



Havering

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

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm	Thursday 1 August 2013	Havering Town Hall, Main Road, Romford
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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)
Jeffrey Brace
Roger Evans
Robby Misir
Becky Bennett
Steven Kelly

Linda Hawthorn
Ron Ower

Paul McGeary

Mark Logan

For information about the meeting please contact:

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AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman will announce the following:

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 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 MINUTES (Pages 1 - 12)

To approve as a correct record the minutes of the meeting of the Committee held on 6 June 2013 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 13 - 34)

Report attached

- 6 P0664.13- LAND TO THE REAR OF GARRICK HOUSE, ADELPHI CRESCENT, HORNCHURCH** (Pages 35 - 50)

Report attached

- 7 P0665.13- LAND TO THE REAR OF GARRICK HOUSE, ADELPHI CRESCENT, HORNCHURCH** (Pages 51 - 66)

Report attached

- 8 P0457.13 - BOWER PARK SCHOOL, HAVERING ROAD, ROMFORD - RETENTION OF GYMNASIUM** (Pages 67 - 76)

Report attached

- 9 P1216.12 - 19 WALLENGER AVENUE, ROMFORD** (Pages 77 - 86)

Report attached

- 10 P0125.13 - 147, LONDON ROAD, ROMFORD** (Pages 87 - 100)

Report attached

- 11 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

**Andrew Beesley
Committee Administration
Manager**

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Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
6 June 2013 (7.30 - 10.40 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Frederick Osborne, +Becky Bennett, Roger Evans and +Steven Kelly

Residents' Group Linda Hawthorn and +June Alexander

Labour Group Paul McGeary

Independent Residents Group +David Durant

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

Councillors Frederick Thompson, Keith Darvill and Denis O'Flynn were also present for parts of the meeting.

25 members of the public and a representative of the Press were present.

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

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

Councillors Keith Darvill and Denis O'Flynn addressed the Committee as Ward Councillors for the area where the applications were located.

Councillor Darvill stated that he had received numerous complaints from local residents concerning the proposals, particularly around parking displacement should the garages be demolished. He emphasised that a parking strategy needed to be implemented for the Estate, however he stressed that the strategy should have been included as part of the proposals with consultation with existing residents a key part of that strategy. He added that the original design for the Estate incorporated a number of small green open spaces to provide amenity for those residents who occupied flats or properties without any garden space. The proposals would create a terraced-like effect and result in overlooking into neighbouring properties.

Councillor O'Flynn remarked that the proposals were not in keeping with the promises made to residents of the Estate who were told that there would be a series of environmental improvements; these had not materialised in the proposals. He added that occupiers who had bought their properties a number of years ago did so because of the green and open spaces dotted around the Estate; these would now disappear with the proposals.

1 **MINUTES**

The minutes of the meetings held on 4 April, 25 April and 30 April 2013 were agreed as a correct record and signed by the Chairman.

2 **P1453.12 - 91 EASTERN ROAD, ROMFORD**

The report before members detailed an application which sought to demolish the existing detached garage and the construction of a two storey side extension and a single storey rear extension.

Members noted that the application had been called in by Councillor Frederick Thompson on the grounds that the bulk of the proposal and its potential impact upon the streetscene.

In accordance with the public speaking arrangements, the Committee was addressed by an objector without a reply by the applicant.

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that the proposed development undermined the existing character of the area. Councillor Thompson also commented that the bulk and mass of the proposed development would not sit well in the streetscene and would act to impede access to the property which would displace parking. Councillor Thompson remarked that the proposed development was contrary to national and local planning policy.

During the debate members discussed the bulk and mass of the proposed development and the effect it would have on neighbouring properties.

The general consensus amongst members was that the proposed development would look out of keeping with the streetscene and create a terracing effect. It was also felt that the proposed development did not differ greatly from a previously submitted application that had previously been refused on appeal.

The report recommended that planning permission be granted, however following a motion to refuse planning permission, which was carried by 8 votes to 1 with two abstentions it was **RESOLVED** that planning permission be refused on the grounds of the harm to character and streetscene that

would be caused by infilling of the characteristic side gap including the harm caused by bulk and mass of the proposed development.

The vote for the resolution was carried by 9 votes to nil with two abstentions.

Councillors Brace and Tebbutt abstained from voting.

3 P0188.13 - 168C MAIN ROAD, ROMFORD

The report before members detailed an application to convert a former shop unit A1 (retail) Use to A3 (restaurant) Use together with the installation of an extract duct to the rear of the property.

Members noted that the application had been called in by Councillor Barry Oddy if the recommendation was for refusal. His reason was to ensure that there was consistency with decisions made elsewhere in Gidea Park.

The application had also been called in by Councillor Frederick Thompson if the recommendation was for approval on the basis that there was insufficient local on-street parking during both day and in the evenings and that the area was already saturated with 4 restaurants, 3 public houses providing dining, and a takeaway only outlet and because the premises could not provide off-street parking.

Officers advised that granting planning permission would increase the non-retail element of the parade of shops from 57% to 74%, which would not be in accordance with policy

Members noted that two late letters of representation had been received, objecting to the granting of planning permission on the grounds of insufficient parking provision.

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

With its agreement Councillor Frederick Thompson addressed the Committee.

Councillor Thompson commented that various other schemes had been refused at the premises and that there was insufficient parking provision for a development of this nature. Councillor Thompson also commented that he felt the proposed development to be detrimental to the amenity of the area and asked the Committee to refuse the granting of planning permission.

During the debate members considered surrounding premises and commented that the footfall to the property would be similar to when the unit was used for A1 (retail) use.

Members also considered the position of the extraction flue system in relation to the residential flats above the premises. Members discussed parking arrangements noting the availability of a public Pay and Display car park in close proximity to the application site.

Members also debated the fact that the application was bringing an empty shop unit back into use. Members discussed the provision of waste management on site and gave consideration to strengthening planning conditions in this regard.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and subject to amending Condition 5 to stipulate that within the waste management scheme the refuse facility be kept locked and also stored only within a clearly designated part of the site.

The vote for the resolution was carried by 10 votes to nil with 1 abstention.

Councillor Bennett abstained from voting.

4 **P0352.13 - THE PLOUGH PUBLIC HOUSE, GALLOWS CORNER, COLCHESTER ROAD, ROMFORD**

The application before members proposed the demolition of the existing fire-damaged building and the erection of a single-storey building to be used as a fast food restaurant, takeaway and drive-through (Use classes A3 and A5).

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

During the debate several members expressed concerns on matters of highways safety including the access and egress arrangements for the site; traffic entering and exiting the site from the A12 and the proximity of a point of access to an existing pedestrian crossing situated on the A12.

Following the debate it was **RESOLVED** that the application be deferred to allow the applicant to address the following:

1. What measures would be put into place to deter danger caused by right turn into the site from A12.
2. What measures would be put into place to deter danger caused by right turn out of site onto A12.
3. The related scope for different traffic movements through the site to be better controlled.
4. To more clearly show relationship to A12 pedestrian crossing/zigzags on A12.
5. The result of any changes above on Straight Road entrance/exit and when re-presented to include a surface drainage condition.

The vote for the resolution to defer the granting of planning permission was carried by 9 votes to 2. Councillors McGeary and Durant voted against the resolution to defer the granting of planning permission.

5 PLANNING CONTRAVENTION - 76 LOWER BEDFORD ROAD, ROMFORD

The Committee considered the report and without debate **RESOLVED** that it be expedient that an Enforcement Notice be issued and served to require, within 6 months of the date the notice becomes effective:

1. To remove the extension to the original rear roof and linked extension at first floor level over existing single storey extension and revert back to the original bungalow style dwelling as shown on the attached plan.
2. Remove all materials resulting from compliance with step 1 above

In the event of non-compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

6 PLANNING CONTRAVENTION - LAND ADJACENT TO 167 UPMINSTER ROAD, UPMINSTER

The Committee considered the report and without debate **RESOLVED** it expedient that an Enforcement Notice be issued and served to require within 6 months of the effective date of the enforcement notice:

- i) Cease the use of the land for the washing and valeting of vehicles.
- ii) Remove from the Land all machinery, equipment, apparatus, cleaning materials, vehicles, tools, scrap, waste, signage and installations brought onto the land associated with the unauthorised use at (i) above.

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

7 P1276.12 - PROPOSED VARIATION OF SECTION 106 AGREEMENT DATED 24 JANUARY IN CONNECTION WITH PLANNING PERMISSION P1276.12 LAND ADJACENT TO HILLDENE AVENUE, HILLDENE CLOSE, BRIDGWATER ROAD, DARLINGTON GARDENS & NORTHALLERTON WAY, HAROLD HILL, ROMFORD

The Committee considered the report and without debate **RESOLVED** that the variation of the Section 106 agreement dated 24th January 2013 pursuant to planning permission reference number P1276.12 by Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended), be approved in the following terms:

1. Add a definition:
Phasing Plan
2. Revised clause in relation to payment of Infrastructure Contribution to include:
Prior to Commencement of Phase 1 to pay the Council £348,000 in relation to Phase 1; Prior to Commencement of Phase 2 to pay the Council £126,000; Prior to Commencement of Phase 3 to pay the Council £126,000.

That Staff be authorised to vary the Section 106 legal agreement to secure the above.

8 P1200.12 - LAND AT KINGS GROVE REAR OF 5-11 CARLISLE ROAD, ROMFORD - APPLICATION FOR THE VARIATION OF CONDITION 5 OF P1875.10 AND THE VARIATION OF THE RELATED SECTION 106 AGREEMENT DATED 15 DECEMBER 2011 TO ENABLE THE SUBSTITUTION OF AMENDED PLANS - DEVELOPMENT OF 4 TWO BEDROOM HOUSES

The Committee considered the report and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the variation of the Section 106 agreement dated 15th December 2011 pursuant to planning permission reference number P1875.10 by Deed of Variation under Section 106A of the Town and Country Planning Act (as amended), be approved in the following terms:

- That the definition of Planning Permission be amended to include reference to Planning Reference P1200.12 or P1875.10 whichever is implemented as appropriate.
- Any other consequential amendments to that above as appropriate.
- All other clauses in the Section 106 Agreement shall remain in full force and effect.

- 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.

That Staff be authorised to vary the Section 106 legal agreement to secure the above and that upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

9 **P0187.13 - 198 HILLDENE AVENUE, ROMFORD - SINGLE STOREY REAR EXTENSION**

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

10 **P0376.13 - BRIAR SITE 90- GARAGE/PARKING COURT & OPEN SPACE BETWEEN 3 HAREBELL WAY, ROMFORD**

The application proposed the demolition of the existing garage blocks to the western side of the site. The existing garage block to the east is outside the application site, although the application drawings indicate that this was also to be demolished. The proposal was for the construction of two dwellings, one 3 bedroom and one 2 bedroom.

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of overlooking, the removal of green spaces and the loss of parking provision.

During the debate officers advised that the complete Briar Road re-development would result in the loss of 612 existing parking spaces but would provide 685 new spaces. Members received clarification that the new parking provision would be approximately 100 meters away from the parking that would be lost.

Members discussed general principles of the loss of amenity space and the overdevelopment of the site.

It was **RESOLVED** that:

The development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £1,940.00.

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

- A financial contribution of £12,000 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the 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 as set out in the report.

The vote for the resolution to grant planning permission was carried by 9 votes to 2.

Councillors McGeary and Durant voted against the resolution to grant planning permission.

11 **P0379.13 - BRIAR SITE 10C GARAGE COURT BETWEEN 52-54 MYRTLE ROAD AND 2 BARBERRY CLOSE, ROMFORD**

The application proposed the demolition of the existing garage blocks and the construction of two 3 bedroom dwellings.

Officers advised that the following amendment needed to be made to the report

Paragraph 6.5.1 To the north, the nearest residential property is 52 Myrtle Road, which is side on to the application site. It is separated from the application site by a pedestrian walkway, which is **within** the application site and would not be affected by the proposals.

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

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of overlooking and loss of parking provision.

During the debate a member commented that the site was very cramped and that the proposed development would lead to the loss of amenity space.

Following a motion to refuse granting planning permission which was lost by 2 votes to 9

It was **RESOLVED**:

That the development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £2,000.00.

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

- A financial contribution of £12,000 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the 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 as set out in the report.

The vote for the resolution to grant planning permission was carried by 9 votes to 2.

Councillors McGeary and Durant voted against the resolution to grant planning permission.

12 **P0385.13 - BRIAR SITE 10K 12-16 PIMPERNEL WAY, 89-95 CHATTERIS AVENUE & 1-6 LUCERNE WAY AND OPEN SPACE BETWEEN 1 LUCERNE WAY & 95 CHATTERIS AVENUE, ROMFORD**

The application before members proposed the demolition of the existing garage blocks and the construction of a terrace of three 3 bed dwellings.

Officers advised that 6.4.1 of the report should have read Lucerne Way and not Cloudberry Way.

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of overlooking and loss of parking provision.

It was **RESOLVED:**

That the development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £4,340.00.

That the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the 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 as set out in the report.

The vote for the resolution was carried by 9 votes to 2.

Councillors McGeary and Durant voted against the resolution to grant planning permission.

13 **P0393.13 - BRIAR SITE 1A- GARAGE/PARKING COURT, PIMPERNEL WAY, ROMFORD**

The application before members involved the demolition of the existing garage blocks and the construction of three dwellings, one of which was a 4 bed unit and the other two 3 bed units.

Officers advised that a petition against the scheme had been signed by 45 objectors.

With its agreement Councillors Darvill and O'Flynn addressed the Committee. Both members re-iterated points set out in the pre-amble to these minutes. In addition Councillor Darvill raised the site specific issue of loss of parking provision.

During the debate members discussed the issue of parking provision.

It was **RESOLVED**:

The development proposed was liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable charge would be £4,860.00.

The proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the 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.

The vote for the resolution was carried by 9 votes to 2.

Councillors McGeary and Durant voted against the resolution to grant planning permission.

- 14 **P0346.13 - FORMER HAROLD WOOD HOSPITAL, GUBBINS LANE, HAROLD WOOD - THE APPROVAL OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING (THE RESERVED MATTERS) PURUANT TO THE OUTLINE PLANNING PERMISSION P0702.08 FOR PHASE 3A OF THE FORMER HAROLD WOOD HOSPITAL, FOR THE DEVELOPMENT OF 144 RESIDENTIAL DWELLINGS, PLUS ASSOCIATED INFRASTRUCTURE AND CAR PARKING**

The Committee considered the report and without debate **RESOLVED** to delegate to the Head of Regulatory Services to grant planning permission subject to the conditions as set out in the report, and to include additional conditions to remove permitted development for roof alterations provided that confirmation of no objection was received from the Environment Agency.

The vote for the resolution was carried by 10 votes to 0 with 1 abstention.

Councillor McGeary abstained from voting on the resolution to grant planning permission

- 15 **SUSPENSION OF STANDING ORDERS**

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

Chairman

Regulatory Services Committee

1 August 2013

Page No.	Application No.	Ward	Address
1-8	P0206.13	Upminster	Fishing lake adj Bramble Farm, Bramble Lane, Upminster
9-13	P0258.13	Havering Park	Beverley Bungalow, North Road, Havering-atte-Bower, Romford
14-20	P0592.13	Rainham & Wennington	22 Lamson Road, Rainham

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REGULATORY SERVICES COMMITTEE

1st August 2013

APPLICATION NO:	P0206.13	
WARD :	Upminster	Date Received: 19th February 2013 Expiry Date: 16th April 2013
ADDRESS:	Fishing lake adj Bramble Farm Bramble Lane Upminster	
PROPOSAL:	Landscaping work to fishing lake adjacent Bramble Farm	
DRAWING NO(S):	2012/01/04 Rev. A	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report given at the end of the report.	

CALL-IN

The application was called in by Councillor Linda van den Hende for the following reason:
The proposals are inappropriate in terms of size, lack of car parking and consideration for health and safety. Access to the site is shared and therefore whilst suggesting it would be for family only, control would be impossible. In addition the proposal would be very intrusive to the neighbouring property.

SITE DESCRIPTION

The application site, which consists of a lake, is located in the Green Belt on the northern side of Bramble Lane approximately 180m from the junction with Sunnings Lane. The application site is situated adjacent and to the east of the dwelling and various outbuilding of Bramble Farm.

The site covers an area of approximately 0.4ha and consists predominantly of a lake which has an average depth of 3m. The lake is man-made and was originally formed by RMC Aggregates for the purposes of gravel extraction. Messrs. CEMEX Limited, a multi national company, subsequently acquired the site when they took over RMC and sold it recently to the current owner. The subject lake has no inlet or outlet to adjacent controlled waters.

The surrounding area consist of Bramble farm house and associated buildings to the east and farmland to the north, south and west.

DESCRIPTION OF PROPOSAL

The Council is in receipt of a planning application for the upgrading of the existing lake in order to utilise it for fishing.

Works would include the increase of the average depth from 3m to 3.8m and create a 2m wide ballast safety ledges around two sides of the lake which are most suitable for use by anglers. In addition it is proposed to create a small "wildlife island" within the lake approximately 300mm above the water level to encourage ducks and the other birds to the lake, and improve facilities for wildlife whilst enhancing the appearance of the lake.

The applicant proposes to import approximately 1000 tons of material from an approved source. This would equate to a maximum of 50 No. 20 ton lorry loads as approved by the Environment Agency on their UI certificate. The applicant states that there is no intention to remove any existing material from the lake or surrounding area. The drag-line excavator on site would be

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used to level out the average depth of the lake.

The applicant has stated that the lake would remain a private fishing lake with limited use of up to 8 anglers at any one time, which will be restricted to immediate family and friends of the current owner. In order to provide parking for 4 vehicles the applicant is proposing to improve the existing hard standing area on site by providing a shingle surfaced in keeping with the rural setting.

The existing reed bed on the northeast corner is to be retained, and the existing undergrowth and banks around the lake are to be maintained and re-landscaped with grass and shrub planting.

Access to the site would be restricted by the installation of security gates to the existing access off Bramble Lane.

RELEVANT HISTORY

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 5 neighbouring properties and one letter of objection was received raising the following concerns:

- no digging of test holes to determine underlying substrata and assess water supply has been done as per Environment Agency Guidance
- lake takes up approximately 95% of site area with insufficient space for safe access, pathways and car parking
- there is not a 3-4m of bank around the of the lake which raises concerns over safe access and future maintenance
- concerns with regards to the creation of the island and the potential impact on the water levels
- concerns with the control of access and the practicality of it
- no toilet facilities on site
- concerns with health and safety
- loss of privacy to neighbouring occupier
- security concerns relating to people accessing the adjoining property
- erosion concerns due to a rise in water level as a result of proposed works
- unacceptable levels of traffic and insufficient parking provision
- ledge proposed will be an eyesore during drier months when water levels drop
- unacceptable noise and disturbance during evening hours and construction
- concerns that the proposal would effect wildlife
- litter concerns
- concerns regarding the type of material that would be brought onto the site

The Environment Agency has raised no objection to the proposed work and has stated that any concerns or additional information that they require could be dealt with under the Environmental Permitted Regulations.

Environmental Health has requested a condition to be imposed in order to have all site derived and/or imported soils tested for chemical contamination.

RELEVANT POLICIES

No relevant recorded history.

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LDF

CP14 - Green Belt
CP17 - Design
DC33 - Car Parking
DC45 - Appropriate Development in the Green Belt
DC61 - Urban Design

OTHER

LONDON PLAN - 7.16 - Green Belt
LONDON PLAN - 7.4 - Local character
NPPF - National Planning Policy Framework

STAFF COMMENTS

The issues to be considered in this case are a) the principle of development; b) design/street scene issues; c) impact upon the Metropolitan Green Belt and d) amenity implications.

PRINCIPLE OF DEVELOPMENT

The NPPF indicates that"As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

88. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

89. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- buildings for agriculture and forestry;
- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

Policy DC45 indicates that "The Council will promote uses in the Green Belt that have a positive role in fulfilling Green Belt objectives. Planning permission for development in the Green Belt will only be granted if it is for the following purposes:

- agriculture and forestry, outdoor recreation, nature conservation, cemeteries
- mineral extraction provided policies in the Council's Local Development Framework are complied with

Park and Ride facilities provided that certain criteria are met.

Planning permission for new buildings will only be granted for the following purposes:

- they are essential for the uses listed above; or

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· they involve limited infilling or redevelopment on a site designated as a Major Developed Site in accordance with DC46"

The applicant has stated that the lake has been used for fishing by the previous owners of Bramble farm as long ago as 1982 and therefore confirms its established use for fishing purposes.

In line with the NPPF and Policy DC45, it is considered that the proposed island in the middle of the lake, safety ledge and hardstanding for car parking would be ancillary to an outdoor recreation, namely fishing lake. However, the development must also be appropriate and preserve the openness of the Green Belt such that it does not result in conflict with the purposes of including land within it. This is considered in greater detail below.

GREEN BELT IMPLICATIONS

Staff do not consider the proposal to have a harmful impact on the openness of the Green Belt. The proposed island and 2m wide safety ledge would be set below the existing bank of the lake and would not affect the openness of the Green Belt. Any views from Bramble Lane would be mitigated by by proposed vegetation on the southern bank of the lake. The proposed improvement of the existing hardstanding with a shingle surface for parking is not considered to have a harmful impact as the materials would be in keeping with a rural setting.

IMPACT ON AMENITY

The existing lake is situated in close proximity to the residential dwelling on Bramble Farm. Staff do recognise that there could be some impact in terms of noise and disturbance to this residential unit however the potential impact has to be balanced against the amount of anglers using the site and at what time the activity takes place.

The applicant has stated that the lake would only be for personal use and not for commercial purposes and angling would be restricted to only 8 anglers at any one time and would be restricted to the owners immediate friends and family. The applicant has also agreed to the restriction of hours of use between 8:00 and 21:00. Given the restricted use and hours of use of the site, Staff do not consider the amount of noise generated would result in unacceptable harm to the residential use at Bramble Farm.

It should also be noted that only the northern, southern and western banks would be used for angling and the nearest angling spot from the residential dwelling at Bramble farm would be approximately 45m away.

Staff do not consider the proposal to result in unacceptable impact in terms of overlooking. The angling spots closest to the neighbouring residential unit on the northern and southern banks would be obscured by dense vegetation and the southern bank is situated approximately 65m away. Views are further mitigated by trees and vegetation situated to the west of the residential dwelling at Bramble Farm.

Staff acknowledges that there would be additional noise and disturbance as a result of construction work and lorries entering and leaving the site however this would only be during the construction phase. A condition would also be attached in the event of an approval to limit deliveries into the site and construction hours.

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HIGHWAY/PARKING

The applicant has indicated that provision will be made for 4 cars by improving the existing hard standing area by creating a shingle surfaced hard standing.

The applicant has also confirmed that queries around access arrangements and site security have been resolved in that the owners of the access road and land to the rear of the site (CEMEX) has agreed for a security gate to be installed at the entrance onto Bramble Lane. Staff are satisfied that this arrangement would improve site security and provide a means of controlling the amount of people that will have access to the fishing lake.

Highways have raised no objection to the parking and access arrangements as the access road is in private ownership.

OTHER ISSUES

Neighbouring comments received has raised a number of Environmental Agency related objections. The Environment Agency has raised no objection to the proposed work and has stated that any concerns or additional information that they require could be dealt with under the Environmental Permit Regulations.

Staff are also satisfied that materials brought onto site would be able to be monitored by means of a suitable condition which is also a request by Environmental Health.

KEY ISSUES/CONCLUSIONS

The proposals are considered to be associated facilities in relation to tilising the lake for angling purposes. The proposals are not considered to result in harm to the openness of the Green Belt.

Staff do not consider the proposals to have an unacceptable impact on neighbouring amenity. Parking and impact on the highway is considered acceptable. The proposal is therefore in keeping with the aims and objectives of Policy DC45 of the LDF and the NPPF. Approval is recommended accordingly.

RECOMMENDATION

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

1. S 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. SC11 (Landscaping) (Pre Commencement Condition)

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

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3. SC27 (Hours of use) ENTER DETAILS

Use of the lake by anglers shall only take place between the hours of 08:00 and 21:00 on any day.

Reason:-

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

4. S SC32 (Accordance with plans)

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.

5. SC57 (Wheel washing)

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

Reason:-

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

6. M SC62 (Hours of construction)

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

Reason:-

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

7. Non standard condition

No heaps of soil or clay shall be left on the site after the completion of the development other than those approved under this consent.

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8. Non standard condition

Details of the proposed method of removal of any unused spoil from the site shall be submitted to and agreed in writing by the LPA. The unused spoil shall then be removed from the site in accordance with the agreed details.

Reason: To ensure that operations take place with minimum harm to the character of the amenity of the site.

9. Non standard condition

Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007 "Specification of Topsoil".

Reason:

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Development Control Policies Development Plan Document Policy DC53.

10. Non standard condition

No waste processing or recycling activities shall take place and no waste material shall be imported to the site at any time.

Reason:-

In the interests of amenity and in accordance with the objectives of the East London Joint Waste Development Plan Document.

INFORMATIVES

1 Fee Informative

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, 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.

2 Highways Informatives

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.

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

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development.

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

3 Approval following revision

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

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APPLICATION NO:	P0258.13	
WARD :	Havering Park	Date Received: 5th March 2013 Expiry Date: 30th April 2013
ADDRESS:	Beverley Bungalow North Road Havering-Atte-Bower	
PROPOSAL:	Change of use from residential to Day Service Centre. Respite service for adults with learning disabilities and autism. Includes the use of existing Barn at the back of building as Activity Centre Comments received	
DRAWING NO(S):	2013/SK/BB/1 2013/SK/BB/2	
RECOMMENDATION :	It is recommended that planning permission be GRANTED 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 in to the Regulatory Services Committee by Cllr. Sandra Binion with concerns raised regarding a business use in a residential area and the addition pressures on an already busy road with traffic issues.

SITE DESCRIPTION

The application site is situated on a large plot of land to the east of North Road. The site is occupied by a large detached bungalow, large areas of hardstanding to the front and rear of the site and an outbuilding in the southeastern corner.

The property is situated in the Green Belt and Havering-Atte-Bower Conservation Area. There is currently two access point to the site off North Road, one in the northwestern and one in the southwestern corner.

DESCRIPTION OF PROPOSAL

The application is for a change of use from residential to a Day Service Centre. The intended use is for the provision of a Day Service and Respite for adults with learning disability and autism. The application would include the use of the existing outbuilding at the back of building as an activity centre.

1. The Day Service

This service would be accessed on a daily basis where clients comes in and are supported to do table top activities such as puzzles and drawing. The clients will also be accessing external activities in the community, such as swimming, library and horse riding on a daily basis. The number of users of the main building would be 4 No. service users and 4 No. support staff.

2. Respite Service

Two bedrooms in the main building would be used as a Respite facility for client use. The respite would involve clients staying overnight as and when required only. It is envisaged that 2 No. client and 2 No. staff will stay overnight as part of this 24 hour service when required.

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3. Barn Use

The proposed use of the barn would be similar to that of the Day Service activities. It is envisaged that 6 No. clients would access the Barn activity centre on a daily basis.

The applicant is proposing opening hours of 8am to 8pm, Monday to Sunday. The respite service would be a stay-overnight 24 hour service when required. Staff numbers proposed for the use would be 12 in total, including the manager. The applicant has also indicated that there would be a minimum of movement of vehicles to and from the site as staff and service users would be transported to and from the site by mini-buses.

RELEVANT HISTORY

P1764.00 - Gates and railings to front of property
Apprv with cons 16-02-2001

P1332.96 - Single storey extension at rear
Refuse 13-02-1997

P1034.95 - Single storey extension at rear
Refuse 26-01-1996

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 42 neighbouring occupiers and a site notice was displayed. Letters of objection were received from 7 neighbouring occupiers objecting on the following grounds:

- unacceptable increase in traffic movement
- unacceptable increase in noise
- commercial premises in a residential area

Further comments relates to additional building works. it should however be noted that the proposal would only involve the change of use of the existing buildings on site and not external additions are proposed.

The Highway Authority has stated that there are ample parking available on-site and sufficient space to accommodate drop off and pick up arrangements. The Highway Authority do not object to the proposal.

Social Services has stated that there is a need in the Borough to have specialist respite service for adult with learning disabilities and autism.

RELEVANT POLICIES

LDF

- CP14 - Green Belt
- CP8 - Community Facilities
- DC1 - Loss of Housing
- DC26 - Location of Community Facilities
- DC45 - Appropriate Development in the Green Belt
- DC61 - Urban Design
- DC68 - Conservation Areas

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OTHER

LONDON PLAN - 3.17 - Health and social care facilities
LONDON PLAN - 7.16 - Green Belt
LONDON PLAN - 7.4 - Local character
LONDON PLAN - 7.8 - Heritage assets and archaeology
NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

None as there is not increase in residential floor area.

STAFF COMMENTS

The issues to consider in this application would be the principle of development, parking provision, impact on amenity, conservation area and the Green Belt.

PRINCIPLE OF DEVELOPMENT

The proposal would not involve any external additions. The development would involve the re-use of the existing building and is therefore acceptable in Green Belt as stated in the NPPF.

Policy DC1 states that planning permission resulting in a nett loss of existing housing will only be granted on exceptional circumstances where it involves the provision of essential community facilities, for example health and education, which are necessary to meet the specific needs of the community.

The proposal would provide an essential service for adult with learning disabilities and autism. This has been identified as a growth area in the Borough and there is currently a lack of provision for autism in Havering. Staff therefore consider the change of use to be acceptable in principle and in line with current policy guidance.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal would only involve the change of use of the existing premises. The proposal is not considered to result in an impact on the streetscene, rear garden environment, Green Belt and the surrounding Conservation Area.

IMPACT ON AMENITY

Concerns have been raised by neighbouring occupiers that the proposed use would result in unacceptable noise and disturbance.

Staff do not consider the proposal to result in a harmful impact on neighbouring amenity. The existing bungalow is situated approximately 5.5m off the northern neighbouring boundary and 3.2m off the southern neighbouring boundary. The outbuilding is situated to the rear of the property and would abut an open field to the south and east and is situated approximately 26m from the northern neighbouring boundary. The clients attending would be limited to a maximum number of 12 and activities would be during the hours of 8am and 8pm. The additional noise and activity over and above that which could be generated on site currently is not considered to be harmful to such a degree as to recommend refusal. The applicant has indicated that a substantial part of the day would be taken up by external off-site activities such as swimming, library trips and horse riding. Most of the activities on site would take place within the existing bungalow and the outbuilding to the rear of the premises.

The applicant has indicated that clients and staff would be transported to and from the premises

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by mini-buses which would mitigate noise and disturbance by cars entering and leaving the premises.

HIGHWAY/PARKING

The site has a large hardstanding to the front and rear of the bungalow which can easily accommodate the amount of parking required for the intended use. There are two access points currently to the site with sufficient space for a pick up and drop off point should this be required. The applicant has however indicated that the amount of parking required would be limited as staff and clients would be transported to and from the premises by mini-busses.

No changes are proposed to the current access arrangements to North Road and Highways has not raised an objection to the parking provision or the access arrangements. Staff consider the proposed parking and access arrangement to be acceptable.

KEY ISSUES/CONCLUSIONS

The proposal would provide a much needed service within the Borough and therefore justifies the loss of a residential use. No external changes are proposed and no impact would therefore result to the streetscene, rear garden environment and the surrounding area. The proposal is not considered to have an impact on the openness of the Green Belt or result in harm to the Conservation Area. Although there would be some noise and disturbance as a result of the development, Staff consider this to be of a minor nature and sufficiently contained within the structures on site for the most part of the day. Existing access arrangements would remain and sufficient parking and drop off and pick up facilities are available on site. Staff consider the proposal to meet the aims and objectives of the Council's policy guidance and is therefore recommended for approval.

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. SC19 (Restricted use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be for a day centre and overnight respite care for adults with learning disabilities and autism only and shall be used for no other purpose(s) whatsoever unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming

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3. SC22 (Hours of operation) ENTER DETAILS

Between the hours of 8am and 8pm on any day the maximum number of clients at the property shall not exceed 12. Between the hours of 8pm and 8am the following day the maximum number of clients at the property shall not exceed 2.

Reason:-

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

INFORMATIVES

1 Approval - No negotiation required

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.

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APPLICATION NO:	P0592.13	
WARD :	Rainham & Wennington	Date Received: 29th May 2013 Expiry Date: 28th August 2013
ADDRESS:	22 Lamson Road Rainham	
PROPOSAL:	Change of Use from class B8 to B1(c) (light industrial) and B2(general industrial)	
DRAWING NO(S):	RE-01-11 RE-01-01 RE-01-02 RE-01-03 RE-01-04 RE-01-05	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report given at the end of the report.	

SITE DESCRIPTION

The site is an irregular shaped area of land located on the eastern side of Rainham Creek, measuring approximately 2 hectares in area. The site includes three buildings that have previously been in use for B8 purposes along with hardstanding areas for the parking and manoeuvring of vehicles.

The site is bounded to the south west and south east by neighbouring sites being used for industrial, warehousing, and waste purposes. The site's north western boundary lies adjacent to Rainham Creek, which is a Site of Nature Conservation Importance, whilst its north eastern boundary abuts the public highway. Access to the site is taken via Lamson Road, off Ferry Lane North.

The site is located on land designated as a Strategic Industrial Location in the LDF and is located in the London Riverside Business Improvement District. The site is located within Flood Zones 2 and 3a, as defined by Havering's Strategic Flood Risk Assessment. The Inner Thames Marshes Site of Special Scientific Interest (SSSI) is located to the south east. The site is also located on land designated as a Channel Tunnel safeguarding area.

DESCRIPTION OF PROPOSAL

This planning application proposes the change of use of existing warehouse buildings, allowing them to be employed for B1 (c) (research and light industry) and B2 (general industry) purposes. The units are currently vacant and have been marketed for B8 use for around three years. The proposal would not involve any operational development.

RELEVANT HISTORY

The previous planning decisions of most relevance to this application are as follows:

P0259.12 - Change of use from warehouse to solid recovered fuel processing facility - Refused for the following reasons:

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1. The capacity of the proposed development would be in excess of what is required by the East London Waste Authority boroughs to manage the waste apportioned to them in the London Plan. The proposal would be likely to result in significantly more waste being imported to the area than is required by the London Plan and is therefore considered to be contrary to the objectives, and Policy W2, of the Joint Waste Development Plan Document for the East London Boroughs.

2. The application proposes the development of a waste processing facility outside of the preferred areas established in the Joint Waste Development Plan Document without adequately demonstrating that there are no opportunities within these preferred areas for a waste management facility. The proposal is therefore considered to be contrary to Policy W2 of the Joint Waste Development Plan Document for the East London Boroughs.

3. The application proposes a new facility for the management of non-apportioned waste without adequately demonstrating that there is a more suitable site nearer to the proposed source of waste. It is therefore considered that the proposal is contrary to Policy W5 of the Joint Waste Development Plan Document for the East London Boroughs.

4. In the absence of a Section 106 agreement intended to secure contributions towards highway, green infrastructure, and other environmental and public realm improvements, the proposal is considered to be contrary to Policies DC32, DC34, DC59, and DC72 of the LDF.

P0559.96 - Single storey extension of canopy between two warehouses - Approved.

P0016.92 - Erection of warehouse - Approved.

CONSULTATIONS/REPRESENTATIONS

Notification letters have been sent to 76 neighbouring occupiers. No representations have been received.

The following were also consulted:

Highways - No objections.

Environmental Health (Noise) - No objections subject to the use of conditions.

Environment Agency - No objections.

RELEVANT POLICIES

Policies DC9, DC32, and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document ("the LDF").

Joint Waste Development Plan Document for East London

MAYORAL CIL IMPLICATIONS

The proposal would not give rise to any payments under the Mayoral CIL regulations.

STAFF COMMENTS

The main issues in this case are considered to be the principle of development, the visual impact, impact on amenity, and highway considerations.

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PRINCIPLE OF DEVELOPMENT

This planning application proposes the change of use of an existing storage and distribution buildings to allow for different potential uses, including B1(c) and B2.

The site is located within a Strategic Industrial Location wherein Policy DC9 of the LDF states that B1 and B2 uses will be granted planning permission.

A condition is recommended to prevent the buildings being used for waste processing purposes in future. Some waste-related activities are considered to be B2 uses; the use of the premises for these purposes would undermine the objectives of the Joint Waste DPD.

Subject to the afore mentioned condition, the proposal is considered to be acceptable in principle.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy DC61 of the LDF states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The proposed development would not involve any operational development or result in any significant changes to the exterior of the application buildings. Conditions are recommended to prevent the storage of any plant or material in the open air, and requiring the submission of details relating to bicycle storage, and waste/recycling storage.

Subject to the afore mentioned conditions, in terms of its visual impact, it is considered that the proposal would not result in any significant harm to the character of the area and that it would be in accordance with Policy DC61 of the LDF.

IMPACT ON AMENITY

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

The site is located in an industrial area and has established use rights for B8 purposes. The nearest residential properties are located at Creekside, approximately 70m to the north of the site, and around 100m to the north of the application buildings. The occupiers of these properties were consulted about the proposal but no representations have been received. These properties are separated from the site by Rainham Creek, including an area of dense vegetation.

The Council's Environmental Health officers have raised no objections to the proposal subject to the use of conditions requiring the use of sound insulation within the buildings, noise limits on any new plant or machinery, and time limits on construction times and deliveries. Given the site's location within an industrial area and its proximity to sensitive land uses, none of these conditions are considered to be necessary or reasonable in this case, and shall not be imposed. However, it is considered that a condition should be imposed preventing industrial processes from occurring outdoors, to prevent any potential noise and other impacts having a detrimental effect on the surrounding area.

In the interests of protecting the amenities of noise sensitive properties from significant noise impacts, it is also recommended that a condition be imposed requiring the submission and approval of a lorry routing strategy to ensure that heavy goods vehicles visiting or leaving the site approach the site from the direction of the A13 and avoid travelling in or from the direction of Rainham village at all times.

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Subject to the afore mentioned condition, it is considered that the proposal would not result in any significant adverse impacts on the amenities of neighbouring occupiers and that the proposal would be in accordance with Policy DC61 of the LDF.

HIGHWAY/PARKING

Policy DC32 of the LDF states that new development that would have an adverse impact on the functioning of the road hierarchy will not be allowed. It is considered that the proposal would not result in any material difference to the functioning of the highway network, over and above the existing situation. The Council's Highway officers have raised no objections to the proposal.

OTHER ISSUES

The Environment Agency has raised no objections to the proposal subject to the submission and approval of a flood evacuation plan, given the site's location within Flood Zone 3. It is recommended that a condition be imposed requiring the approval of such a plan.

KEY ISSUES/CONCLUSIONS

The proposal is considered to be acceptable having had regard to Policies DC9, DC32 and DC61 of the LDF and all other material considerations.

RECOMMENDATION

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

1. Non Standard Condition 31

No plant, material, or goods shall be stored in the open air, and the existing vehicle parking areas shall be retained for the life of the development.

Reason:-

In the interests of visual amenity and to prevent a loss of parking spaces in accordance with Policies DC32 and DC61 of the Development Control Policies Development Plan Document.

2. Non Standard Condition 32

No waste processing or recycling activities shall take place at the site at any time, and no waste material shall be imported to the site.

Reason:-

In the interests of residential amenity and in accordance with the objectives of the East London Joint Waste Development Plan Document.

3. Non Standard Condition 33

No industrial processes shall take place outdoors.

Reason:-

In the interests of amenity and in accordance with Policies DC32 and DC61 of the

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4. 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).

5. 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.

6. SC58 (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 Development Control Policies Development Plan Document Policy DC61.

7. SC59 (Cycle Storage)

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

Reason:-

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

8. Non Standard Condition 34

The approved development shall not be brought into use until a flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The approved uses shall thereafter be undertaken in accordance with the approved details, which shall be retained for the life of the development.

Reason:-

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9. Non Standard Condition 35

Prior to the occupation of application buildings, a scheme of lorry routing shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the proposed approach and exit routes from the site and detail the means by which heavy goods vehicles will be prevented from travelling in or from the direction of Rainham village at all times. The approved scheme shall be implemented and retained for the life of the site's use for the approved purposes.

Reason:-

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

INFORMATIVES

1 Approval - No negotiation required

Reason for Approval

The proposed development is considered to be in accordance with Policies DC9, DC32, and DC61 of the Development Control Policies DPD and the objectives of the East London Joint Waste Development Plan Document, and is considered to be acceptable having had regard to the Development Plan and all other material considerations.

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.

Informative:

Contaminated Land

Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of any land contamination throughout the life of the development. In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified in accordance with current best practice and submitted to the Local Planning Authority.

Reason: To ensure that risks from any unexpected land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Development Control Policies Development Plan Document Policy DC53.

2 Fee Informative

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into

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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.

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COMMITTEE**

REPORT

1 August 2013

Subject Heading:

P0664.13– Land to the rear of Garrick House, Adelphi Crescent, Hornchurch

Two single storey sheltered accommodation buildings comprising 5 two bedroom self-contained bungalows with associated amenity space, car parking and an access road (Application received 31st May 2013)

Report Author and contact details:

Helen Oakerbee (Planning Manager, Regulatory Services) 01708 432800

Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

This report relates to land in the ownership of the Council. This report concerns an application for two single storey sheltered accommodation buildings comprising five two bedroom self-contained bungalows with associated amenity space, car parking and an access road. 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.

RECOMMENDATIONS

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 would be £7,580. This is based on the creation of 379 sqm of new gross internal floor space.

That Staff be authorised to grant planning permission subject to the conditions set out below.

1. Time limit - The development hereby permitted shall not be commenced later than three years from the date of this permission.

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

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

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

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

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made

from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:- In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. Landscaping – Notwithstanding the details shown on the approved plans, 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:

i) indications of all existing trees and shrubs on the site,

ii) details of any trees to be retained,

iii) measures for the protection of the retained trees,

iv) details of new planting in between the front elevation of the main Garrick House block and parking spaces 4-10 shown on Drawing No. 12.040_PL01 to help mitigate headlight glare.

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

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

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

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

7. 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. Surfacing materials - Before any of the development hereby permitted is commenced, surfacing materials for the access road and parking area shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent their use for anything but access.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in the interests of highway safety.

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

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

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;

- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning 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.

11. Permitted Development - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted Development) (Amendment)(no. 2)(England) Order 2008 Classes A - E, or any subsequent order revoking or re-enacting that order, no extensions, roof extensions or alterations shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden area of the dwellings, with the exception of ancillary structures up to 10 cubic metres in volume, unless permission under the provisions of the Town and Country Planning Act 1990 (as amended) has first been sought and obtained in writing from the Local Planning Authority.

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

12. 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, the approved details implemented prior to first occupation and 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.

13. 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.

14. Secured by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included 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.

15. Obscure glazing - The proposed ground floor windows on the western flanks of blocks A and B hereby permitted shall be permanently glazed with obscure glass 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.

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

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

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

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

18. Sound insulation - The building(s) shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr DB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining occupiers.

19. Sheltered accommodation – The development hereby approved shall be for sheltered housing providing accommodation for one or more persons aged 55 years and over.

Reason: To contribute to sheltered housing accommodation and in order that the development accords with the Development Control Policies Development Plan Document Policies CP2 and CP8.

20. Personal condition - The benefit of the planning permission hereby approved shall enure solely for the benefit of London Borough of Havering and its tenants.

Reason: Due to the particular circumstances of the proposal and need for infrastructure contribution should the development become general specialist housing.

21. Contamination - Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007 "Specification of Topsoil".

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Development Control Policies Development Plan Document Policy DC53.

INFORMATIVES

1. In aiming to satisfy condition 14 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).

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

3. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will

only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

4. 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.

5. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

6. Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of any land contamination throughout the life of the development. In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified in accordance with current best practice and submitted to the Local Planning Authority.

7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, 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.

REPORT DETAIL

1. **Site Description:**

- 1.1 Garrick House is a council owned sheltered housing development set in communal grounds within Adelphi Crescent, Hornchurch. Garrick House is bounded on two sides by Adelphi Crescent (north and east), Broadstone Road to the south and Albany Road to the west.

- 1.2 Garrick House consists of two, two storey buildings. The main linear block is sited to the west and extends from north to south with a smaller block located to the east that extends from east to west. The main block has 28 self-contained flats and the smaller block contains a further 12 self-contained flats.
- 1.3 The application site comprises two areas:
- i) To the west of the main Garrick House block is an area containing amenity space, car parking for 16 vehicles and a disused open plot of land. This area adjoins the rear yard/parking area to 127 – 135 Albany Road (a terrace of shops with residential over), rear gardens of 137-145a Albany Road and 1-7 Broadstone Road.
 - ii) To the east of the main Garrick House is an area of open land forming part of the communal amenity area.

2. **Description of development:**

- 2.1 In the area to the west of the main Garrick House, it is proposed to erect two single storey sheltered accommodation buildings comprising five two bedroom self-contained bungalows with associated amenity space and 3 car parking spaces. The proposed additional units would become part of the Garrick House complex. The development will provide dedicated amenity space to the east and west of the new buildings. The site is adjacent to an existing amenity space that would supplement the amenity provision.
- 2.2 Block A comprises of a terrace of three bungalows, with a width of 29 metres, a minimum and maximum depth of 7.7 and 10.1 metres. Block A would have a height of 2.3 metres to the eaves and 4.3 metres to the ridge. Each bungalow would comprise of two bedrooms, a kitchen, bathroom and an open plan living and dining room.
- 2.3 Block B comprises of two semi-detached bungalows, with a width of 19.5 metres, a minimum and maximum depth of 7.7 and 10.1 metres. Block B would have a height of 2.3 metres to the eaves and 4.3 metres to the ridge. Each bungalow would comprise of two bedrooms, a kitchen, bathroom and an open plan living and dining room.
- 2.4 Blocks A and B are single storey with hipped roofs. External materials are indicated to be brickwork, white uPVC windows and doors and interlocking roof tiles. Blocks A and B would be accessible via the existing access road and will be secured using a 1.8m high gated entrance and fencing. The boundaries to the south and west will be enclosed with a new 1.8m high close board timber fence.
- 2.5 In the area to the east of the main Garrick House, an additional 7 car parking spaces will be provided to the east directly via Adelphi Crescent for residents and visitors.

2.6 This application is linked to P0665.13, which proposes to erect two single storey extensions to create four self-contained sheltered housing flats with associated amenity and car parking and the relocation of a right of way to the north west of the smaller block.

3. **Relevant History:**

3.1 P0665.13 – Two single storey extensions to create 4 self-contained sheltered housing flats with associated amenity and car parking and relocation of a right of way– to be determined.

P1221.02 – 1.4m high hoop top fence – Approved.

P0806.97 – Installation of a lift for disabled/infirm persons including a three storey external shaft – Approved.

4. **Consultations/Representations:**

4.1 The occupiers of 79 neighbouring properties were notified of this proposal. At the time of drafting this report, the neighbour notification period had yet to expire. Members will be verbally updated of any further representations received. A letter of objection was received from Andrew Rosindell M.P. with the following concerns: inadequate parking provision, an existing parking problem within the estate, overall loss of green and open space and trees, overdevelopment of the site, housing density, impact on the quality of life and loss of privacy for the current residents of Garrick House. Forty five letters of objection were received with detailed comments that have been summarised as follows:

- Loss of light and outlook.
- Visual impact and bulk.
- Inappropriate location for the housing.
- The proposal would be cramped.
- Overdevelopment.
- Traffic, noise, fumes and disturbance.
- The impact of vehicle headlights on neighbouring amenity.
- Impact on trees and wildlife.
- Damage to neighbouring trees.
- Noise and disturbance from construction works.
- Impact on the character of the area.
- Overlooking and loss of privacy.
- Accessibility of the car parking spaces.
- Lack of car parking.
- Loss of views.
- Access arrangements.
- Highway safety.
- Impact on property value.
- Crime.
- It is alleged that the description is incorrect, as it refers to five sheltered self contained flats.

- Smells from sewerage and drains.
- The proximity of the proposal to neighbouring properties.
- Landscaping and boundary treatments.
- Loss of the existing communal garden areas and amenity value.
- The proposal would adversely affect the character of the neighbourhood.
- Impact on neighbouring amenity.

In response to the above comments, the description of the proposal is correct, as it states two single storey sheltered accommodation buildings comprising of 5 x 2 bedroom self contained bungalows with associated amenity space, car parking and access road. Each planning application is determined on its individual planning merits. Comments regarding property values are not material planning considerations. Noise and disturbance during construction can be addressed by appropriate planning conditions 9 and 10. The remaining issues are addressed in the following sections of this report.

- 4.2 Environmental Health – Recommend three conditions and one informative if minded to grant planning permission.
- 4.3 Crime Prevention Design Advisor - Recommends conditions in respect of boundary treatments, lighting and secured by design and an informative if minded to grant planning permission.
- 4.4 The Highways Authority has no objection to the proposal. Having reviewed information for the entire development (for applications P0664.13 and P0665.13), the parking provision of 16 spaces is just over the standard required by Havering for sheltered accommodation, when it is taken as 1 and 2 bed units. Recommends two conditions and two informatives if minded to grant planning permission.
- 4.5 English Heritage – In view of the limited ground works involved in this scheme, there is no requirement for archaeological intervention through the planning system in this case.

5. **Staff Comments:**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Housing (Lifetime homes and mobility), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contamination), DC55 (Noise), DC61 (Urban Design), DC62 (Access) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document and Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local

character) and 8.3 (Community infrastructure levy) of the London Plan are relevant. Chapters 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

5.2 Principle of Development

5.2.1 Policy CP2 states that there is still a need to plan for sheltered and in particular, extra care accommodation. The Council wants to make sure that new homes are designed so that they meet the needs of households throughout their lives, thereby increasing the independence of people in old age in the form of Lifetime Homes and Wheelchair standard housing. Policy CP8 states that there may still be a need for sheltered housing, particularly in the private sector, due to the overall increase in the numbers of elderly people and for those older people looking to downsize to a smaller property. This will need to address the fact that many older people prefer two, rather than one bed accommodation. It is considered that the provision of two sheltered accommodation buildings is acceptable in principle.

5.2.2 The proposal would result in the loss of part of the grounds to the main Garrick House block, which comprises of:

- 1) the area to the west of the main Garrick House block
- 2) the new car parking area to the east of the main Garrick House block.

The grounds currently provide visual amenity. Although, it is considered that the loss of part of the grounds would not adversely affect the streetscene, as other areas of amenity space would remain. In addition, the siting of the car park was chosen to minimise its effect on the existing trees and details of landscaping would be secured by condition. On balance, the loss of part of the grounds is deemed to be acceptable.

5.3 Density and site layout

5.3.1 The Density Matrix in Policy DC2 seeks to guide higher density of development to those parts of the Borough having good access to public transport. Policy DC2 indicates a density requirement of 30-50 dwellings per hectare.

5.3.2 Including the area covered by P0665.13, the Garrick House site area equates to approximately 0.7588 hectares and currently there are 40 units on the site, which equates to a density of 52 dwellings per hectare. As a result of this application and P0665.13 there would be an increase to 49 units, the density on the site would equate to 64 dwellings per hectare. Although this is in excess of policy guidance, the density is only one means of assessment and there is a need to evaluate the quality of the accommodation and its impact on the streetscene.

5.3.3 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. The development will provide dedicated amenity space adjacent to the new buildings. The site is adjacent to an existing amenity space that would supplement the amenity provision. Staff are of the view that the proposed garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

- 5.3.4 The remaining 'public' area within the development is largely hard surfacing and consists of the highway and parking provision. It is considered that the layout of the site is acceptable.

5.4 Design/impact on street/Garden scene

- 5.4.1 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. The two Garrick House buildings are two storey with gabled roofs.

- 5.4.2 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. It is considered that the external design and appearance of Blocks A and B would integrate satisfactorily with the streetscene. Staff consider that the height and scale of the proposed buildings is compatible with the prevailing scale and character of development within the locality.

- 5.4.3 The position of the proposed buildings is deemed to be acceptable, as they would be located approximately 1 metre and between 5.4 and 6.6 metres from the western and southern boundaries respectively and therefore, would not appear cramped. The proposed buildings would utilise a mixture of materials including brickwork, white uPVC windows and doors and interlocking roof tiles. Staff are of the view that the proposed materials would be compatible with those of the existing Garrick House buildings. Full details of the samples of materials will be secured by condition if minded to grant planning permission.

5.5 Impact on amenity

- 5.5.1 It is considered that the proposed buildings would not result in a significant loss of amenity to neighbouring occupiers (including those in Garrick House) for the following reasons. The buildings are single storey and are relatively low in height at 2.3 metres to the eaves and 4.3 metres to the ridge. Furthermore, the buildings have a series of projections, insets and hipped roofs which minimises their bulk and mass. Blocks A and B would be located approximately 1 metre and between 5.4 and 6.6 metres from the western and southern boundaries respectively, which will help to mitigate their impact. In addition, the buildings are sited on an east to west axis from the neighbouring

properties in Albany Road, which minimises their visual impact. The boundaries to the south and west will be enclosed with a new 1.8m high close board timber fence, which will provide some screening. Details of boundary fencing and landscaping will be secured by condition if minded to grant planning permission.

5.5.2 There would be a back to flank distance of approximately 14 metres between the western flanks of blocks A and B and the neighbouring houses to the west in Albany Road. There would be a back to back distance of between approximately 39 and 43 metres between the rear façade of block A and the neighbouring houses to the south in Broadstone Road. There would be a minimum rear to flank distance of between approximately 13 and 16.6 metres between the rear façade of Garrick House and the eastern flank of Blocks A and B.

5.5.3 It is considered that the proposal would not create any undue overlooking or loss of privacy, as the buildings are single storey. Also, the boundaries to the south and west will be enclosed with a new 1.8m high close board timber fence. In addition, the layout of the proposed buildings and car park has been configured to provide an inward facing development to protect the amenity of the surrounding residents.

5.5.4 It is considered that the proposal would not generate significant levels of noise and disturbance over and above existing conditions, given the creation of five apartments. It is considered that replacing the Garrick House main car park facility with space for sixteen vehicles with three car parking spaces adjacent to Blocks A and B, with an additional 7 spaces to the east of Garrick House would not be harmful to residential amenity. There would be a separation distance of between approximately 10 and 13 metres between the three parking spaces and the rear façade of Garrick House. Parking space No. 3 would be located in alignment with the rear façade of Garrick House and the remaining parking spaces would be located at an oblique angle from Garrick House and Blocks A and B, which would help to mitigate against headlights beaming into habitable rooms of these buildings. It is not considered that this arrangement would be materially harmful to amenity owing to the siting and limited numbers of parking bays. It is considered that additional landscaping (to be secured by condition) adjacent to the 7 car parking spaces to the east of Garrick House would help to mitigate against headlights beaming into habitable rooms of this building.

5.6 Highway/parking issues

5.6.1 The proposal involves replacing the Garrick House main car park facility with space for sixteen vehicles with three car parking spaces adjacent to Blocks A and B, with an additional 7 spaces to the east of Garrick House.

5.6.2 Annexe 5 of the Local Development Framework states that the parking standard for sheltered housing is 1 space per 4 units (where 1 bed) and 1 space per 2 units (where 2 bed). Staff consider that 3 spaces for five

sheltered housing units is acceptable. There should be 10 spaces for Garrick House and in this instance, 7 spaces would be provided. It is considered that the level of parking provision is acceptable for the following reasons. There is scope for parking provision in the area, which is not under significant stress. This is a sheltered housing scheme, so it is unlikely that every tenant would have a car. It is considered that the numerical loss of 16 spaces would not result in any highway or parking difficulties in the area. The Highways Authority has no objection to the proposal.

5.6.3 Having reviewed information for the entire development (for applications P0664.13 and P0665.13), the parking provision of 16 spaces is just over the standard required by Havering for sheltered accommodation, when it is taken as 1 and 2 bed units. Staff consider the amount and configuration of the parking proposals to be acceptable.

5.6.4 The extension to the existing access road is deemed to be acceptable. The plans have been amended by increasing the width of the vehicular gate to 3.7 metres, which is sufficient to accommodate access for emergency vehicles. Existing access to the garages rear of the properties in Broadstone Avenue would be maintained.

5.6.5 Recycling facilities will be provided both within the houses and in the designated bin store. A condition will be placed in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.

6. Infrastructure

6.1 The proposal would have been subject to a financial contribution of £30,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document. However, in this instance, the development would be owned and managed by the Council and therefore, transferring the funds from one department to another would be a paper exercise. Therefore in this particular instance, a condition personal to the London Borough of Havering would be appropriate.

7. The Mayor's Community Infrastructure Levy

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. A total of 379 square metres of new floor space is proposed for the proposed buildings. On this basis, the CIL liability equals $379 \times £20 \text{ per sq.m} = £7,580$.

8. Conclusion

8.1 Staff consider the site to be acceptable in principle for residential development and utilising a disused piece of unkempt land would be beneficial to the locality. It is considered that the siting, design and scale of the proposed buildings is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an

acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. The 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:

The application relates to a site, which is within the Council's ownership.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 31/05/2013.

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.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 August 2013

Subject Heading:

P0665.13– Land to the rear of Garrick House, Adelphi Crescent, Hornchurch

Two single storey extensions to create 4 self contained sheltered housing flats with associated amenity and car parking (and relocation of a right of way which will require stopping up and diversion under separate authority) (Application received 31st May 2013)

Report Author and contact details:

Helen Oakerbee (Planning Manager, Regulatory Services) 01708 432800

Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

This report relates to land in the ownership of the Council. This report concerns an application for two single storey extensions to create 4 self-contained sheltered housing flats with associated amenity and car parking (and the relocation of a right of way which will require stopping up and diversion under separate authority). 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.

RECOMMENDATIONS

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 would be £5,456. This is based on the creation of 272.8 sqm of new gross internal floor space.

That the Head of Regulatory Services be authorised to grant planning permission subject to no new material representations being received in response to the Press/Site notice and the conditions set out below.

1. Time limit - The development hereby permitted shall not be commenced later than three years from the date of this permission.

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

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

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

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

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

details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:- In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. Landscaping – Notwithstanding the details shown on the approved plans, 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:

i) indications of all existing trees and shrubs on the site,

ii) details of any trees to be retained,

iii) measures for the protection of the retained trees,

iv) details of new planting in between the south eastern elevation of the smaller Garrick House block and parking spaces 11-14 shown on Drawing No. 12.040_PL03 to help mitigate headlight glare.

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

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

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

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order

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

7. 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. Surfacing materials - Before any of the development hereby permitted is commenced, surfacing materials for the access road shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the plans and laid out in accordance with condition 7 above) to prevent their use for anything but access.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in the interests of highway safety.

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

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

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;

- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning 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.

11. Permitted Development - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted Development) (Amendment)(no. 2)(England) Order 2008 Classes A - E, or any subsequent order revoking or re-enacting that order, no extensions, roof extensions or alterations shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden area of the dwellings, with the exception of ancillary structures up to 10 cubic metres in volume, unless permission under the provisions of the Town and Country Planning Act 1990 (as amended) has first been sought and obtained in writing from the Local Planning Authority.

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

12. 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, the approved details implemented prior to first occupation and 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.

13. 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.

14. Secured by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included 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.

15. Obscure glazing - The proposed ground floor windows serving bathrooms on blocks C and D hereby permitted shall be permanently glazed with obscure glass 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.

16. Sound insulation - The building(s) shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr DB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining occupiers.

17. Sheltered accommodation – The development hereby approved shall be for sheltered housing providing accommodation for one or more persons aged 55 years and over.

Reason: To contribute to sheltered housing accommodation and in order that the development accords with the Development Control Policies Development Plan Document Policies CP2 and CP8.

18. Personal condition - The benefit of the planning permission hereby approved shall enure solely for the benefit of London Borough of Havering and its tenants.

Reason: Due to the particular circumstances of the proposal and need for infrastructure contribution should the development become general specialist housing.

19. Contamination - Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007 "Specification of Topsoil".

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Development Control Policies Development Plan Document Policy DC53.

INFORMATIVES

1. In aiming to satisfy condition 14 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).
2. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
3. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
4. 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.
5. 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.
6. Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented

for the presence of any land contamination throughout the life of the development. In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified in accordance with current best practice and submitted to the Local Planning Authority.

7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, 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.

REPORT DETAIL

1. **Site Description:**

- 1.1 Garrick House is a council owned sheltered housing development set in communal grounds within Adelphi Crescent, Hornchurch. Garrick House is bounded on two sides by Adelphi Crescent (north and east), Broadstone Road to the south and Albany Road to the west.
- 1.2 Garrick House consists of two, two storey buildings. The main linear block is sited to the west and extends from north to south with a smaller block located to the east that extends from east to west. The main block has 28 self-contained flats and the smaller block contains a further 12 self-contained flats.
- 1.3 The application site comprises two areas:
 - i) To the north of the smaller Garrick House block is an area containing amenity space and a right of way. This area adjoins 14-36 Adelphi Crescent, a series of three storey terrace houses with rear gardens backing onto the site to the south. The right of way runs from east to west, connecting the car park from 38-54 and 56-72 Adelphi Crescent to Albany Road.
 - ii) To the south east of the smaller Garrick House block is an area of open land forming part of the communal amenity area.
- 1.4 The site has a fall from north to south with a steep banked area to the north east corner of the smaller block. The site also has a smaller fall from east to west. 38-72 Adelphi Crescent is a three storey apartment block with a car park to the rear with space for 13 vehicles. There is on-site parking for 16 cars to the south west corner of the site that is accessed via Adelphi Crescent to the south.

2. Description of development:

- 2.1 In the area to the north west of the smaller Garrick House block, it is proposed to erect two single storey extensions to create 4 self-contained sheltered housing flats with associated amenity space and the relocation of a right of way. Each flat would comprise of one or two bedrooms, a kitchen, bathroom and an open plan living and dining room.
- 2.2 Block C would have a minimum and maximum width of 6.7 and 17.7 metres, a depth of 17.3 metres and a height of 4.9 metres to the ridge. Block C would comprise of two, one bedroom and one, two bedroom self-contained flats.
- 2.3 Block D would have a minimum and maximum width of 6.7 and 10.9 metres, a depth of 9.1 metres and a height of 4.8 metres to the ridge. Block D would comprise of one, two bedroom self-contained flat.
- 2.4 The development will provide amenity space to the east and west of the new buildings. The site is adjacent to an existing amenity space that would supplement the amenity provision. The proposal involves the relocation of a right of way in a position further to the north. This will require a separate stopping up order.
- 2.5 Blocks C and D are single storey with gabled roofs. External materials are indicated to be brickwork, white uPVC windows and doors and interlocking roof tiles. The properties will be accessed directly from the right of way and secured gates linked to the main building via an intercom system.
- 2.6 In the area to the north east of the smaller Garrick House block, it is proposed to provide 2 car parking spaces in addition to the 38-72 Adelphi Crescent car park.
- 2.7 In the area to the south east of the smaller Garrick House block, an additional four spaces will be provided accessed via Adelphi Crescent, which would not affect any existing trees. An additional dropped kerb will be provided to the main right of way from Garrick House.
- 2.8 This application is linked to P0664.13, which proposes to erect two single storey sheltered accommodation buildings comprising 5 two bedroom self-contained bungalows with associated amenity space, car parking and an access road.

3. Relevant History:

- 3.1 P0664.13 – Two single storey sheltered accommodation buildings comprising 5 two bedroom self-contained bungalows with associated amenity space, car parking and an access road – to be determined.

P1221.02 – 1.4m high hoop top fence – Approved.

P0806.97 – Installation of a lift for disabled/infirm persons including a three storey external shaft – Approved.

4. Consultations/Representations:

4.1 The occupiers of 86 neighbouring properties were notified of this proposal. The application was advertised by site and press notice as it affects a right of way. The deadline for responses to the notices has not yet expired and any additional representations will be verbally updated to members. If members resolve to grant planning permission, this would be delegated to the Head of Regulatory Services, subject to no new material considerations being raised in representations received after this meeting and before the expiry date.

4.2 A letter of objection was received from Andrew Rosindell M.P. with the following concerns: inadequate parking provision, an existing parking problem within the estate, overall loss of green and open space and trees, overdevelopment of the site, housing density, impact on the quality of life and loss of privacy for the current residents of Garrick House and access to the new developments for emergency vehicles. Forty six letters of objection were received with detailed comments that have been summarised as follows:

- Loss of light and outlook.
- Visual impact and bulk.
- Inappropriate location for the housing.
- The proposal would be cramped.
- Overdevelopment.
- Traffic, noise, fumes and disturbance.
- The impact of vehicle headlights on neighbouring amenity.
- Impact on trees and wildlife.
- Noise and disturbance from construction works.
- Impact on the character of the area.
- Overlooking and loss of privacy.
- Safety and security.
- Crime.
- Litter.
- Accessibility of the car parking spaces.
- Lack of car parking.
- Loss of views.
- Access arrangements.
- Highway safety.
- Impact on property value.
- It is alleged that the description is incorrect, as it refers to four sheltered self contained flats.
- The proximity of the proposal to neighbouring properties.
- Landscaping and boundary treatments.
- Loss of the existing communal garden areas and amenity value.
- The proposal would adversely affect the character of the neighbourhood.
- Impact on neighbouring amenity.

In response to the above comments, the description of the proposal is correct, as it states two single storey extensions to create four self-contained

sheltered housing flats with associated amenity and car parking and the relocation of a right of way. Each planning application is determined on its individual planning merits. Comments regarding property values are not material planning considerations. Noise and disturbance during construction can be addressed by appropriate planning conditions 9 and 10. The remaining issues are addressed in the following sections of this report.

- 4.2 Environmental Health – Recommend three conditions and one informative if minded to grant planning permission.
- 4.3 Crime Prevention Design Advisor - Recommends conditions in respect of boundary treatments, lighting and secured by design and an informative if minded to grant planning permission.
- 4.3 The Highways Authority has no objection to the proposals, providing that the highway (public right of way) affected by the development can be stopped up and diverted to create a new public right of way under Section 247 of the Town and Country Planning Act 1990.

5. **Staff Comments:**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Housing (Lifetime homes and mobility), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contamination), DC55 (Noise), DC61 (Urban Design), DC62 (Access) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document and Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London’s neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant. Chapters 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

5.2 **Principle of Development**

- 5.2.1 Policy CP2 states that there is still a need to plan for sheltered and in particular, extra care accommodation. The Council wants to make sure that new homes are designed so that they meet the needs of households throughout their lives, thereby increasing the independence of people in old age in the form of Lifetime Homes and Wheelchair standard housing. Policy CP8 states that there may still be a need for sheltered housing, particularly in the private sector, due to the overall increase in the numbers of elderly people and for those older people looking to downsize to a smaller property. This will

need to address the fact that many older people prefer two, rather than one bed accommodation. It is considered that the provision of four self-contained sheltered housing flats is acceptable in principle.

- 5.2.2 The proposal would result in the loss of part of the grounds of the main Garrick House building, which comprises of:
- 1) the area to the north of the smaller Garrick House block
 - 2) the proposed car parking area to the south east of the smaller Garrick House block.

The grounds currently provide visual amenity. Although, it is considered that the loss of grounds would not adversely affect the streetscene, as other areas of amenity space would remain. In addition, the siting of the car park was chosen to minimise its effect on the existing trees and details of landscaping would be secured by condition. On balance, the loss of part of the grounds deemed to be acceptable.

5.3 Density and site layout

- 5.3.1 The Density Matrix in Policy DC2 seeks to guide higher density of development to those parts of the Borough having good access to public transport. Policy DC2 indicates a density requirement of 30-50 dwellings per hectare.

- 5.3.2 Including the area covered by P0664.13, the Garrick House site area equates to approximately 0.7588 hectares and currently there are 40 units on the site, which equates to a density of 52 dwellings per hectare. As a result of this application and P0665.13 there would be an increase to 49 units, the density on the site would equate to 64 dwellings per hectare. Although this is in excess of policy guidance, the density is only one means of assessment and there is a need to evaluate the quality of the accommodation and its impact on the streetscene.

- 5.3.3 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. The development will provide amenity space to the east and west of the new buildings. The site is adjacent to an existing amenity space that would supplement the amenity provision. Staff are of the view that the proposed garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation. It is considered that the layout of the site is acceptable.

5.4 Design/impact on street/Garden scene

- 5.4.1 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible

with the character of the local street scene and the surrounding area. The two Garrick House buildings are two storey with gabled roofs.

- 5.4.2 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. It is considered that the external design and appearance of Blocks C and D would integrate satisfactorily with the streetscene. Staff consider that the height and scale of the proposed single storey extensions is compatible with the prevailing scale and character of development within the locality.
- 5.4.3 The position of the proposed buildings is deemed to be acceptable, as Blocks C and D would be located a minimum and maximum of 2.2 and 5 metres from the right of way to the north of the site and therefore, would not appear cramped. In addition, Block D would be located approximately 2.4 metres from the right of way to the north east of the site. The proposed extensions would utilise a mixture of materials including brickwork, white uPVC windows and doors and interlocking roof tiles. Staff are of the view that the proposed materials would be compatible with those of the existing Garrick House buildings. Full details of the samples of materials will be secured by condition if minded to grant planning permission. It is considered that relocating the right of way to the north of the site would not be harmful to the streetscene.

5.5 Impact on amenity

- 5.5.1 It is considered that the proposed extensions would not result in a significant loss of amenity to neighbouring occupiers (including those in Garrick House) for the following reasons. The extensions are single storey and are relatively low in height at 4.9 metres to the ridge of the pitched roof. Furthermore, the extensions have a series of projections and insets which minimises their bulk and mass. Blocks C and D would be located a minimum and maximum of 2.2 and 5 metres from the right of way to the north of the site, which will help to mitigate their impact. In addition, Block D would be located approximately 2.4 metres from the right of way to the north east of the site. The boundaries to the north and partially to the east will be enclosed with a new 1.4m high hoop fence with access gates. Details of boundary fencing and landscaping will be secured by condition if minded to grant planning permission.
- 5.5.2 There would be a minimum back to front distance of approximately 19 metres between the north west elevation of blocks C and D and the neighbouring houses to the north comprising 14-36 Adelphi Crescent. There would be a minimum distance of approximately 19 metres between the north western corner of Block C and the neighbouring properties to the north west comprising 2-12 Adelphi Crescent. There would be a minimum distance of approximately 29 metres between the north eastern corner of Block D and the neighbouring properties to the north east comprising 38-72 Adelphi Crescent. The site has a fall from north to south with a steep banked area to the north east corner of the smaller block. Staff consider that the change in ground levels would help to mitigate the impact of the proposed extensions on

neighbouring properties. It is considered that the proposal would not create any undue overlooking or loss of privacy, as the extensions are single storey.

5.5.3 It is considered that the proposal would not generate significant levels of noise and disturbance over and above existing conditions, given the creation of four flats. It is considered that the addition of two car parking spaces to the 38-72 Adelphi Crescent car park would not be harmful to residential amenity, as they would be located approximately 7 metres from the north eastern elevation of Garrick House. Furthermore, these two parking spaces would be located in general alignment with the north eastern elevation of Garrick House, which would help to mitigate against headlights beaming into habitable rooms of this building.

5.5.4 Staff consider that the provision of four additional car parking spaces to the south east of the smaller Garrick House block would not be unduly harmful to residential amenity. There would be a separation distance of between approximately 5 and 12 metres between the four parking spaces and the south eastern elevation of Garrick House. The parking spaces would be located at an oblique angle from Garrick House, which would help to mitigate against headlights beaming into habitable rooms of this building. Nevertheless, it is considered that additional landscaping (to be secured by condition) adjacent to the 4 car parking spaces to the south east of Garrick House would help to further mitigate against headlights beaming into habitable rooms of this building. It is not considered that this arrangement would be materially harmful to amenity owing to the siting and limited numbers of parking bays.

5.6 Highway/parking issues

5.6.1 Annexe 5 of the Local Development Framework states that the parking standard for sheltered housing is 1 space per 4 units (where 1 bed) and 1 space per 2 units (where 2 bed). Staff consider that 6 spaces for four sheltered housing units is acceptable.

5.6.2 The development provides two car parking spaces in addition to the 38-72 Adelphi Crescent car park. An additional four spaces will be provided to the south accessed via Adelphi Crescent, which would not affect any existing trees. An additional dropped kerb will be provided to the main right of way from Garrick House. The Highways Authority has no objection to the proposals, providing that the highway (public right of way) affected by the development can be stopped up and proposed highway (public right of way) diverted under Section 247 of the Town and Country Planning Act 1990.

5.6.3 Having reviewed information for the entire development (for applications P0664.13 and P0665.13), the parking provision of 16 spaces is just over the standard required by Havering for sheltered accommodation, when it is taken as 1 and 2 bed units. Staff consider the amount and configuration of the parking proposals to be acceptable.

5.6.4 Recycling facilities will be provided both within the houses and in the designated bin store. A condition will be placed in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.

5.7 **Trees**

5.7.1 The two single storey extensions would result in the removal of four trees to the north west of the smaller Garrick House block. However, Drawing No. 12.040_PL03 shows that the majority of the existing trees would remain and two new trees would be planted. A landscaping scheme will be secured by condition.

6. **Infrastructure**

6.1 The proposal would have been subject to a financial contribution of £24,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document. However, in this instance, the development would be owned and managed by the Council and therefore, transferring the funds from one department to another would be a paper exercise. Therefore in this particular instance, a condition personal to the London Borough of Havering would be appropriate.

7. **The Mayor's Community Infrastructure Levy**

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. A total of 379 square metres of new floor space is proposed for the proposed buildings. On this basis, the CIL liability equals $272.8 \times £20 \text{ per sq.m} = £5,456$.

8. **Conclusion**

8.1 Staff consider the site to be acceptable in principle for residential development. It is considered that the siting, design and scale of the proposed extensions is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. The 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:

The application relates to a site, which is within the Council's ownership.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 31/05/2013.

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.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 August 2013

Subject Heading:

**P0457.13 – Bower Park School,
Havering Road, Romford – Retention
of gymnasium (Application received 21
May 2013)**

Report Author and contact details:

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

Policy context:

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

Financial summary:

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	[X]
Providing economic, social and cultural activity in thriving towns and villages	[X]
Value and enhance the life of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

This report concerns an application for the retention of a gymnasium building on a permanent basis. The land is in Council ownership. Staff consider that the proposal would be for inappropriate development in the Green Belt but that a temporary

consent could be justified in accordance with leisure and recreation, green belt, environment and transportation policies contained in the Core Strategy and Development Control Policies Submission Development Plan Document.

RECOMMENDATIONS

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

1. SC32 (Accordance with plans)
2. SC27 (hours of use) - The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00-21:45 Mondays to Fridays; 08:45-18:15 on Saturdays and Sundays and not at all on Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

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

3. NSC01 This permission shall be for a limited period only expiring on 31st July 2016 on or before which date the temporary building carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: The temporary nature of the proposed development is such that permanent permission would not be appropriate in the interests of amenity and to enable the Local Planning Authority to retain control over inappropriate development in the Metropolitan Green Belt.

INFORMATIVES

1. It is recognised that the gymnasium has become somewhat established during the temporary period granted consent between 2008-2013; nonetheless the use remains inappropriate in the Green Belt and the applicants are advised that a further grant of planning permission is unlikely and that they should use the additional time granted to look for alternative permanent accommodation, for example a building capable of conversion or for a site outside the Green Belt.
2. The London Borough of Havering seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative, which is supported by the Home Office Crime Reduction and Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply

for this award. For additional information, please contact the Borough Crime Prevention Advisor through the London Borough of Havering Regulatory Services or Romford Police Station, 19 Main Road, Romford RM1 3BJ.

3. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
4. 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.
5. Reason for approval:

The proposal accords with Policies DC61, DC28, DC33, DC45 and DC55 of the LDF Core Strategy and Development Control Policies Development Plan Document.

REPORT DETAIL

1. Site Description

- 1.1 The application site currently comprises part of an area of hardstanding within the grounds of Bower Park School on which the temporary structure for the gymnasium has been erected. The facility relies on existing school parking facilities and an existing vehicular access directly onto Havering Road. The site lies in the Metropolitan Green Belt. Although the gymnasium is on level ground, ground levels generally fall to the south and east across the school site. The application site is in the ownership of the Council. The site has an area of 600 square metres.
- 1.2 The surrounding area is characterised by the school buildings (up to 3 storeys), a Nursing Home and otherwise mainly 2-storey residential properties to Havering Road. To the rear and north of the site are open playing fields and woods in the Green Belt. Again, ground levels fall generally to the south and east.
- 1.3 The Epping Forest Gymnasium Centre Trust Limited was previously located at the Whitworth Centre. The Whitworth Centre, a former school site in Council ownership is currently being redeveloped and the applicant was seeking a permanent site elsewhere in 2008. In order to provide continuity in the short term, planning permission was granted at the current site for a temporary structure to act as a temporary gymnasium while a permanent site was sought.
- 1.4 The facility is used by the Havering Sports Acrobatics Club, Olympic Gymnastics and Trampoline Club, Bower Park School itself, Havering

Disabled Sports Association and other local primary and special needs schools.

2. Description of Proposal:

- 2.1 The proposal is for the retention of the temporary structure as a dual-use gymnasium facility on a permanent basis. The structure is 30m long, 20m wide with a pitched roof with a ridge height of 8m above ground level. It is located to the far north-eastern corner of the hard standing area, some 14m or so from the nearest existing school building.
- 2.2 The school would, as currently, continue to have use of the gymnasium during the school day. The facility would then be open until 21:45 during the week. At weekends the facility would be open for the first lesson at 9am, closing at 6.15pm.
- 2.3 The existing hard standing area outside the application site (which is currently used for school staff overspill for 10 vehicles) would continue to be used for the 4 staff cars only during the day and for some parent parking in the evenings and weekend. However, classes are not open generally for spectators and the applicant indicates that only 10% of parents normally wait. As classes typically average 20, the applicant's suggest that only two additional spaces would be needed together with a turnaround facility.
- 2.4 The school would also allow an existing vehicular access to Havering Road to be used.

3. History:

- 3.1 P0436.08 temporary gymnasium – Approved 25/4/08 for a temporary period ending on 24/4/2013.

4. Consultations/Representations

- 4.1 The occupiers of 14 adjoining/nearby properties have been notified of the application. An advertisement has been placed in a local paper and a site notice has been posted. No responses have been received.
- 4.2 The Metropolitan Police Design Advisor, Thames Water (sewerage infrastructure) and The London Fire and Emergency Planning Authority have written indicating that they have no objections to the proposal.

5. Relevant Policies

- 5.1 Policies DC20, DC28, DC46, DC55 and DC33 of the Core Strategy and Development Control Submission Development Plan Document are relevant. Policies 2.8, 3.1, 3.19, 6.13, 7.4, 7.16 of The London Plan also apply; as does the relevant section of the National Planning Policy Framework.

6. OFFICER'S COMMENTS:

6.1 The proposal is for the permanent retention of a specialist sports facility for use by the school and community. The issues in this case are the principle of the development, the impact of the development in the street scene, the impact on the metropolitan green belt and on the amenities of nearby residential occupiers and highways/parking issues.

6.2 *Principle of development:*

6.2.1 The proposal is to provide sports facilities at an existing school in the green belt. Since the previous temporary consent was granted in 2008, the National Planning Policy Framework (NPPF) has been adopted replacing PPG17 on Sports and Recreation and PPG2 Green Belts. The NPPF indicates under the title, "Protecting Green Belt land", at paragraph 79 that, The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. And at para 80. that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.2.2 At Para 87. the NPPF indicates that "As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." And at para 88. "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

6.2.3 At para 89. the NPPF indicates that "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are (among others):

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.2.4 While the proposal is for the retention of an existing facility, the structure is of itself a temporary structure. The NPPF recognises that outdoor sport and recreation are acceptable as an exception and so is limited infilling on existing brownfield sites. The proposal is for an indoor facility in a separate building outside the existing footprint/envelope of the existing school buildings. It is therefore considered that the proposal for an indoor school recreational/sport building is unacceptable in principle in the Green Belt as it is not considered to fall within the exceptions indicated in the NPPF. The proposal is therefore considered to be harmful in principle to the concept of Green Belt and the purposes for including the application site within the Green Belt.

6.2.5 The issue therefore is whether very special circumstances exist which would outweigh Green Belt policy against such inappropriate development. Before considering whether there are such circumstances, consideration is given as to whether any other harm arises.

6.3 *Impact on the green belt/in the street scene:*

6.3.1 The proposed development would be located to the side/rear of existing school buildings and would not be easily visible from streetscene views both due to the intervening buildings and the lower ground level. Whilst the proposed building would have a height of about 8m, it is lower than an adjoining three-storey school building. Staff consider that the proposal would appear as part of the collection of buildings of the school. In addition, the location has been chosen to be as far away from residential properties as possible and would also enable the retention of the existing playing pitches at the school.

6.3.2 Members previously considered that that the proposal would not result in any significant harm to visual amenity as it would be well screened by a surrounding wood from Bedford's Park and because the structure was for a temporary period when the structure would be removed at the end of a 5 year period. Staff consider that the visual amenity of the proposal remains as previously considered, nonetheless the current proposal is for permanent retention which is not considered to be acceptable as the impact on the openness of the Green Belt would be affected in perpetuity. Staff consider however that a suitable temporary period would not result in a permanent impact on openness and recommend that a further temporary period would be acceptable in respect of visual amenity.

6.4 *Impact on Residential Amenity:*

6.4.1 The location has been chosen to enable dual use of the facility for the school and the local community. The building would be located closer to the nursing home to the north and be used outside school hours and at weekends. There is a tree screen to the southern boundary of the nursing home and the proposed class sizes are fairly small at an average of 20 pupils. Staff consider that any noise and general disturbance from either the use of the building or traffic attracted to the site would be unlikely to

cause significant harm to residential amenity in the locality, subject to suitable conditions being attached to any planning permission.

6.5 *Car parking/highways issues:*

6.5.1 Annex 5 of the Core Strategy and Development Control Policies Development Plan Document does not have a specific parking requirement for recreation uses but indicates that an assessment would be needed for larger developments. Whilst the hardstanding area is not currently marked-out for vehicle parking, the area is large enough to provide for around 25-30 vehicles with appropriate turning areas.

6.5.2 The applicant indicates that while 10 school staff spaces would be needed during the school day, there would be no additional parking requirement during the day as the gymnasium would be solely used by Bower Park pupils. The applicant further advises that 40% of children walk or get the bus and that few parents stay during classes, such that during the evening and at weekends, 6 parking spaces would be needed for staff and parent parking. The applicant indicates that existing cycle parking at the school would be made available to other users.

6.5.3 Staff consider that the area of retained hardstanding would be sufficient to meet the parking need indicated. In addition, it should be noted that other parking spaces are available within the school grounds, should more be required. It would be necessary for vehicles to enter the highway in forward gear along the single width access.

6.5.4 There are no other highways issues arising from the proposal.

7. *Very Special Circumstances Case:*

7.1 The previous facility was based at the Whitworth Centre which was a former school site in the Green Belt. The circumstances of the current location of the gymnasium are the same as for this previous site, i.e., it is sited in the green belt as part of a school development.

7.2 The existing facility currently provides the Bower Park School with a gymnasium as part of the school's curriculum and would continue to do so.

7.3 The proposal to retain the facility at Bower Park School would enable the facility to remain in the Borough on a permanent basis.

7.4 The facility would be provided on a dual-use basis with the facility being used by the school during the day with other clubs using the facility in the evening and at weekends.

7.5 Policies DC20 and DC28 (access to recreation and dual use of school facilities) of the Core Strategy and Development Control Submission Development Plan Document indicate that recreational uses are

encouraged and, on school sites, sports facilities are encouraged to be dual use. The proposal would meet these policies.

7.6 Staff consider that there are over-riding reasons why this temporary structure/facility should be retained, nonetheless due to its inappropriate use it would not be acceptable in the green belt on a permanent basis. This is a matter of judgement and Members may place different weight on this, nonetheless, staff consider that the proposal would be acceptable if provided for a temporary period in accordance with policies in the Core Strategy and Development Control Submission Development Plan Document.

8. *The Mayor's Community Infrastructure Levy*

8.1 The proposal is for the retention of an existing building and therefore is not liable for the Mayoral CIL.

9. **Conclusion:**

9.1 The use is inappropriate in the green belt, however staff consider that very special circumstances exist which outweigh the presumption against inappropriate development in the Green Belt if it is provided for a temporary period and because it helps to meet other policies including dual-use facilities at the school and that the proposal ensures that Bower Park School would not lose this additional school facility. The proposal also enables an existing specialist sports use to be retained within the Borough. Staff consider that the proposal would be acceptable in terms of its impact on the open character of the green belt as it would appear as part of the existing group of school buildings. Due to the average class size of 20, Staff do not consider that there would be any loss of residential amenity. There are areas of judgement in relation to the impact on the open character of the Green belt, effect on residential amenity and highways/traffic which Members may wish to consider. However, Staff consider that the proposal would be acceptable providing it is for a temporary period such that it does not result in long term harm to the reasons for including the land within the Green Belt.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

None

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal would provide a facility, albeit temporary, for the dual use of Bower Park School and the local community. This would improve access to specialist equipment and training opportunities for members of the community. There are no other equalities or social inclusion implications.

BACKGROUND PAPERS

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

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 August 2013

Subject Heading:

**P1216.12 – 19 Wallenger Avenue,
Romford**

**Single storey front garage extension
and first floor side extension above the
existing garage**

(Application received 8th October 2012)

Report Author and contact details:

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

Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

This application relates to a detached house which is situated within the Gidea Park Special Character Area. It is proposed to construct a first floor side extension

over the existing garage. The planning issues are set out in the report below and cover issues relating to the design and appearance on the host dwelling, the impact on the character of the area and impact on amenity of surrounding residential properties. Staff consider the proposal to be acceptable.

RECOMMENDATIONS

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

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

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

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

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

- 3) Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 4) 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.

INFORMATIVE

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.

REPORT DETAIL

1. Site Description

- 1.1 The application relates to a two-storey, detached dwelling, located on the eastern side of Wallenger Avenue. The dwelling has an existing single storey attached garage, with a sloping mono-pitch roof, located on its southern side.
- 1.2 The dwelling is in a residential road situated within the Gidea Park Special Character Area. The road is characterised by detached, two storey dwellings of similar, but not identical, character.
- 1.3 To the south of the site is a detached dwelling, No.21 Wallenger Avenue. There are ground floor flank windows to this dwelling, serving a kitchen, dining area and cloakroom. The kitchen/dining area has an open-plan layout. There is also an existing window to the rear elevation of the kitchen and a door leading to the rear garden (solid with a single glazed pane). The dwelling also has first floor flank windows serving a bathroom and toilet.

2. Description of Proposal

- 2.1 This application proposes to extend the existing garage forward 1.6m to align with the main front wall of the property.

Above it is proposed to construct a first floor side extension above the existing garage. It will be setback approximately 600mm from the main front wall of the property with a lesser width of 2.6m and will extend for a depth of 6.3m. It will have a hipped roof 7.65m high, 5.11m to the underside of the eaves.

- 2.2 In terms of the material difference between the extension, as refused, and that currently applied for, there has now been a significant reduction in the length of the extension, from 10.25m to 6.3m.

3. Relevant History

- 3.1 P0916.00 – Single storey side extension – Approved 21/08/00
- 3.2 P1858.06 – First floor side extension – Refused 12/12/06

- 3.3 P0618.07 – First floor side extension – Decision to approve quashed by Consent Order in the course of judicial challenge.
- 3.4 P0612.09 – First floor side extension – Not determined. Finally disposed 21/6/10
- 3.5 D0018.10 – Certificate of Lawfulness for adding 2 No. velux roof lights to existing roof with fixed and obscure glazing, fixed 1300mm from attic floor level – PP not required 26/10/10
- 3.6 P0403.12 – Extension of existing roof ridge to form a part hipped end – Approved 23/5/12

4. Consultations/Representations

- 4.1 Neighbour notification letters have been sent to 9 local addresses. Letters of objection have been received from two neighbouring properties objecting to the proposal on the following grounds:
- Loss of light that has already resulted due to previous development and additional light that will be lost.
 - The excavation required to provide foundations to a double storey extension will run a few inches from the main water and sewerage pipes and manholes for the property.
 - It is asserted that the measurements on the plans are incorrect to deliberately mislead the Council.
 - The extension will infill the space between dwellings to an unacceptable level.
 - Loss of privacy.
 - The original character of Wallenger Avenue is slowly being eroded.
- 4.2 Matters relating to foundations, water and sewerage pipes are not material planning considerations. Other comments will be discussed later in the report.

5. Relevant Policies

- 5.1 Policies DC33, DC61 and DC69 - LDF Core Strategy and Development Control Policies DPD.
- 5.2 Residential Extensions and Alterations Supplementary Planning Document.
- 5.3 Policies 7.4 and 7.6 of London Plan 2011.

6. Mayoral CIL Implications

6.1 The proposal is not CIL liable.

7. Staff Comments

7.1 This proposal is put before the Committee owing to the planning history at the site.

8. Background to the Application

8.1 The application property has previously had planning permission for a single/two storey rear extension (application reference P1083.95) and a single storey side extension (P0916.00). Both of these permissions appear to have been implemented on site.

8.2 In October 2006, a further planning application was received (application reference P1858.06) for a first floor side extension. This application was refused for the following reasons:

1. The proposed side extension breaks the 45 degree line taken from the sill of the window of a habitable room on the neighbouring property that is located to the south and the loss of sunlight and daylight is considered unreasonable, contrary to Havering Unitary Development Plan, notably Policy ENV1 and the Supplementary Design Guidance (Residential Extensions and Alterations).
2. The proposal reduces the characteristic spacing to the neighbouring detached dwelling and has an unacceptable streetscene impact. The development relates poorly to the character of the detached properties in the immediate locality contrary to Policy ENV1 of the Havering Unitary Development Plan and the Supplementary Design Guidance (Residential Extensions and Alterations) attached thereto.

8.3 Following the refusal of this application, a subsequent planning application for a first floor side extension (reference P0618.07) was received in June 2007. This sought to overcome the previous grounds for refusal by revising the proposals, principally in the following respects:

- a reduction in the length of the extension, from 10.25m previously, to 6.1m
- a reduction in the eaves height of the extension, from 5.6m to the underside of the eaves previously, to 5.2m, and
- a reduction in the ridge height of the extension, from 8.3m previously, to 7.8m

8.4 This planning application was subsequently granted planning permission on 10 August 2007 under delegated authority.

- 8.5 On 29 August 2007 the decision of the Council was challenged by the owner of the adjacent dwelling (No. 21 Wallenger Avenue) on the grounds that the decision was not lawfully made, as the revised proposals approved under planning application reference P0618.07 were not considered to have overcome the grounds for refusal of the previous planning application P1858.06. The owners of No. 21 Wallenger Avenue therefore applied for Judicial Review of the Council's decision.
- 8.6 The Council, based on advice from Counsel, did not seek to resist the judicial review application and consented to the planning permission being quashed. The Consent Order was accompanied by an agreed Statement of Reasons. It was accepted by the Council that the officer's report failed to explain fully the impact on the streetscene in relation to the earlier refusal for a similar but not identical proposal and that insufficient reasons for the difference of opinion (between applications P1858.06 and P0618.07) were cited in the officer report and the decision notice.
- 8.7 It was the decision of the Courts that planning permission reference P0618.07 be quashed and the application be remitted back to the Council as Local Planning Authority for determination. However, a decision was not finally made on this application as additional information requested by staff was never provided.
- 8.8 The next application to be submitted, reference P0612.09, proposed identical development and again the additional information was not provided and the application was Finally Disposed on 21st June 2010.
- 8.9 A Certificate of Lawfulness application was submitted in 2010 for rooflights and issued.
- 8.10 Application P0403.12 was submitted in March 2012 for an extension of the existing roof ridge to form a part hipped end and to bring the recessed garage door forward to align with the main front wall of the house. This was granted planning permission.
- 8.11 The application now under consideration is to construct a first floor side extension over the existing garage which has similar dimensions to the proposed development in both P0618.07 and P0612.09.
- 8.12 The application is therefore brought back before Members to be determined.

9. Staff Comments

- 9.1 The principle issue arising from this application is whether the proposals are judged to have acceptably overcome the concerns which resulted in the refusal of the initial planning application for a first floor side extension to this dwelling (application reference P1858.06).

- 9.2 As referred to in paragraph 8.2 of this report, the initial planning application reference P1858.06 was refused planning permission due to the impact on a neighbouring window and the impact in the streetscene.
- 9.3 This application essentially revises the proposals submitted under the initial application (P1858.06). This report will therefore consider each of the previous grounds for refusal in turn, taking into account the material differences between the initial application and the current proposals, as well as any other material changes in circumstances or planning policy, and will assess whether the current proposals are now considered to overcome the previous grounds for refusal.
- 9.4 Reason for Refusal 1
- 9.4.1 This reason for refusal related to guidance in the Council's Supplementary Design Guidance in respect of the impact of extensions on flank windows to habitable rooms of neighbouring residential property. In refusing the first application, the case officer reached the conclusion that, as the proposed side extension breached a notional 45 degree line taken from the sill of windows of a habitable room on the neighbouring property that is located to the south (No. 21 Wallenger Avenue) the resultant loss of sunlight and daylight would be unreasonable. This judgement appears to have been in relation to the two ground floor flank windows at No. 21 Wallenger Avenue serving the open plan kitchen/lounge area. The other flank windows do not serve habitable rooms.
- 9.4.2 It should be noted that the proposed extension, due mainly to the reduction in depth, will now only directly face the wc window and part of the dining area window in the neighbouring property. The kitchen window further towards the rear of the property will not now be significantly affected. As discussed earlier in the report, this open plan dining and kitchen area is also served by a rear facing window.
- 9.4.3 A light report has been provided by the applicant which concludes that the proposed development will have a low impact on the light receivable by its neighbouring properties. However, on inspection of the calculations in support of this conclusion, the impact on the light reaching the dining area window would be noticeable. The lighting report conclusions are based on this window being a secondary window. However, this window was originally the primary light source for a smaller room which has subsequently been made open plan. In addition to loss of light to this window, there would be some loss of outlook from the building up of the flank wall.
- 9.4.4 The judgement in relation to the impact on No.21 Wallenger Avenue is finely balanced. There would be loss of light to a previous primary window and some loss of outlook. However, the window is no longer the sole window and other light sources exist which are not significantly affected by the proposed development.

On balance, it is considered that the impact on residential amenity is within acceptable limits, although it is recognised that Members may come to a contrary view.

9.5 Reason for refusal 2

This reason for refusal related to an assessment of the impact of the development on the streetscene and, in particular, on the Gidea Park Area of Special Character. In refusing the first application, the case officer reached the conclusion that the proposal would reduce the characteristic spacing to the neighbouring detached dwelling and would have a resultant unacceptable streetscene impact.

- 9.5.1 In terms of the material differences between the extension, as refused, and that currently applied for, the key changes relevant to the second reason for refusal are a reduction in the eaves height of the extension so that it sits under the existing eaves rather than at the same level and a reduction in the ridge height of the extension, from 8.3m to 7.65m.
- 9.5.2 In refusing the previous application, the case officer judged that the proposal failed to adequately maintain the characteristic gaps between properties. Staff are however of the opinion that this would have been a finely balanced judgement.
- 9.5.3 The application property has already been extended to the side at ground floor level and in this respect the dwelling would be materially unchanged. At first floor, the proposed extension will not be materially further from the boundary than that previously refused. However, the revisions to the height represents a reduction in eaves and ridge height.
- 9.5.4 Although the resultant impact of this eaves and ridge height reduction on local character and the streetscene is essentially a matter of judgement, Staff consider this gives the proposed extension a materially more subservient appearance to the existing dwelling compared to the initial proposal. It also has the effect of reducing the eaves line of the proposed extension below both that of the host building. Staff consider, particularly in view of the fine margins of judgement regarding the impact of the initial proposal on local character and streetscene, that these changes do result in a materially more spacious visual impact compared to the previously refused proposals.
- 9.5.5 Inspection of the surrounding area and Council records has revealed that a number of other properties in the road have, in the recent past, been granted planning permission for two storey or first floor side extensions that have similar relationships, in terms of gap at first floor level to the boundary and between the dwellings.
- 9.5.6 No.17 Wallenger Avenue had a two storey side extension granted planning permission on 11th October 2011, reference P0582.11. The Officer's report stated that a 1m separation would exist if the extension were to be built

between Nos.17 and 19. This is less than the 1.36m separation that would exist between the subject dwelling and No.21.

9.5.7 No.11 Wallenger Avenue had a two storey side extension granted planning permission on 9th August 2011 reference P0222.11 which maintains a 1.3m separation from No.13.

9.5.8 No.20 Wallenger Avenue had a two storey side extension granted planning permission on 10th August 2007, reference P1195.07 which appears to have a similar separation of 1.3m to No.22.

9.5.9 It is therefore considered that, given that first floor side extensions are not uncharacteristic in the streetscene, the greater subservience of the extension to the host dwelling compared to previously, that the extension would not affect the spacing between properties to such a degree as to materially harm the streetscene or the particular character of this part of Gidea Park. Staff therefore consider the second of the original grounds for refusal to be acceptably overcome.

9.6 With regards the proposed front extension to the existing garage, this will only extend to the same building line as the existing front wall of the property. A roof already overhangs this void, therefore the forward extension of the garage will not adversely affect the streetscene or the neighbouring property.

10. Conclusion

10.1 In view of the points raised above, the proposal now under consideration is considered, on balance, to have overcome the reasons for refusal of application P1858.06 and approval of planning permission is now recommended.

IMPLICATIONS AND RISKS

Financial implications and risks:

This report concerns only material planning issues.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application forms, supporting information and plans received on 8th October 2012.



REGULATORY SERVICES COMMITTEE

REPORT

1 August 2013

Subject Heading:

**P0125.13 – 147, London Road,
Romford**

**Erection of 5 flats (4 x 1 bedroom and
1 x 2 bedroom flats) with ancillary
parking and amenity space (Outline
application).**

(Application received 4 February 2013)

Report Author and contact details:

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Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

This planning application relates to the demolition of an existing detached bungalow and the construction of 5 flats in one three storey block with car parking space for 5 vehicles. The planning issues include the principle of development, design and street

scene, impact on amenity, parking and highway matters. These issues are set out in detail in the report below. Staff consider the proposal to be acceptable.

The application is recommended for approval subject to conditions and the applicant entering into 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 £30,000 to be used towards infrastructure costs.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement irrespective of whether the legal agreement is completed.
- Payment of the appropriate planning obligation/s monitoring fee.

That staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, and that the Committee delegate authority to the Head of Development and Building Control to grant planning permission subject to the conditions set out below:

1) Approval of details

The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved by the Local Planning Authority, showing the layout, scale and appearance of the buildings, the means of access thereto, and landscaping, including all matters defined as "landscaping" in the Town and Country Planning (Development Management Procedure) (England) Order 2010 (herein after called "the reserved matters").

Reason:

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

2) Time limit for details – 3yrs

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

Reason:-

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

3) Time limit for commencement – 2yrs

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

Reason:-

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

4) Parking provision

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.

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 Policy DC61

6) Obscure glazing

The proposed windows in the side elevations of the building shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

Reason:-

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

7) Noise Impact assessment

Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from London Road, Romford upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise",1988. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and the approved measures shall be implemented prior to occupation.

Reason:-

To protect future residents against the impact of road noise in accordance with Department of Environments, Planning Policy Guidance Note 24, " Planning & Noise" 1994, and 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, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided and used at relevant entrances to the site throughout the course of construction works.

Reason:-

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

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

Reason:

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

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

Reason:

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

11) Construction Methodology Statement: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

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

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

Reason:

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

12) 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 might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason:

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

13) 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

14) Ground Contamination: The development is situated on or within 250 metres of a current or historic landfill site or gravel pit and the following planning condition relating to landfill gas is required for this development proposal, Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

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

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

Part A – Remediation 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 and to ensure the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

15 Boundary Treatment: Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

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

16) Noise Insulation: The buildings shall be so constructed as to provide sound insulation of not less than 45 dB (A) against the internally generated airborne noise and 62 dB (A) against impact noise to the satisfaction of the Local Planning Authority.

Reason:

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994 and in order that the development with the Development Control Policies Development Plan Document Policies DC55 and DC61.

INFORMATIVES

1. Reasons for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC50, DC51, DC55, DC61, DC63 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document, Policies 3.3, 3.4, 3.5, 3.7, 3.8, 3.11, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 8.3 of the London Plan and Section 6 and 7 of the National Planning Policy Framework (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 £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. Planning Obligations

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

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

3. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

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

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

6. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
7. In aiming to satisfy Condition 12 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
8. Statement Required by Article 31 (cc) of the Town and Country Planning (Development 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.

REPORT DETAIL

1. Background

The application has been submitted to obtain fresh outline planning permission, following the expiry of the previous outline consent, to redevelop the site for a three storey block of five residential flats. The development has previously had two outline consents for the development and the application seeks consent to again obtain outline consent for the same development on the site.

2. Site Description

- 2.1 The site consists of an inter-war detached bungalow which has been used as a day nursery for children. It is situated off London Road within an area of mixed character including car sales and residential flatted development. The site has an individual vehicular access point onto London Road.

3. Description of Proposal

- 3.1 It is proposed to demolish the bungalow and seek outline planning permission for the redevelopment of the site for a detached two and a half storey building

to accommodate five residential flats. The flats will consist of 4 one bedroomed and 1 two bedroomed flats. There will be a car parking area for five vehicles across the frontage of the site. The vehicular access to the site is to be widened to accommodate vehicle access to the parking spaces on the site.

4. Relevant History

4.1 P1151.03 - Redevelopment of the site for 5 residential flats - Approved 22.10.2003

P0651.04 – Change of use to Day Nursery – Approved 18.06.2004

P1942.06 - Redevelopment of the site for 5 residential flats - Approved 16.01.07

5 Consultations/Representations

5.1 Notification letters were sent to 55 neighbouring properties and 1 letter of objection was received, which raise the following issues:

- Five car parking spaces cannot be provided on the site utilising the existing vehicular access point to the site from London Road.
- Insufficient car parking space is provided on the site, which will lead to an increase in on-street parking close to the site.

5.2 Highway Authority - No objections providing adequate visibility splays at the access to the site onto London Road are made available.

5.3 Environmental Health - No objections providing suitable noise insulation and land contamination conditions are imposed on any approval.

5.4 Police Crime Prevention Design Adviser - No objections providing crime prevention measures are incorporated in the design of the flats building.

5.5 Thames Water - No objections.

5.6 Fire and Community Safety Directorate - No objections.

6. Relevant Policies

6.1 Policies CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC6 (affordable housing), DC33 (car parking), DC35 (cycling), DC61 (urban design), of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Draft Planning Obligations SPD and the Residential Design.

- 6.2 Policies 3.5 (Quality and Design of Housing Developments), 6.9 (Cycling), 6.13 (Parking) and 7.3 (Designing out Crime) of the London Plan.
- 6.3 National Planning Policy Framework (NPPF) Section 6 “Delivering a wide Choice of Homes”, and Section 7 “Requiring Good Design”.

7. Staff Comments

- 7.1 This proposal is put before the Committee owing to the application site comprising more than two dwellings. The main issues to be considered by the Committee are the design of the residential flats building, its impact in the street scene, and the suitability of the site for the development and the highway/parking implications of the development. Planning policies for this type of development in the location have not significantly changed since the last approval which was granted in January 2007. Members should consider the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, and parking and highways issues.

8. Principle of Development

- 8.1 Planning permission has been granted for the redevelopment of the site for a building to accommodate 5 residential flats in October 2003 and it has been renewed in January 2007. Consent is now sought to obtain fresh outline consent for 5 residential flats for a third time.
- 8.2 The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with the National Planning Policy Framework.
- 8.3 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 61m² for a 2-bed 3-person flat and 50m² for a 1-bed 2-person flat. The indicative plans show that the proposed flats are in line with these minimum guidelines and considered acceptable.
- 8.4 The site is presently occupied by a detached bungalow and the attached open land at the rear. The site is located within a mixed area including flatted development. The proposed block of flats would be in character with the overall area.
- 8.4 The density of the proposal would be 122 dwellings per hectare. The site has a Public Transport Accessibility Level (PTAL) of 2. Policy DC2 indicates that a density of 30-50 dwellings per hectare would be appropriate. In this case, there are existing residential flatted schemes nearby, Romford town centre is within a kilometre walk and the Romford Pedshed, where higher densities are expected in new development, is within 150 metres. Therefore, the density of development proposed is not considered to be a particular concern in this case, providing the development is acceptable in other respects.

9. Design and Visual Impact

- 9.1 The indicative plans show a two and a half storey high building, with two one bedroomed flats on the ground and first floor, with one two bedroomed flat on the second floor. The proposals have been submitted in outline form, with the siting of the building and the access to the site being submitted for approval. The remaining details of the design and external appearance of the building and the landscaping of the site will be dealt with as approval of reserved matters following outline approval for the flats development. The design of the flats building is in keeping with the adjoining residential buildings close to the site. The size, siting and height of the flats building would not be out of character with the adjoining development within the vicinity of the site. Adequate space has been retained on the site for private amenity purposes for the benefit of the residents of the flats, together with landscaping areas to compliment the residential development. It is considered that the proposed block of flats would satisfactorily integrate into the street scene.
- 9.3 In respect of the overall design and architectural style of the building, it is considered that there is no distinctive architectural style in this part of London Road. It is considered that the design of the development would be acceptable in principle and would integrate into the wider area.

10 Impact on Amenity

- 10.1 The redevelopment of the site for a two and a half storey building for five residential flats will not have an adverse impact upon the residential amenities of the occupants of the adjoining properties. The building will be sited sufficiently far enough away from the adjoining flats so as not to cause any significant impact for the adjoining residents. The layout of the proposed flats building on the site ensures that a reasonable amount of amenity space and garden area can be provided for the benefit of the occupants of the flats. In terms of bulk, visual impact and impact on light, the proposed block of flats are considered to be sufficiently far enough from the site boundary so as not to result in significant harm to amenity for the adjoining neighbours. It is considered that the block of flats will have an acceptable relationship with the adjoining properties in respect of privacy.

11 Highways / Parking Issues

- 11.1 The proposed access arrangements for the site are acceptable and will provide satisfactory access for the occupants of the flats to the five parking spaces to be provided on the site. The parking arrangements are considered to be acceptable and meet the access and servicing needs of development. There are no highway objections to these proposals which utilise the existing vehicular access to the site from London Road. The provision of a row of five parking spaces in front of the building for the residents of the flats is acceptable for the relatively small one bedroomed flats and the two bedroomed flat on the site.

12 Planning Obligations

- 12.1 In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £6,000 per dwelling to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement for the amount of £30,000.

13 Other Issues

- 13.1 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect, subject to the imposition of conditions requested by the Borough Crime Prevention Design Advisor.

14 Conclusion

- 14.1 The design of the residential flats building, its impact in the street scene and upon the amenities of the occupants of the adjoining properties is acceptable. The car parking space to be provided on the site and the amount of private amenity space to be made available for the occupants of the flats is satisfactory for this type of development. As a result there are no planning reasons why outline planning permission should not be granted, as previously. Subject to reserved matters details to be subsequently submitted, the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity space provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. It is recommended that outline planning permission be granted, subject to the relevant legal agreement to secure financial contribution towards infrastructure costs.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received on 4th.February 2013.