to the poor outlook, inadequate amenity space, and the likelihood of significant noise and disturbance, I conclude that the proposal would not provide satisfactory living conditions for future residents and would fail to comply with policy DC61 of the Core Strategy."

- "I conclude that the proposal would harm the character and appearance of the surrounding area and would not comply with Core Strategy policies DC2, DC61 or the guidance in PPS3."

- 3.2 P1563.09 - Demolition of existing buildings and garages and construction of new building consisting of 8 units (6x1 bed and 2x2-bed) and off street parking for 8 cars and amenity space - Refused 11-01-2010

The reasons for refusal of the P1563.09 8-flat scheme are:

1. The proposed development would, by reason of its poor design, bulk and massing, appear as a visually intrusive and overly dominant feature in this backland location, harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document.

2. The proposal would, by reason of noise and disturbance and light overspill caused by users of the rear access road as well as prospective occupiers entering and leaving the site, vehicles parking and manoeuvring, particularly during the evening hours, be unacceptably detrimental to the amenities of prospective occupiers of the development, contrary to Policy DC55 and DC61 of the LDF Development Control Policies DPD.

- 3.3 P0257.12 – Demolition of existing buildings and garages and construction of new building consisting of 2 B1 (Office) units and 5 flats with 6 parking spaces and amenity space – Approved 22/6/12.

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

- 4.1 74 neighbouring occupiers were notified of the proposal. There were 5 replies objecting to the proposal on the following grounds:

- insufficient parking of 6 spaces for 8 flats for both proposed flat dwellers and their visitors resulting in people parking in existing occupiers unmarked spaces or along the access driveway
- the access to High Street is the only access for all the existing businesses and flats and existing parking along the access already causes problems for larger vehicles to access
- overlooking/loss of privacy
- significantly larger development than previously approved scheme
- over dense proposal

- 4.2 Thames Water have written to advise that they have no objection with regard to waste providing that storm flows are attenuated/regulated through on or off site storage and that site drainage should be separate.

- 4.3 Essex and Suffolk Water have no objections regarding water supply.

- 4.4 The Metropolitan Police Crime Prevention Design Advisor has written to advise that the site's location is in an area of higher than the Havering average crime levels. He requests the addition of a condition and informative regarding Secured by Design and ones for external lighting and details of cycle storage if permission is granted.

4.5 English Heritage indicate that the site is within an Archaeological Priority Area and that it is likely that there are archaeological remains including from the original village and the industrial period when Hornchurch Brewery was located at the application site. They request a condition and informative are attached to any grant of planning permission.

4.6 The Fire Brigade (LFEDA) previously indicated that access should meet 16.3 of ADB Volume 2 but if this cannot be achieved a fire main should be provided in accordance with 15.3 and access meet 16.6. These are the Building Regulations documents and a separate Buildings Regulations application would be needed.

## 5. **Staff Comments:**

5.1 The issues in this case are the principle of development, its impact in the streetscene, on residential amenity and parking/highways/servicing. Policies CP1, CP2, CP17, DC2, DC3, DC33, DC34, DC35, DC36, DC53, DC55, DC61, DC62, DC63 and DC72 of the LDF Core Strategy and Development Control Policies DPD. The SPD on Residential Extensions and Alterations (as relevant), SPD on Residential Design, SPD on Sustainable Design and Construction and draft SPD on Planning Obligations. London Plan Policies 2.15, 3.3, 3.5, 3.8, 3.9, 4.2, 4.7, 6.9, 6.13, 7.3, 7.4 and 7.6, as well as the National Planning Policy Framework (NPPF) are applicable.

### 5.2 *Principle of development*

5.2.1 Policy CP1 indicates that housing will be the preferred use of non-designated sites. The site lies in the existing urban area. The National Planning Policy Framework (NPPF) indicates that such sites are “brownfield” sites and that the proposal would be acceptable in principle.

5.2.2 The NPPF indicates that sustainable development should normally be granted planning permission and the site would be in a sustainable location. The details of the scheme will be important in deciding whether the proposed development is acceptable.

5.2.3 Policy CP1 indicates that housing will be the preferred use of non-designated sites. The site is located within the Hornchurch Major District Centre where Policy DC16 promotes retail uses and a degree of service uses. The policy however does not specifically refer to redevelopment of vacant or brownfield land.

5.2.4 The site does border a residential area to the south and there are flats to the upper floors of ground floor commercial uses along High Street/Station Road. The proposal of new housing development therefore accords in principle with Policy CP1 and would be acceptable in principle in relation to The London Plan Policy 3.3 (increasing housing supply), subject to acceptable design and layout.

### 5.3 *Density/Site Layout*

- 5.3.1 The proposal is to demolish the existing building and replace it with a block of 8 flats each with 1 bedroom. The application site area is 0.0682 hectares and therefore the density would be approximately 117 units per hectare. Policy DC2 indicates that in this location, the range would be 80-150 units per hectare and this proposal would be within this range. However the main consideration is whether the scheme is of a high standard of design and layout in accordance with Policies DC2 and DC61.
- 5.3.2 The London Plan indicates at Policy 3.5 (and Table 3.3) that 1-bed units for 2 people should be a minimum of 50 sq.m (gross internal area). The minimum proposed flat size would be 50.5sq.m (Flat 4) which means that all 8 flats would be in excess of the minimum internal space standards.
- 5.3.3 In respect of the site layout, the vehicular access is to the north and access to the site and the car parking spaces is drawn from the northern boundary of the site. The amenity areas would be provided to the rear adjoining the amenity areas of the adjoining residential properties.
- 5.3.4 Unlike the previous approved scheme, two residential units would be provided to the ground floor. The one to the west would look out onto the car-parking access and shop access road with the eastern unit having a northern outlook facing the electricity substation which is an open paling-fenced facility. While both units would have an outlook to the rear to a private amenity space, it is proposed to provide a green wall between the bedroom window of the eastern unit and the electricity substation. Details of the proposed green wall will be required via a suitably worded condition attached to any grant of planning permission.
- 5.3.5 The Supplementary Planning Document on Residential Design states that every home should have access to suitable private and / or communal amenity space through one or more of the following: private gardens, communal gardens, courtyards, patios, balconies and roof terraces. Although the SPD does not stipulate any size requirements, the aim is to encourage developers to bring forward schemes involving imaginative and innovative provision of amenity space. The proposed separate amenity space for each ground floor property (of approximately 32 sq.m each) which would be together with the communal space of approximately 240 sq.m and the 23 sq.m balcony to Unit 4 are considered by staff to be appropriate to the nature and size of the proposed units such that this scheme would provide an acceptable level of amenity space.
- 5.3.6 Staff therefore consider that the proposed layout would be acceptable.

### 5.4 *Design/Impact on Street/Garden Scene*

- 5.4.1 The proposal would (as for the approved scheme P0257.12) be on two-storeys with a mansard-style roof with accommodation of two flats (previously one) within the roofspace. It would have exactly the same footprint and building envelope as the approved scheme.

- 5.4.2 There is a three-storey terrace with shops to the ground floor and mainly residential accommodation above to High Street and to the rear are 2-storey dwellings. Staff therefore consider that the proposed building would represent a stepping down from the three-storey development to the north and, as such would not be out of character with existing development in the town centre and beyond into the mainly residential area to the south.
- 5.4.3 In terms of impact in the street, given the backland development proposed and lack of any obvious building lines along this stretch of land, no material impact on a pattern of development would occur. Although the scheme would introduce a new development on a previously mainly open site, it would have minimal impact on the appearance of the streetscene. This is due to the fact that the development would not be visible from High Street and there would be limited views afforded to the site from Mavis Grove to the south, mainly due to the existing high rear wall which is to be retained. It is also considered that the building would be sufficiently set back from the existing access road and would not appear overly dominant and obtrusive along this frontage.
- 5.4.4 The proposed development would be located a minimum of 43m from houses to the south of the application site. Staff consider that while a section of the proposed building would be located less than 1m from the boundary, that the main section of the building would be located over 9m from the boundary and that due to the distances involved and the higher than normal height of the separating wall at 3.8m high and that the existing building which lies adjacent to the boundary is 6m high to its ridge (3.3m to eaves level), that there would be no significant undue impact on the rear garden environment of these existing dwellings. While there are no gardens associated with the flatted development to the north, there is rear access and, again due to the separating distances involved Staff consider that any amenity which the existing flat dwellers derive would not be adversely affected by the proposed building.
- 5.4.5 Staff therefore consider that the design and siting of the proposed block, given its location at the rear of a three-storey building and within this backland site, would not appear materially obtrusive in the street scene, nor would it have an adverse impact on the rear garden environment. It would be a large feature on this site, nonetheless Staff consider that it would not result in it being overbearing or intrusive.

## 5.5 *Impact on Amenity*

- 5.5.1 The development is proposed, as previously in the approved scheme, to be located to the north of the properties on Mavis Grove at an average distance of some 40m. The southern elevation as well as the other elevations which face inwards onto the rear amenity area each have at least one Juliette balcony and the (now two) flats at roof level have velux windows. However, given the distances/oblique angles involved and the height of the retained rear wall at a minimum of 3.3m/max 3.8m, Staff do not consider that the proposal would result in any loss of light or unacceptable levels of overlooking of these existing properties. Additionally, given the existing mature landscaping outside the



application site to the south and the three-storey building along High Street, no loss of outlook would occur sufficient to warrant grounds for refusal.

5.5.2 In relation to the properties along High Street, the proposed building is located to the south of these neighbours which could cause loss of southerly and easterly light. However, Staff consider that there would be sufficient separation distance (22m) between the application site (including the first floor Unit 4's balcony) and these properties which are located at first floor and above, and would therefore not cause any unacceptable loss of light or privacy.

5.5.3 In relation to the amenities of the proposed occupiers of this backland site, Staff consider that anyone buying a flat within the town centre would need to take into account that at this site would be in close proximity to the ground floor business uses which front onto High Street, with cars passing within the rear service road and large parking areas close to the proposed building and that the access road would be used not only by the occupiers but by all those servicing the business properties. It is considered that suitable sound insulation to the flats would help ameliorate noise and other disturbance for the future occupants.

5.5.4 While the outlook from north facing windows would be of the rear servicing areas and rear access to the shops/flats fronting onto High Street, the main outlook for the proposed flats including the roof flats with their near vertical hanging velux windows, would be to the rear onto the amenity area. Staff consider that the new occupiers would have a general level of amenity derived from this outlook and would also have access to the communal amenity area (even if not directly) with flat 4 benefiting from a large north-facing balcony/terrace.

5.5.5 Staff therefore consider that the proposed development would result in an acceptable level of amenity for the new occupiers whilst not affecting existing residential amenity to an unacceptable degree.

5.5.6 Noise during construction and general everyday noise and activities associated with new residential development of this scale are not reasons to refuse planning permission. Noise insulation details would be required by a suitably-worded condition to prevent the occupiers being affected by noise caused from outside.

## 5.6 *Highway/Parking/Servicing*

5.6.1 The car parking requirements for developments in this location is less than 1 parking space per residential unit. There has been no change to the physical envelope of the building or the number of parking spaces proposed since the scheme granted planning permission earlier this year such that the proposed 8-flat development would have 6 parking spaces. In view of the site's location within the town centre with a number of public car-parks, together with the high number of bus routes and reasonably easy access to the Railway Station to the south along Station Road, and given that the units would be 1-bedroom, Staff consider that the provision of 6 parking spaces for the proposed 8 units would, in this instance, be acceptable.

- 5.6.2 In respect of access, the proposed development would take access off the High Street frontage, which would be shared with the existing commercial and residential traffic in the area, to which no objection is raised by Streetcare staff, although an observation is made that the Borough's refuse vehicles currently service the flats above shops of 182-200 High Street from the access road. The plans indicate a shared bin store would be provided which would have a locked gate such that arrangements would be needed for occupiers to put their waste out on collection day. Details would need to be submitted and a suitable condition can be attached to any grant of planning permission.
- 5.6.3 The London Fire Brigade raise no objections to the means of access to the site for emergency vehicles, despite the reduced width of the access. It would appear that sufficient space is maintained adjacent to the electricity sub-station for access by EDF Energy and the proposed building is no closer than the existing vacant car repairs centre.
- 5.6.4 Although the development would result in an increase in traffic in this part of the town centre, no concerns are raised regarding congestion or overspill car parking. It is therefore not considered that the development would lead to pedestrian or highway safety concerns.
- 5.6.5 In line with Annex 6, cycle parking provision is made on site and would be subject to a suitable planning condition for its implementation and retention.
6. *Section 106 agreement*
- 6.1 The dwellings would result in additional local infrastructure demand such that a financial contribution is needed in accordance with Policy DC72 and the draft SPD on Planning Obligations, totalling £48,000.
7. *Mayoral CIL*
- 7.1 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 447.55m<sup>2</sup> which equates to a Mayoral CIL payment of £8,951.
8. *Other Issues*
- 8.1 The Secured by Design Officer asks that suitable conditions are attached in relation to Secured by Design (and an informative), external lighting, cycle storage, boundary treatment and landscaping.
- 8.2 The site lies in an Archaeological Priority Area and a suitable condition to enable investigation of possible archaeology would be attached to any grant of planning permission.

## 9. **Conclusions**

The proposal is for 8 self-contained 1-bed flats within Hornchurch Town Centre. Staff consider that the proposal would be acceptable in principle and that the details of the scheme are acceptable such that this would overcome the reasons for refusing the previously all residential schemes, in accordance with Policies DC2, DC33, DC36 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

### **IMPLICATIONS AND RISKS**

#### **Financial Implications and risks:**

None

#### **Legal Implications and risks:**

A legal agreement would be needed to ensure that suitable contributions are made to local infrastructure arising from the proposed development.

#### **Human Resource Implications:**

None

#### **Equalities and Social Inclusion Implications:**

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

### **BACKGROUND PAPERS**

1. Application forms and plans received 16 October 2012.

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

13 December 2012

**Subject Heading:**

P1255.12 – Yew Tree Resource Centre,  
Yew Tree Gardens, Romford – removal of  
existing canopy and replacement with  
front porch (received 30 October 2012)

**Report Author and contact details:**

Helen Oakerbee  
Planning Control Manager (Applications)  
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01708 432800

**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

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

**SUMMARY**

This report concerns an application for the removal of an existing canopy and its replacement with a porch to the front of the building. Staff consider that the proposal would accord with environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies

Development Plan Document and it is therefore recommended that planning permission be granted.

This application is brought before the Committee because the site is Council owned.

## RECOMMENDATIONS

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

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

**Reason:** To comply with the requirements of section 91 of the Town and Country Planning Act 1990 (as amended).

2. materials: The proposal shall be constructed in accordance with the materials listed on the materials schedule on the planning application form.

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

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

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

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

## **INFORMATIVES**

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

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC26, 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 £97 per request (or £28 where the related permission was for extending or altering a dwellinghouse) is needed.

### **Mayoral CIL**

The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as the proposal is for a less than 100 sq.m extension.

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

- 1.1 The application site comprises Yew Tree Resource Centre, a single-storey building to the eastern side of Yew Tree Gardens. The Centre is Council owned and provides a range of services for residents of the Borough who have physical and sensory disabilities.
- 1.2 The area is mainly residential in character with one and 2-storey residential properties and the Rotunda which provides specialist accommodation on 4 floors.

## 2. **Description of Proposal**

- 2.1 The proposal is for the removal of the existing front canopy and its replacement with a front porch. The proposed front porch would be 2.5m deep, 4.3m wide with a hipped, pitched roof with a ridge height of 3.2m above ground level (eaves at 2.5m above ground level). It would be constructed in brick (to match) with red concrete tiles (to match) and aluminium windows and doors.

## 3. History

- 3.1 None relevant.

## 4. **Consultation/Representations**

- 4.1 25 neighbouring occupiers were notified of the proposal. There were no responses.

## 5. **Staff Comments:**

- 5.1 The issues in this case are the principle of development, its impact in the streetscene, on residential amenity and parking/highways. As such, Policies DC26, DC33 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan are relevant. Also relevant are London Plan Policies 3.1, 3.16, 3.17, 6.11, 6.13, 7.4 and 7.6 and the National Planning Policy Framework (NPPF).

### 5.2 *Principle of development*

- 5.2.1 The proposal is for the erection of a front porch to an existing single-storey building. It is considered that it would improve the entrance environment and that this would generally accord with Policies for community facilities (DC5 or DC26).

- 5.2.2 Policy DC26 indicates that planning permission will be granted for new community facilities subject to meeting specific criteria particularly in respect of accessibility, impact on residential amenity and parking being adequate. The Policy indicates that community facilities essential to meet the specific needs of the community will be allowed on sites considered suitable for housing or involving the loss of housing.

- 5.2.3 Staff consider that the proposed porch to an existing Council building would be acceptable in principle, subject to impact being within acceptable limits.

### 5.3 *Design/Impact on Streetscene/rear garden environment*

- 5.3.1 The proposed porch would be visible in the streetscene but due to the projecting wings of the existing building, only from the northern cul-de-sac end of Yew Tree Gardens.



5.3.2 The porch would have a maximum height of 3.2m, 2.5m deep and 4.3m wide with a hipped, pitched roof. Staff consider that the proposed design and scale of the porch would not have any significant adverse physical impact on visual amenity in the streetscene.

*5.4 Impact on Residential Amenity*

5.4.1 The nearest residential properties are those to the opposite side of Yew Tree Gardens. As the proposed porch would be located between two projecting wings of the existing building at least 40m away from the nearest property at 25 Yew Tree Gardens and would be single-storey, Staff consider that there would be no adverse impact on residential amenity from the proposed porch.

*5.5 Highway/Parking*

5.5.1 The parking requirement would not be altered in relation to the provision of a porch. There are no highways objections to this scheme.

*5.6 Landscaping*

5.6.1 No details of landscaping have been submitted with the application, nonetheless it is considered that the proposal would be enhanced by the provision of landscaping. A suitable condition will be attached to any grant of planning permission requesting details to be submitted.

**6. Conclusions**

6.1 Staff consider that the proposal would be acceptable in principle and, would not have an adverse impact on visual or residential amenity, that it would be acceptable on other grounds and would be in accordance with policies contained in the LDF.

**IMPLICATIONS AND RISKS**

**7. Financial Implications and risks:**

7.1 None

**8. Legal Implications and risks:**

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

**9. Human Resource Implications:**

9.1 None

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

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

**BACKGROUND PAPERS**

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