



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
30 July 2015**

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

Members 11: Quorum 4

COUNCILLORS:

**Conservative
(5)**

Robby Misir (Chairman)
Melvin Wallace (Vice-Chair)
Ray Best
Philippa Crowder
Steven Kelly

**Residents'
(2)**

Stephanie Nunn
Reg Whitney

**East Havering Residents'
(2)**

Alex Donald
Linda Hawthorn

**UKIP
(1)**

Phil Martin

**Independent Residents
(1)**

Graham Williamson

For information about the meeting please contact:

**Richard Cursons 01708 432430
richard.cursons@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

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.

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.

Would members of the public also note that they are not allowed to communicate with or pass messages to Councillors during the meeting.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF PECUNIARY INTERESTS

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

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

4 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 24)

5 P0382.15 - BRIAR ROAD SHOP SITE, ROMFORD (Pages 25 - 50)

6 P0512.15 - 9 CHASE CROSS ROAD, ROMFORD (Pages 51 - 68)

7 STOPPING UP REPORT - LAND AT ANGEL WAY, ROMFORD (Pages 69 - 74)

8 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**

Regulatory Services Committee

30 July 2015

Application No.	Ward	Address
P0549.15	Mawneys	172 Collier Row Road, Romford, RM5 2BD
P0899.15	Romford Town	York House, 50 Western Road, Romford, RM1 3LP
P1763.14	Romford Town	131 South Street, Romford, RM1 1NX

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 30th July 2015

APPLICATION NO. P0549.15
WARD: Mawneys Date Received: 7th May 2015
Expiry Date: 24th August 2015

ADDRESS: 172 Collier Row Road
Collier Row
Romford

PROPOSAL: Change of use of vacant unit from A2 estate agents to 24 hour mini cab booking office (Sui generis)

DRAWING NO(S): Site Location Plan (Scale 1:1250)

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

SITE DESCRIPTION

The application relates to the property at 172 Collier Row Road, Collier Row, Romford. This is a two storey end of terrace building with a vacant commercial unit at ground floor level, last occupied by an Estate Agents (A2 use) and residential accommodation above. The premises fronts onto Collier Row Road with a wide frontage providing off street car parking spaces for two vehicles. The site is located within the Collier Row Road Minor Local Centre and as such the surrounding area is characterised by a mixture of commercial and residential uses.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the change of use of vacant unit from A2 estate agents to 24 hour mini cab booking office (Sui generis).

No evidence is available to suggest that the aforementioned A2 use was lawful, and it is therefore considered that the lawful use of the site is A1 retail.

The proposed use would involve an office in which staff would co-ordinate bookings by phone and communicate this remotely to drivers. The application proposes no alterations to the external appearance of the building or to the internal layout of the premises. As a result it is the principle of the change of use that is being considered. Any new fascia signage or shopfront alterations would be subject to separate applications.

The submitted information states that the proposal would have 6 full-time employees and would operate on a 24 hour basis on Sunday to Monday including Bank/Public holidays, with the booking office closed for 'walk-in' customers between the hours of 22:00 and 07:00.

It should be noted that planning permission was granted in June 2013, under application P0073.13 for the change of use of an A1 retail unit to a mini cab office (Sui Generis). The approved hours of operation were between 0600-0200 Monday to Friday, Sundays and Banks/Public holidays, and on a 24 hour basis on Saturdays. The permission was given on a temporary basis so that the effects of operation could be reviewed and the consent has since lapsed.

RELEVANT HISTORY

The previous planning decisions of most relevance to the proposal are as follows:

L/HAV/1099/80 - Rear extension to an existing off licence shop - Approved.

L/HAV/323/78 - Ground floor store and first floor bedrooms - Approved.

L/HAV/652/66 - New shop front to existing grocers shop - Approved.

P0073.13 - Change of use to mini cab office (Sui Generis)
Apprv with cons 06-06-2013

CONSULTATIONS / REPRESENTATIONS

As the application is contrary to the Development Plan, it has been advertised by means of a site notice and press advertisement.

Notification letters were sent to 19 neighbouring occupiers and no representations have been received.

Environmental Health - no comments

Local Highway Authority - no objection.

RELEVANT POLICIES

LDF

- DC16 - Core and Fringe Frontages in District and Local Centres
- DC32 - The Road Network
- DC61 - Urban Design

MAYORAL CIL IMPLICATIONS

The proposal would not give rise to a payment under the Mayoral CIL Regulations.

STAFF COMMENTS

The main considerations relate to the principle of the development, the implications for the residential amenity of occupants of nearby dwellings and the suitability of the proposed parking and access arrangements.

PRINCIPLE OF DEVELOPMENT

Policy DC16 of the LDF encourages service uses within Classes A1 to A5 in the Minor Local Centres, but allows for exceptions where applicants can demonstrate, with marketing over a period of 12 months, that the premises have proven difficult to let for the preferred uses. Also, active frontages are encouraged at ground floor level in Minor Local Centres.

The previous use of the site was an estate agent agents and before that a tanning and beauty salon,

however, there is no evidence on record that these uses were ever granted planning permission and no information has been submitted to indicate the period of time that the premises were being used in this way. The assumption therefore is that the lawful use of the site is A1 retail.

The applicant has not provided robust marketing evidence that the retail unit has proven difficult to let over the past 12 months. Moreover, the proposal would result in the loss of an active frontage, which may be detrimental to the vitality of the Minor Local Centre. Whilst this falls short of the evidence required under Policy DC16, Members may wish to make an exception in this case given that the proposal would involve bringing a vacant unit back into use, and would provide 6 full-time posts. It is also noted that permission was given for change of use to a mini cab office in 2013 as an exception to policy and that no consistent use of the premises seems to have continued since this time.

The applicant has stated that no changes will be made to the existing shop frontage.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 states that planning permission will not be granted for proposals that would result in significant adverse impacts on the character of the area.

The proposal would not result in any operational development. The parking of vehicles at the front of the premises would only continue an existing trend at the site and neighbouring properties. In terms of its visual impact, the proposal is considered to be in accordance with Policy DC61 of the LDF.

IMPACT ON AMENITY

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

It is considered that the use of the site as a traditional cab office, which would attract members of the public to visit the premises in person, could cause a noise nuisance to neighbouring occupiers, particularly late at night. The unit under consideration has residential accommodation above it and there is other residential accommodation near by.

However, the applicant has stated that due to the nature of the business operations it is unlikely that potential customers will use the business in this way. In addition the booking office would also be closed to any potential 'walk-in' customers between the hours of 22:00 and 07:00. The proposal would involve what would, in effect, be a small call centre, where bookings are received by telephone and then transmitted to drivers who will already be out on the road network. As only a relatively small amount of customers would visit the premises, there would be no reason for the private hire cars to visit the site.

If planning permission were to be granted, a condition could be imposed to prevent members of the public visiting the premises to make bookings, in the interests of minimising potential noise impacts. As it stands customer walk-ins would be restricted by condition between 22:00 to 07:00.

There is also the potential for the proposed use to cause a noise nuisance to adjoining residential occupiers as a result of office noise, such as phones, and other office activities, as the use would occur at unsociable hours. The applicant has indicated that telephones would be placed on silent mode between the hours of 22:00 and 07:00 and that booking details are transferred electronically to drivers to minimise any noise disturbance. It is therefore recommended that if planning permission is to be granted, that it be for an initial

period of 12 months so that the operator can demonstrate that the use can occur without causing a nuisance to adjoining occupiers. In the event that complaints are received, then the Council would need to consider whether planning consent should be renewed if a future application is received.

Subject to the aforementioned conditions and a temporary planning permission, it will be possible for the Council to assess the impacts of the proposal prior to granting a permanent planning permission.

HIGHWAY / PARKING

Policy DC32 of the LDF states that proposals will only be approved where they do not result in any significant adverse impacts on the functioning of the road network.

The site has capacity for approximately 2 off-street parking spaces to the front. As the proposal would not be for a traditional cab office where customers are picked up from the premises, additional parking spaces would not necessarily be required.

The Local Highway Authority have raised no objections to the proposal.

In terms of the amount of car parking spaces to be provided and the impact the proposal would have on highway safety, the proposal is considered to be acceptable, although the proposed temporary planning permission would provide scope for the adequacy of the parking arrangements to be monitored prior to a permanent permission being granted.

KEY ISSUES / CONCLUSIONS

The proposed development is considered to be contrary to Policy DC16 of the LDF, however, the proposal would bring the unit back into use and provide jobs. Members may consider that the economic benefits of the proposal are sufficient to overcome the harm caused to a Minor Local Centre, resulting from the loss of a retail unit and would provide an active street frontage. In the event that planning consent is to be granted, it is recommended that this be for an initial temporary period of 12 months to allow the applicant time to demonstrate that the use can be undertaken without causing a nuisance to adjoining residential occupiers. This would be consistent with the terms of the previous planning permission issued in 2013.

The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted on a temporary basis subject to conditions.

RECOMMENDATION

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

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. 12 Month Temporary Permission

The approved use shall cease within 12 months of the date of commencement. The operator shall notify the Local Planning Authority in writing within 7 days of the date that the proposed use commences.

Reason:-

To enable the noise impacts of the proposal to be monitored and to protect the amenities of neighbouring occupiers in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

3. Walk-in Customers

Members of the public shall not be permitted to book hire cars in person at the proposed private hire office between the hours of 22:00 to 07:00 on Monday to Sunday.

Reason:-

To protect the amenities of neighbouring occupiers in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

4. SC32 (Accordance with plans)

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

Reason:-

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

5. SC06 (Parking provision)

The area to the front of the premises set aside for car parking shall be retained permanently 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.

INFORMATIVES

1. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: 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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 30th July 2015

APPLICATION NO. P0899.15
WARD: Romford Town **Date Received:** 17th June 2015
Expiry Date: 12th August 2015

ADDRESS: York House, 50 Western Road
Romford

PROPOSAL: The front of the building to be converted from a grassland area into a car parking area with 5 no. spaces (including 1no. disabled parking bay)

DRAWING NO(S): 14-0158 PL01

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

CALL-IN

The application has been called-in by Councillor Frederick Thompson on the grounds that the proposed parking to the front has a cramped layout making the exit of parked vehicles difficult within the constraints of the perimeter wall and with insufficient room for conveniently turning to exit on to Western Road in first gear which is far busier than the usual for a residential road.

SITE DESCRIPTION

The application relates to the property at York House, 48-50 Western Road, Romford. This is a large detached three-storey mixed use building set back from Western Road with a rectangular strip of land forming the site frontage. The building is laid out with office accommodation in the ground and first floors and residential flats in the second floor. To the rear of the site is a car park accessed via an undercroft driveway. The site is located within an area of mixed residential and commercial uses on the edge of Romford town centre.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission for the reconfiguration of the site frontage to provide 5no. new off street car parking spaces including 1no. disabled parking bay.

The scheme was originally for 6no. spaces and a revised plan has since been received which has removed the end space adjacent to the boundary with No.46 Western Road.

The proposal would involve the removal of the existing grass and shrub areas, pedestrian pathway and sections of the low-level brick wall. The existing vehicular entrance from Western Road would be retained and the frontage area resurfaced with tarmac and flagstones. The new car park would be laid out with 2no. spaces perpendicular to the site entrance and 3no. spaces at an off-set angle adjacent to the front elevation of York House.

RELEVANT HISTORY

N0022.15 - Change from protruding bay windows to windows that align with existing facade
Withdrawn 21-05-2015

- P0395.15 - Construction of a new office block on land to the rear of York House and the reconfiguration of the existing site frontage to provide new off street car parking spaces
Withdrawn 20-05-2015
- J0016.14 - Prior approval application for the change of use of the ground and first floors from office to residential (creation of 11 residential flats)
Prior App COU Given 02-02-2015
- P2352.05 - New detached mews development comprising 4no. single bed flat units
Refuse 21-02-2006
- P1558.04 - Detached Mews Development comprising of 4 no. single bed flat units.
Refuse 12-11-2004
- P2324.03 - Detached mews development comprising 4 No. single bedroom flat units
Withdrawn 02-03-2004
- P2209.02 - Proposed change of use of ground and first floor areas from B1 commercial office use to C3 private residential use - Outline
Aprv with cons 19-03-2003

CONSULTATIONS / REPRESENTATIONS

Notification letters were sent to 30 properties and at the time of writing 1 representation has been received. The comments can be summarised as follows:

- Increased proximity of the parking area causing noise and disturbance.
- Noise from cars entering and leaving the site and doors being closed late at night.
- Intensification of car traffic on Western Road.

Environmental Health - no objection, recommended a condition relating to contaminated land issues.

Local Highway Authority - no objection, recommended conditions in relation to a pedestrian visibility splay and alterations to the public highway.

RELEVANT POLICIES

LDF

- CP04 - Town Centres
- CP17 - Design
- DC11 - Non-Designated Sites
- DC32 - The Road Network
- DC33 - Car Parking
- DC36 - Servicing
- DC55 - Noise
- DC61 - Urban Design
- ROM07 - Protecting & Enhancing the Borough's Biodiversity SPD
- ROM20 - Urban Design

OTHER

- LONDON PLAN - 2.15 - Town Centres
- LONDON PLAN - 6.13 - Parking
- LONDON PLAN - 7.4 - Local character
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

There are no Mayoral CIL implication relating to the application.

STAFF COMMENTS

The main considerations relate to the impact on the character and appearance of the streetscene, the implications for the residential amenity of the neighbouring houses and the suitability of the proposed parking and access arrangements.

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 proposal would involve the reconfiguration of the frontage to York House to provide 5 no. new off street car parking spaces. This would remove the existing planting bed and lawned area along the street frontage. Although the lawned area provides some amenity value in terms of the visual appearance of the streetscene, given its relatively small size it is not considered that the removal of this area would unduly harm the overall character and appearance of Western Road or unduly impact on biodiversity within Romford town centre. The proposals include some scope for landscaping within the frontage.

On balance it is therefore considered that the proposal would be in accordance with policy DC61.

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 within a mixed commercial and residential area on the edge of Romford town centre where a certain level of vehicular activity and associated noise is to be expected during daytime, evening and later at night.

The proposed parking area would be located adjacent to the driveways to the front of residential accommodation at No.s 44 & 46 Western Road. Given the off-set positioning of the closest car parking spaces and the orientation of the neighbouring properties the area would not form a prominent feature in terms of the outlook from No.s 44 & 46. In addition, given the limited number of parking spaces the proposal is unlikely to result in an excessive intensification in vehicle movements or noise from cars entering and leaving the site.

On balance it is not considered that the proposal would result in any significant adverse impacts on the amenity of neighbouring occupiers in accordance with Policy DC61.

HIGHWAY / PARKING

The site has a Public Transport Accessibility Level (PTAL) rating of 6a; meaning that the premises has excellent access to a variety of public transport facilities. It is also within a controlled parking zone.

Given the town centre location and the good public transport links there is no significant requirement for York House to provide dedicated off street car parking provision. Nevertheless, the site currently provides approximately 26no. off street car parking spaces to the rear serving the offices and residential

accommodation. The additional parking places could however serve to alleviate pressure for on-street parking permits within the vicinity.

The proposal would provide 2no. spaces perpendicular to the site entrance and 3no. spaces at an off-set angle adjacent to the front elevation of York House. Concerns have been raised with regard to the cramped layout of the proposed parking area making the exit of parked vehicles difficult within the constraints of the perimeter wall and with insufficient room for conveniently turning to exit in a forward gear onto Western Road.

It is acknowledged that proposed space would be limited and relatively tight, however this is not considered to be to such an extent that would prevent the proposed spaces from being accessible or hinder vehicles manoeuvring within the site. Indeed, the Department of Transport's Manual for the Streets document sets out guidance in relation to the width needed to access 2.4 metre wide echelon or perpendicular spaces conveniently. As such the guidance advises a diminishing scale, starting at a distance of 6 metres for a space set at 90 degrees, down to 3.6 metres for a space at a 45 degree angle. In this instance the 2no. perpendicular bays would provide a turning area in excess of 6 metres. The 3no. proposed parking bays adjacent to the front elevation of York House would be set at a 30 degree angle and spacing of 2.87 metres would be provided. Although no standard is given for parking spaces set at a 30 degree angle, this distance is considered to be consistent with the advice set out in the Manual for the Streets guidance and follows the principle of allowing for a gradual reduction in turning space to correspond with the diminishing angle.

As such it is considered that the parking layout arrangements in this instance demonstrate sufficient spacing to enable vehicles to manoeuvre within the parking area and to leave the site in a forward gear. The proposed layout and access arrangements are considered to be acceptable by the Local Highway Authority.

It is considered that any issues in relation to visibility and pedestrian safety around the entrance would be mitigated by the inclusion of a condition requiring the installation of a pedestrian visibility splay.

As stated the Local Highway Authority have raised no objection to the proposed scheme and it is not considered that the proposed parking area would result in parking or highway safety issues in accordance with policy DC32.

KEY ISSUES / CONCLUSIONS

The proposed parking area is considered to be relatively minor in terms of the impact on the character and appearance of the streetscene and would not result in an adverse harm to the residential amenity of neighbouring occupiers. The parking layout arrangements demonstrate sufficient spacing to enable vehicles to manoeuvre within the parking area and to leave the site in a forward gear and would not result in parking or highway safety issues.

The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions

RECOMMENDATION

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

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. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (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.

3. SC06 (Parking provision)

The areas set aside for car parking as indicated in drawing no.'14-0158 PL01', as revised and received on 21 July 2015, 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.

4. SC11 (Landscaping) (Pre Commencement Condition)

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

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

5. SC14A (Visibility splay)

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

Reason:-

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

6. Alterations to Public Highway (Pre Commencement Condition)

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

Reason:-

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

7. SC65 (Contaminated land condition No. 2) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved (except works required to secure compliance with this condition) until the following Contaminated Land reports (as applicable) are submitted to and approved in writing by the Local Planning Authority:

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

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

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

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

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

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

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

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

Reason:-

Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

8. Contamination Monitoring (Pre Commencement Condition)

(a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

(b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason:-

To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

INFORMATIVES

1. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: 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.

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 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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 30th July 2015

APPLICATION NO. P1763.14
WARD: Romford Town
Date Received: 28th January 2015
Expiry Date: 29th April 2015

ADDRESS: 131 South Street
Romford

PROPOSAL: Conversion and extension of 131 South Street, Romford from a vacant nightclub to an aparthotel (C1 use), including extension of the existing mezzanine floor, the erection of a new second floor and a roof extension to create a total of 54 bedrooms.

DRAWING NO(S): 131SS_01-01 Block Plan
131SS_01-00 Rev A Location Plan
131SS_02-00 Rev D Existing and proposed ground floor
131SS_02-01 Rev E Existing and proposed mezzanine floor plan
131SS_02-02 Rev D Existing and proposed first floor plan
131SS_02-03 Rev B Proposed second floor
131SS_09_03 Typical rooms
131SS_02_05 Rev A Existing and proposed roof plan
131SS_02-99 Rev A Existing and proposed basement floor plan
131SS_04-01 Rev B Existing and proposed south elevation
131SS_04-02 Rev A Existing and proposed Eastern Road Elevation
131SS_04-03 Rev B Existing and proposed Chandlers Way elevation
131SS_025_00 Rev A Existing and proposed Section AA
131SS_02_04 Rev B Proposed mansard floor plan

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

CALL-IN

The application has been called-in for consideration by the Committee by Councillor Frederick Thompson due to the impact of the increased building height on the design of the building and its historic interest. There is also concern that the proposals are deficient in terms of the collection of waste and laundry facilities.

SITE DESCRIPTION

The application property comprises an existing two-storey building on the corner of South Street and Eastern Road, Romford. It lies at the southern end of the designated town centre. To the east along Eastern Road is the designated office quarter. The nearby units in South Street are mainly A3 or A4 uses, although the former Odeon Cinema building opposite is currently vacant. The property is bounded on three sides by public highway, including Chandlers Way to the east at the rear of the building and a McDonalds restaurant to the north. There is no other land within the application site outside of the building's footprint.

The building was constructed in 1937 as offices with a ground floor showroom. More recently the building has been converted for use as a series of social venues and nightclubs. The premises comprise a small basement, ground floor, partial mezzanine level and first floor. The building has a gross internal floor area of about 940 sqm. The building is an undesignated heritage asset that is included in the Council's list of buildings of heritage interest. The building is constructed in brick under a plain tiled hipped roof and with

sash windows. There are three balconettes and larger windows on the corner section of the building. There is brick quoin detailing and rendered detailing around the main entrance and other doorways.

DESCRIPTION OF PROPOSAL

It is proposed to extend the existing building through the construction of an additional floor and change the use of the building to an aparthotel. The proposed works include the extension of the existing mezzanine floor to nearly a full floorplate, adding a new level and reshaping the rear part of the roof. The building would accommodate 54 rooms over all five levels, including the roof space. Each room would include wc, bathroom and kitchenette. There would be a lobby/reception area and breakfast bar near to the main entrance onto South Street. There would be service and storage rooms throughout the building. The Proposed gross internal floor area would be 1980 sqm. There would be lifts and stairs to the various floors from the reception area. All rooms would have window looking out onto Eastern Road, apart from the roof rooms which would have rooflights to the north.

The proposed roof would be hipped similar to the existing and the additional floor would have windows of the same design and location to the existing first floor windows. The mezzanine level rooms would gain light from the existing ground floor windows. Door openings that have been infilled, would be replaced with new windows, although the form of the opening would be retained. The extension, including new roof would be in similar or reclaimed materials. Rooms would be mainly in the order of 20sqm each, although there would be larger family rooms at the end of the buildings.

The proposed aparthotel would be for tourists and business travellers, including families. Laundry services would also be provided within the building. Three of the proposed rooms would be specifically wheel chair accessible with others capable of adaption.

RELEVANT HISTORY

- P1302.12 - Extend the permitted opening hours to 2.30am the following morning Monday to Saturday and 2.00am the following morning on Sunday (Variation of Condition 2 of planning consent P0673.01 and Condition 1 of P1986.05)
Apprv with cons 20-12-2012
- P1383.09 - Extend the permitted opening hours to 2.00am the following morning on Friday and Saturday (inclusive of drinking up time) variation of condition 1 of planning permission P0069.09
Apprv with cons 27-11-2009
- P0857.07 - Formation of external terrace adjacent shop front on Eastern Road for use by One Three One customers
Refuse 16-07-2007
- P0382.07 - Relocation of existing shop front to allow formation of new external terrace
Apprv with cons 30-04-2007
- P1986.05 - Application for an extension of opening hours on Thursdays, Fridays, Saturdays and Sundays, from 08.00 to 01.30 (on the following morning), inclusive of permitted drinking up time on Thursdays, Fridays and Saturdays and from 08.00 to 00.00 (midnight), inclusive of permitted drinking up time on Sundays
Apprv with cons 23-12-2005
- P1191.05 - New canopy over front windows on 'South Street' windows to be replaced with sliding/folding windows- plus 'Juilette' balcony.
Apprv with cons 18-08-2005
- P0366.01 - New shopfront and plant area to 'Life Bar' and restaurant
Apprv with cons 08-05-2001

- A0008.01 - Rectangular banner sign displayed on lamp column
Apprv with cons 25-04-2001
- A0007.99 - Projecting illuminated signs & wall mounted illuminated signs
Apprv with cons 23-02-1999
- P1334.98 - Variation of Condition 3 on Planning Permission P1448.96 re: hours of operation
Apprv with cons 18-01-1999
- P1448.96 - Change of Use from A2 (Financial & Professional) Use and B1 (Business) Use to A3 (Food & Drink) Use
Apprv with cons 25-04-1997
- P1394.96 - Change of Use from A2 Financial & Professional Use to A3 Food & Drink use
Apprv with cons 25-04-1997

CONSULTATIONS / REPRESENTATIONS

The application has been advertised in the local press and on site. In addition 140 neighbour letters have been sent out. In response there has been an objection from the Romford Civic Society.

The following issues are raised:

- * The building is locally listed and the proposals negatively affect the setting of two nearby locally listed buildings. The three buildings are closely linked in terms of design;
- * Concern that poor quality of materials could be used and that the foundations could not support the addition loading;
- * An additional floor would adversely affect the proportions and character of the building and adversely impact on the streetscene;
- * The proposal would be contrary to policies CP18, DC67 and DC61 of the LDF by failing to protect the character of the building.

Environment Agency - no objections

Streetcare (Highways) - no objections

London Fire Brigade - no additional hydrants required

Thames Water - no objections with regard to sewerage capacity

London Fire and Emergency Planning Authority - concerns about access due to scale of plans

Designing out crime officer, Metropolitan Police - no material concerns

Essex and Suffolk Water - metered water connection will be required

Streetcare (waste collection) - no provision for waste storage proposed

Public Protection (Noise) - no objections subject to conditions

English Heritage (now Historic England) - no need for archaeological condition

RELEVANT POLICIES

LDF

CP04 -	Town Centres
CP09 -	Reducing the need to travel
CP17 -	Design
CP18 -	Heritage
DC14 -	Hotels
DC23 -	Food, Drink and the Evening Economy
DC33 -	Car Parking
DC34 -	Walking
DC35 -	Cycling
DC61 -	Urban Design
DC63 -	Delivering Safer Places
DC67 -	Buildings of Heritage Interest
DC69 -	Other Areas of Special Townscape or Landscape Character
DC70 -	Archaeology and Ancient Monuments
ROM06 -	Respecting the Historic Environment
ROM20 -	Urban Design
SPD02 -	Heritage SPD

OTHER

LONDON PLAN - 2.15 -	Town Centres
LONDON PLAN - 4.7 -	Retail and town centre development
LONDON PLAN - 6.5 -	Funding Crossrail and other strategically important transport
LONDON PLAN - 7.3 -	Designing out crime
LONDON PLAN - 7.4 -	Local character
LONDON PLAN - 7.8 -	Heritage assets and archaeology
NPPF -	National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. In assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. The building has been in use as a night club within the last three years and the existing floorspace of 940 square metres can, therefore, be taken into account. The applicable fee is charged at £20 per square metre based on a proposed internal gross floor area of 1,982 square metres less the current floorspace. With this allowance the CIL contribution would be £20,840 subject to indexation.

The site also lies within an area where contributions to help fund the Crossrail development would normally be sought, however, hotels are specifically exempt from any charge in this part of London.

STAFF COMMENTS

PRINCIPLE OF DEVELOPMENT

The site lies within the designated Romford town centre. The NPPF includes hotels as a main town centre

use and LDF Policy DC14 identifies Romford as the preferred location for large scale hotel development. LDF Policy DC4 seeks to direct service development, including hotels to town centres, ensuring that the scale of the development is appropriate to the town centre concerned. The policy seeks to promote Romford as a leading metropolitan centre. Hotels are considered to strengthen the wider role of town centres and provide a range of employment opportunities. London Plan Policy 4.5 sets out targets for additional hotel accommodation within the capital, including the need for aparthotels.

The London Plan defines aparthotels as 'self-contained hotel accommodation (C1 use class) that provides for short-term occupancy purchased at a nightly rate'. The current application refers to the proposal being for an aparthotel, which provides accommodation for extended stays with cooking facilities provided within each of the rooms. However, there is no separate definition or use class for aparthotels within planning legislation. Staff consider that the use falls within class C1 (hotels) and the proposals need to be considered accordingly. However, the London Plan indicates that boroughs may also need to consider take particular account of their potential impacts on housing capacity and where permitted consider conditions to limit the length of stay of occupiers. Notwithstanding this, the development is considered to be for a form of hotel accommodation which is considered acceptable in principle in Romford town centre.

Heritage Considerations

The existing building forms part of a wave of Art Deco-style construction on South Street during the 1920s-30s, which, for example, included the neighbouring buildings at no.95, the Quadrant Arcade and the Odeon Cinema. The building uses high quality materials and design indicative of its era, and has a substantial presence in the streetscene on exiting the station onto South Street. In terms of group value, 131 South Street is also similar in design to other undesignated 1930s buildings at the northern end of South Street, namely the Co-op, the Prudential Building and Lloyds Bank.

While the building is of local heritage interest it has no statutory protection or status. The building is not listed and does not lie within a conservation area, however, both LDF and NPPF policies give some support for the protection of undesignated heritage assets. The effect of development on the desirability of conserving the asset and its setting is a material consideration for planning decisions. The effect of the development on the significance of the asset is the main consideration in this case.

The guidance in the NPPF is that heritage assets should be conserved in a manner appropriate to their significance such that their contribution can be enjoyed by future generations. Local planning authorities should recognise that heritage assets are an irreplaceable resource. Whether the current proposals maintain the heritage significance of the building will be a matter of judgement for members. The guidance in the NPPF is that in determining applications affecting non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case staff judge that the impact on the significance of the asset would be acceptable.

DENSITY / SITE LAYOUT

Access to the upper floors would be taken from a dedicated entrance door to the front (South Street) elevation and access to all floor would be by lift or stairs. Internally each floor would consist of a corridor along the northern side with rooms to the south. All rooms would benefit from an outlook over the street with the exception of the rooms in the roofspace. There are no set sizes for hotel rooms in the LDF or London Plan, but all would be in excess of 20 square metres, which is larger than those approved at Quadrant Arcade (15 sqm) which were designed to meet Travelodge requirements. Three of the rooms

would be designated for wheelchair, with other capable of adaption. The London Plan requires 10% of rooms to be wheelchair accessible so two additional rooms would need to be redesigned to meet this requirement. Staff consider that the proposed layout and standard of accommodation would be acceptable.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The proposed building is currently two-storey in scale with a large hipped-roof. The office buildings to the east and south are of a significantly larger scale. Staff consider that raising the height of the building while retaining the main architectural features of the building would not have an adverse impact on the character and appearance of the area which is characterised by taller buildings. The office buildings to the south are four-storey with roof accommodation and the buildings to the west are also four-storey. Therefore, in terms of scale staff consider that the proposals would not adversely impact on the character of the streetscene.

However, consideration also needs to be given to the heritage impacts of the proposed buildings works. The guidance in the NPPF and in LDF policies CP18 and DC67 is that account also needs to be had to the contribution that non-designated heritage assets make to the character of the area.

The issue in this case is whether the changes proposed to the building would have an unacceptable impact on its heritage significance and on the overall historic character of this part of South Street. This application is similar in nature to the proposals for an hotel at Quadrant Arcade, considered by the committee in 2012. The building concerned was also in Art Deco style dating from the same period as 131 South Street. The building frontage was also in the Romford Conservation Area. In that case the increase in height of the building was, on balance, considered acceptable in heritage terms.

In this case the proposals seek to retain the main architectural elements of the building and help restore some that have been altered by other developments. Staff consider that the increase in height would retain the essential character of the building by replicating existing architectural elements and features. When viewed at ground floor level the building would appear essentially the same as it does at present. During pre-application discussions the heritage officer advised that increasing the height, including replicating the main design elements would be a better solution than significantly altering the roofspace to include dormer windows facing Eastern Road.

The submitted scheme seeks to provide a viable use for the building and has combined an additional floor with roof accommodation, although without dormer windows. The new roof would be wider than the existing, but would have the same shape when viewed from South Street and Eastern Road. Whether this combination would be acceptable is a matter of judgement for members, but staff consider that, on balance, the development would be acceptable in visual terms. It respects the scale of other development in Eastern Road and provides a viable town centre use for the site. In this case given the relative significance of the asset there needs to be a balance between maintaining the importance of the building and providing for an acceptable town centre use. In this case staff consider to the the impact on the heritage asset, which is limited by the retention of much of the existing building fabric, would be acceptable. The significance of the asset would be largely retained. However, should members considered that the raising of the levels would have an unacceptably harmful impact then this could amount to a material objection to the proposals.

IMPACT ON AMENITY

The proposed development lies within Romford town centre and there are no residential properties in the immediate vicinity of the site. Consequently there would be no adverse impact on residential amenity. Given that the use is appropriate in a town centre there would be no adverse impacts on other town centre

users.

HIGHWAY / PARKING

There is no land associated with the building so there would be no parking provision for visitors or staff. However, the site lies within the Romford PTAL zone (6a) and in accordance with the guidance in the NPPF, the London Plan and LDF Policy DC2 staff consider that it would be acceptable for there to be no parking provision. The site lies within a few minutes walk from the station and local bus services and is also close to town centre facilities.

No objections have been raised by the highway authority. The London Plan does not set any maximum standards for hotels. For PTAL zones 4-6 provision should be restricted to operational needs and parking for the disabled, taxis and coaches and deliveries/servicing. In this case there is no space on the site for parking or deliveries, but there is a servicing bay opposite the site entrance in South Street. There is also town centre parking nearby. Cycle parking would be 2-3 spaces and this could be provided within the building.

Refuse and recycling facilities would need to be provided within the building as there is no space to the rear in Chandlers Way. An appropriate condition is recommended.

FLOOD RISK

Parts of the site lies on the edge of Flood Zones 2/3a and there is the potential for flooding from Black's Brook, a tributary of the River Rom, although mainly in culvert near to the application building. A flood risk assessment has been submitted with the application that demonstrates that hotel development would be acceptable in this location. No objections have been received from the Environment Agency. The development is considered acceptable in terms of the technical guidance on flooding that forms part of the NPPF.

KEY ISSUES / CONCLUSIONS

The proposal is for hotel development in Romford town centre which would be acceptable in principle. The building is a non-designated heritage asset and consideration needs to be given to protecting the significance of the building. The building is not listed but forms part of a group of buildings that make up the historic character of Romford and help mark a period in its development. However, given the relative importance of the building staff consider, that the increase in height would not materially alter the overall character of the building and would maintain the essential elements of its significance. Given the scale of the harm in relation to the importance of the building staff consider that, on balance, the development would be acceptable and the grant of planning permission is recommended accordingly. In reaching this view account has been taken of the acceptability of the hotel use in the town centre and that the change of use would secure the future of the building. Should members give different weight to these factors and judge that there would be unacceptable harm to heritage interest then this could amount to a material objection to the proposals.

RECOMMENDATION

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

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. SC09 (Materials) (Pre Commencement Condition)

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (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.

4. SC19 (Restricted use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended, or any order revoking and re-enacting that Order with or without modification) the use hereby permitted shall be for purposes falling within Class C1 (Hotels) of the Order and shall comprise a maximum of 54 units. The accommodation shall not be used as the sole or main residence of any of the occupiers and no person shall occupy the aparthotel for a continuous period of more than 90 days.

Reason:-

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

5. SC44 (Noise Insulation) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until a scheme for protecting future occupants of the hotel from noise from road traffic in Eastern Road/South Street and nearby commercial activities is submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before the first occupation of the building.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the noise insulation measures to be employed. Submission of the information prior to commencement will prevent noise nuisance to future occupiers of the development from road traffic in Eastern Road/South Street and the night time economy in accordance with Development Control Policies Development Plan Document Policies DC55 and DC61.

6. Noise insulation

The building hereby permitted shall be so constructed as to provide sound insulation of 43 DnT,w+Ctr dB (minimum values) against airborne noise and 64 L'nT,wdB (maximum value) against impact noise.

Reason:

To prevent noise nuisance to adjoining occupiers in accordance with policies DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

7. SC59 (Cycle Storage)

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

8. SC62 (Hours of construction)

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:-

To protect the amenities of adjoining occupiers and other town centre users, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

9. SC63 (Construction Methodology) (Pre Commencement)

No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. 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:-

Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

10. SC58 (Refuse and recycling)

The building shall not be occupied or the use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. Non Standard Condition 33

No building shall be occupied or use commenced until five of the rooms of the proposed aparthotel have been fitted out to be wheelchair accessible. The rooms shall be retain as wheelchair accessible throughout the life of the development.

Reason:-

Insufficient information has been submitted to demonstrate how the requirement for 10% wheelchair accessible accommodation would be achieved. Approval and implementation of details prior to use/occupation is required to ensure that the requirements Policy DC7 of the Development Control Policies Development Plan Document and Policy 4.5 of the London Plan.

12. Register of occupiers

Prior to the first occupation of the aparthotel, a register shall be established and maintained at all times when the building is occupied. The register shall contain information regarding the names of occupiers of the units within the aparthotel and duration of their stay. The register shall be made available to the Council in response to all reasonable requests for information about occupancy of the aparthotel.

Reason:-

To enable the use of the premises as as aparthotel to be monitored to ensure that the use remains compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policies DC14 and DC61 and London Plan Policy 4.5.

13. Renewable energy (Pre Commencement Condition)

A renewable energy system for the development shall be installed in accordance with details that shall be previously submitted to and agreed in writing by the Local Planning Authority and shall be made operational prior to the residential occupation of the development. Thereafter, it shall be permanently retained.

Reason:

Insufficient information has been supplied with the application in relation to renewable energy to meet the requirements of Policy 5.2 of the London Plan. The submission of details prior to commencement is necessary to ensure that the proposals would meet the terms of this policy and in the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

INFORMATIVES

1. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: 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.

2. Approval and CIL (enter amount)

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £20,840 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you

are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

REGULATORY SERVICES COMMITTEE

30 July 2015

REPORT

Subject Heading:

**P0382.15: Briar Road Shop Site,
Romford**

Demolition of existing buildings and redevelopment to provide a three-storey block comprising 36no. residential units and 2no. commercial units (198m2 in total) with use classes A1/A2; a terrace of 10no. houses; new highways and associated planting, landscaping, servicing and car parking. (Application received 23 March 2015)

Report Author and contact details:

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

Policy context:

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

Financial summary:

None

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

- Havering will be clean and its environment will be cared for [X]
- People will be safe, in their homes and in the community [X]
- Residents will be proud to live in Havering [X]

SUMMARY

The proposal is for the demolition of the existing buildings and the redevelopment of the site to create 46no. affordable residential units and 2no. commercial units, with new access roads, associated planting, landscaping, servicing and car parking.

The development will comprise of 36no. flats and 2no.commercial units in a three-storey block to the south of the site and a terrace row of 10no houses to the north.

It raises considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents and the suitability of the proposed parking and access arrangements.

The application site is Council owned land.

On balance the proposal is considered to be acceptable in all material respects, but as the development would give rise to a demand for school places a contribution of £6,000 per dwelling is deemed necessary to make the development acceptable. As the application is made by the Council this would need to be secured by a unilateral undertaking rather than legal agreement. Subject to the prior completion of such an undertaking it is recommended that planning permission is 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 £40,580.00 subject to indexation. This is based on the creation of 2,029 square metres of new gross internal floor space.

That the proposal is unacceptable as it stands but would be acceptable subject to the completion of a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £276,000 to be paid prior to the commencement of the development, to be used for educational purposes in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan 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 unilateral undertaking to the date of receipt by the Council.

That the Head of Regulatory Services be authorised to grant planning permission upon the completion of the unilateral undertaking subject to the conditions set out below:

1. Time Limit

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

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

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

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

3. Parking Provision

Before any of the flats hereby permitted are first occupied, the car parking provision shall be laid out to the full satisfaction of the Local Planning Authority and be made available for 86no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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.

4. External Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the

building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials..

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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.

5. Landscaping

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

6. Refuse and Recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Cycle Storage

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

8. Contaminated Land (1)

The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority:

a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and likelihood of contaminants, their type and extent incorporating a site conceptual model.

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

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

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

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

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source

and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

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

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

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

9. Contaminated Land (2)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

10. Noise Insulation (Flats)

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

Reason: To prevent noise nuisance to adjoining properties with Development Control Policies Development Plan Document Policies DC55 and DC61.

11. Noise Insulation (Houses)

The houses 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 properties with Development Control Policies Development Plan Document Policies DC55 and DC61.

12. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

13. External Lighting Scheme

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

14. Highway Stopping Up

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

Reason: Submission of this detail prior to commencement will protect highway safety and ensure that all legislative provisions are followed and that the

development accords with the Development Control Policies Development Plan Document Policies DC32, DC33, DC34, DC35, DC36 and DC61.

15. New Areas of Highway

The development hereby approved shall not commence until the detailed design of the prospective highways and alterations to the existing highway have been submitted to and agreed in writing by the Local Planning Authority in conjunction with the Highway Authority. The highway works shall then be carried in accordance with the agreed details prior to the final occupation of the development hereby approved.

Reason: Reason: Insufficient information has been supplied with the application to judge the full impact arising from the proposed development in respect of the public highway. Submission of this detail prior to occupation will protect highway safety and ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32, DC33, DC34, DC35, DC36 and DC61.

16. Wheel Washing

No works shall take place in relation to any of the development hereby approved until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works.

The submitted scheme will provide the following details:

- a) A plan showing where vehicles will be parked within the site, to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway.
- c) A description of how vehicles will be checked before leaving the site, including their wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/muddy water be dealt with after being washed off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

17. Boundary Screening/ Fencing

The development hereby permitted shall be constructed in accordance with the approved measures for boundary screening and screen walling, as detailed in the submitted Landscape Plan (Drawing No. 14139_PL05 Revision B) unless otherwise agreed in writing by the Local Planning Authority, and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

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

18. Secure By Design

Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers (DOCOs), the development shall be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

19. 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: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

20. Hard Surfacing

The access drive, car park and vehicle turning areas shall be surfaced in accordance with the approved surfacing materials as detailed in the submitted external materials schedule, unless otherwise agreed in writing by the Local Planning Authority. Once constructed, the extended part of the access road and vehicle turning area shall be kept permanently free of any obstruction (with the exception of the car parking areas shown on the plans) to prevent their use for anything but turning and 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.

21. Sustainable Homes

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

Reason: In the interests of energy efficiency and sustainability in accordance with DC49 Sustainable Design and Construction and Policies 5.1, 5.2 and 5.3 of the London Plan.

22. Renewable Energy and Low Carbon

The renewable energy / low carbon system shall be installed in strict accordance with the agreed details and shall be operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of energy efficiency and sustainability in accordance with DC50 Renewable Energy and Policies 5.1, 5.2, 5.3 and 5.7 of the London Plan.

23. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, roof extensions or roof alterations shall take place and no outbuildings or other means of enclosures shall be erected within the rear garden areas of the 10no. houses unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

INFORMATIVES

1. 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.
2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the

CIL payable would be £40,580.00 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. Changes to the public highway (including permanent or temporary access)

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. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. Highway legislation

The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of 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 of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

5. Temporary use of the public highway

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. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

6. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

REPORT DETAIL

1. Background

- 1.1 The application was deferred at the Committee meeting on 18 June 2015 in order for staff to clarify the current position on the potential inclusion of a GP surgery in the scheme.
- 1.2 Staff can report that this matter was given consideration throughout the design process as a result of the initial local resident and member consultations. Indeed, to facilitate and explore this possibility, the Council spoke directly to a representative of the Clinical Commissioning Groups (CCGs) which commission most of the hospital and community NHS services in the local areas for which they are responsible.
- 1.3 Commissioning involves deciding what services are needed, and ensuring that they are provided. CCGs are overseen by NHS England, which retains responsibility for commissioning primary care services such as GP and dental services, as well as some specialised hospital services. It should be noted that all GP practices now belong to a CCG.
- 1.4 Group Director, Joy Hollister led on these discussions which yielded no clear commitment from the CCG to invest in a new GP facility within the proposed Briar Road development.
- 1.5 Staff can report that this remains the current position and it was confirmed most recently on the 24 June 2015 that the CCG are developing an options paper on the need and potential scale of a GP surgery and are exploring the potential and viability of other locations. There are no set timescales for this work to be completed, or decision to be taken.
- 1.6 The view of the Council is to maintain an 'open door' approach with regard to the provision of a GP surgery on the Briar Road development and this will be led by the demand and requirements of the CCG, should this occur.
- 1.7 Members should be aware that despite the desire from some local residents to have a GP surgery on the Briar Road development, the Council has no powers to insist this should happen, and have expressed throughout the progression of the scheme a willingness to facilitate the provision of a GP surgery only if there was a specific demand and need from the CCG.
- 1.8 Finally, Staff can report that as the scheme progresses it will be the Council's intention to monitor demand for the proposed commercial units, and would welcome expressions of interest from all potential users, including the CCG.

- 1.9 An additional arising matter relates to the contribution of £6,000 per dwelling towards school places. It was previously reported to Committee that the financial contribution would be secured by condition, however following recent legal advice this approach has been changed and the contribution would now need to be secured by way of unilateral undertaking owing to the applicant owning the land.

2. Site Description

- 2.1 The application relates to the Briar Road Shop site and surrounding land, located on the north side of Briar Road and to the south of Barberry Close. The site forms part of the wider Briar Road Estate and comprises several vacant residential blocks and partially vacant commercial units, the Betty Whiting Community Centre as well as associated service roads, car parking spaces and public open space.
- 2.2 The site is bounded by Briar Road which arches around the western and southern sections of the plot giving the site an extensive road frontage. The northern site boundary is shared with the rear gardens of residential properties at Barberry Close and is overlooked from the west by four-storey residential blocks at Barberry Close and Briar Road.
- 2.3 The triangular shaped site is relatively flat and covers an area of 7,900m² (0.79 ha).

3. Description of Proposal

- 3.1 The proposal is for the demolition of the existing buildings and the redevelopment of the site to create 46no. affordable residential units and 2no. commercial units, with new access roads, associated planting, landscaping, servicing and car parking.
- 3.2 The development would comprise a three-storey block consisting of 36no. residential units of which 3no. would be one-bedroom flats and 33no. would be two-bedroom flats. At ground floor level the block would also include 2no. commercial units consisting of 198m² of A1/A2 use class floorspace. The building will incorporate a contemporary flat roof design with a height of approximately 10 metres.
- 3.3 The block would be positioned in the southern part of the site and would be laid out in a snaking 'ribbon' style arrangement involving adjoining linked wings forming several focal points from views within and outside of the site. The layout would create a central courtyard area of semi-public and communal amenity space. The 2no. commercial units would be located at the southern tip of the site offering a prominent frontage onto Briar Road.
- 3.4 A two-storey terrace row consisting of 10no. houses would be constructed to the north of the site, backing onto the rear gardens of the existing terrace

row at No.s 16 to 38 Barberry Close. The terrace would comprise a mix of 6no. two-bedroom houses and 4no. three-bedroom houses. The row would be staggered with projecting sections at each end and would incorporate a hipped pitched roof design with a ridge height of 9.9 metres in the central section rising to 10.8 metres for the staggered end sections. Each dwelling would have a private rear garden area of approximately 50m².

- 3.5 It is proposed that the scheme will provide 100% affordable residential accommodation with the flats for affordable rent and houses for a shared ownership scheme. All dwellings will have a dual aspect and will be designed to the London Plan minimum internal spacing standards and Lifetime Homes Standard.
- 3.6 The surrounding access and servicing roads within the site would be reconfigured accordingly with associated landscaping, planting and communal amenity space used to soften the extent of the hardstanding. The existing main vehicular access points from Briar Road would be retained and 86no. off street car parking spaces provided within the site. The car parking provision would be arranged along the new access roads as well as in a dedicated car parking area to the front of No.s 52 to 74 Barberry Close.
- 3.7 A series of externally accessed internal refuse stores would be provided within the flatted block and placed in locations close to each of the main entrances. Each of the dwellings in the terrace row would be served by an enclosed bin store adjacent to the front door. An enclosed commercial refuse store would be provided to the rear of the shop units.
- 3.8 Secure cycle storage providing space for up to 36no. cycles would be provided in an enclosed cycle store located to the rear of the proposed commercial units. A secure storage shed would be provided in the rear garden of each of the terraced houses.

4. Relevant History

- 4.1 P0060.09 - Change of use from A1 (retail) to A5 (hot food takeaway) and associated ducting – Approved

5. Consultations/Representations

- 5.1 Neighbour notification letters were sent to 165 properties and 2 letters of objection has been received. The comments can be summarised as follows:
- The proposed building works combined with other schemes in the area would further reduce the existing resident's location enjoyment and their personal space.
 - The building works will cause further noise and disturbance.
 - Loss of public green space.

- Without the open grass areas which give relief to the area, the space for residents to walk and sit gives more likelihood of problems such as antisocial behaviour, noise and disturbance.
- The amount of hardstanding is excessive, especially when considering the other developments in the area which have also been built on open space.
- There is an existing parking problem in the area and the new properties will only increase this difficulty.

5.2 The following consultation responses have been received:

- National Grid – no objection, however due to the proximity to National Grid apparatus the developer should contact the National Grid prior to any works commencing.
- Essex and Suffolk Water – no objection.
- Greater London Archaeological Advisory Service (GLAAS) – no objection.
- Regeneration & Partnerships – no comments.
- Designing Out Crime Officer – no objection, recommend a condition relating to the development achieving Secured by Design principles.
- Environmental Health – no objection, recommended conditions in relation to contaminated land and noise insulation.
- Local Highway Authority – no objection, recommended several conditions as the scheme requires large areas of existing public highway to be stopped up to facilitate the development and so it is important to ensure that the new highways are provided to adoptable standards with the aim of them being dedicated as public highway when the scheme has been complete.

6. Relevant Policies

- 6.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC6 (Affordable Housing), DC11 (Non-designated Sites), DC26 (Location of Community Facilities), DC27 (Provision of Community Facilities), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 6.2 Other relevant documents include the Residential Design SPD, Landscaping SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.

- 6.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations) of the London Plan, are material considerations.
- 6.4 The National Planning Policy Framework, specifically Sections 1 (Building a strong, competitive economy), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities) and 10 (meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.

7. Staff Comments

- 7.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the streetscene, the implications for the residential amenity of the future occupants and of nearby houses and flats and the suitability of the proposed parking and access arrangements.

Principle of Development

- 7.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 7.3 The proposal is for the redevelopment of a mixed use residential and commercial site. The site is not designated as Green Belt land, an employment area, or within Romford town centre in the Development Plan. The redevelopment of the site would result in the loss of a community facility with the demolition of the Betty Whiting community centre. The community centre was formally decommissioned on 31 March 2015 and in accordance with policy DC27 suitable alternative provision has been made through the recent refurbishment and extension of the Betty Strathern Centre, located some 150 metres to the north of the application site.
- 7.4 The proposal is considered to be policy compliant in land use terms and its continued use for mixed residential and commercial purposes is therefore regarded as being acceptable in principle.

Density/ Layout

- 7.5 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 7.6 The proposal would provide 46no. residential units consisting of 36no. flats and 10no. houses at a density equivalent to approximately 58 dwellings per hectare. This complies with the aims of Policy DC2 which states that a dwelling density of between 50 to 80 dwellings per hectare would be appropriate in this location.
- 7.7 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conforms to minimum internal space standards.
- 7.8 For one-bedroom flats for two people the spacing requirement is set at 50 square metres. For two-bedroom flats the minimum standard is set at 61 square metres for three occupants and 70 square metres for four occupants. For two-bedroom houses it is 87 square metres and for three-bedroom houses the minimum internal spacing should be 87 square metres for four persons and 96 square metres for five persons.
- 7.9 In both the flatted block and the terrace row of houses the proposal would provide residential units with varying floor space sizes all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. Given this factor it is considered that the proposed development would be in accordance with Policy 3.5 of the London Plan and the flats and houses would provide an acceptable amount of space for day to day living.
- 7.10 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.
- 7.11 In the flatted block external balcony areas accessed directly from the living rooms with an area ranging from between 6.5 square metres and 8 square metres would be provided for each of the flats forming the first and second floors. The ground floor flats would be provided with external terrace areas including hedging and fencing to offer an extra degree of privacy and security.
- 7.12 An area of approximately 140 square metres within the central courtyard area of the flatted block would be landscaped and set out as communal shared amenity space, offering varying levels of privacy to users depending on which part they use. With the provision of the balconies and terrace areas as well as the communal garden it is considered that occupants of the

proposed flats would have access to a reasonable provision of outdoor amenity space.

- 7.13 Each of the 10no. houses in the proposed terrace row would have a private rear garden area of approximately 50m².
- 7.14 It is considered that the proposed amenity space would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants of both the flats and houses. All of the proposed dwellings would have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with Policy DC61 and The Residential Design SPD.
- 7.15 In terms of community safety and security the Borough Designing Out Crime Officer has been consulted and has raised no specific objections to the proposal, subject to planning conditions. The proposal is considered to respond in principle to the requirements of the NPPF, Policy 7.3 of the London Plan and LDF Policy DC63. Staff are satisfied that reasonable measures have been undertaken to make the development as safe as possible and recommend conditions relating to Secured by Design and other community safety measures.
- 7.16 The development is designed to Lifetime Homes standard and the units are designed to be adaptable to wheelchair housing standards. Accordingly the scheme is in accordance with Policy DC7 of the LDF and the requirements of Policy 3.8 of the London Plan.

Design/Impact on Streetscene

- 7.17 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 7.18 The main impact in terms of the streetscene at Briar Road relates to the character and appearance of the three-storey block comprising 36no. flats and 2no. commercial units in comparison to the existing three-storey building. The application site occupies a prominent location, with an extensive frontage onto Briar Road along the western and southern boundaries.
- 7.19 As with the existing building the proposed block would cover the majority of the site frontage, but would shift the built development closer to Briar Road, albeit for a partial step-in to allow spacing for an additional parking area. The proposed block would be similar in terms of the height and massing and given the existing site circumstances and immediately adjacent buildings it is not considered that a building of the scale proposed would unduly harm views into the site from Briar Road. It is also noted that the design of the building includes elements that break down its perceived bulk, for example the stepped ridge height of the interlinking wing sections, the proposed

window heights and proportions, front elevation detailing and the inclusion of partially enclosed balconies. These elements are judged to avoid the proposed building having an overly dominant appearance in this setting.

- 7.20 The existing building effectively turns it back on the prominent Briar Road frontage contributing little in terms of an active frontage or design quality. In comparison, it is considered that the proposed scheme would address this issue positively.
- 7.21 In a broader sense the proposal would replace an outdated and rundown block with a building comprising a contemporary flat roof design which would serve to revitalise the general character and appearance of the area and add a greater degree of quality to the built environment within this section of Briar Road. With regard to the more immediate context, the increased proximity of the proposed block to the boundary with Briar Road would replace a relatively poor rear servicing area and car park with an active frontage consisting of front garden areas and pedestrian access paths into the new block set to the refreshed backdrop of the modern building.
- 7.22 The proposed commercial units would be located at the southern tip of the site and would be afforded greater prominence in terms of the relationship with Briar Road. The current building is arranged so that the commercial units face into a pedestrianized courtyard. Whilst the new layout would alter this arrangement considerably it is considered that the positioning of the commercial units would still enable any future shops or services to perform a functional and inclusive role for the surrounding residential community.
- 7.23 The proposed terrace row of 10 no two-storey houses would replace a vacant two-storey residential block located perpendicular to the western site boundary.
- 7.24 To some extent this element of the proposal would mirror the appearance of the existing adjacent terrace row at No.s 16 to 38 Barberry Close, particularly in terms of the scale, massing and positioning. As a result the relatively open aspect from the rear gardens of the Barberry Close houses would be reduced to some degree. However, the proposed terrace row building would be set well within the site boundaries and located some 19 metres from the rear of the adjacent houses. The proposed new terrace block would therefore be well spaced between the neighbouring buildings and would not unduly encroach on the setting of the rear gardens. In this respect it is considered that the siting and appearance of the terrace would be sympathetic to its immediate surroundings and would serve to maintain and enhance the character of the streetscene from Briar Road and the rear garden setting at Barberry Close.
- 7.25 On balance it is considered that the proposed development would serve to regenerate a run down and neglected site, thereby enhancing the character and appearance of the surrounding area. The scale and bulk of the

proposed buildings would also sit comfortably within this setting given the height and scale of the existing residential blocks adjacent to the site.

- 7.26 As such it is considered that the proposed development would be sympathetic to both the immediate and wider setting, resulting in a positive impact on the character and appearance of the streetscene and surrounding area in accordance with policy DC61 and the Residential Design SPD.

Impact on Amenity

- 7.27 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overlooking or loss of privacy to existing properties.
- 7.28 The main consideration in terms of residential amenity relates to the impact on the occupants of the various flats overlooking the site at No.s 37 to 119 Briar Road (located to the east of the proposed residential and commercial block), No.s 1 to 12 Veronica Close (located to south of the proposed residential and commercial block), No.s 73 to 83 Waverley Crescent (located to the west of the terraced row), No.s 16 to 38 Barberry Close (located to the north of the terraced row) and No.s 40 to 98 Barberry Close (located to the east of the terraced row).
- 7.29 At the closest point the eastern side elevation of the commercial unit and flatted block would be situated approximately 15 metres from overlooking windows at 49 to 59 Briar Road. Along other sections of the new building the distance would increase with the proposed block generally positioned some 20 metres from the existing flats to the east.
- 7.30 The eastern elevation of the new block would contain habitable room windows as well as the partially enclosed external balcony areas. In comparison to the existing arrangements this would bring the building considerably closer to the front elevation of the flats at Briar Road than the current relationship. As a result this element of the scheme presents some concerns in relation to overlooking and privacy. Whilst Members may wish to consider the acceptability of this relationship, Staff have taken into consideration that a road and public right of way will run between the adjacent buildings. This means that residents with an outlook onto the road would expect to experience a degree of overlooking when compared to say rear windows that overlook an area of private amenity space. On balance, the separation distances across a public road are considered to be sufficient so as not to result in a detrimental loss of privacy or overlooking to the existing or proposed flats.
- 7.31 The southernmost section of the commercial unit and flatted block would be positioned some 16.5 metres at an oblique angle from the closest point of

the residential block at No.s 1 to 12 Veronica Close, located on the opposite side of Briar Road. Again, given that this relationship is across a public road the separation distances are considered to be acceptable in this instance.

- 7.32 The proposed terraced row element of the development would be positioned approximately 19 metres at the closest point from the rear of the dwellings at 16 to 38 Barberrry Close. These distances are considered to be acceptable in order to maintain outlook and privacy between the new residential block and the neighbouring residents. As such it is not considered that the proposed development will result in any undue impact on the privacy of the occupants of the dwellings at Barberrry Close.
- 7.33 The terrace row would be two storeys in height and would be set in from the boundary with the neighbouring properties at both adjacent parts of Barberrry Close and has a staggered building line, which offsets its overall bulk and massing. The eastern side elevation of the terrace row would be largely blank containing a ground floor secondary living room window and a first floor secondary bedroom window some 23 metres from the front elevation of 88 to 98 Barberrry Close.
- 7.34 Having regard to these factors, it is considered that the scale, height and bulk of the proposed building would be suitable and would not unduly impact on the rear of the properties at 16 to 38 Barberrry Close or the frontage of dwellings at 88 to 98 Barberrry Close by way of overbearing impact, overshadowing or a loss of daylight.
- 7.35 The western side elevation of the terrace row would be positioned some 28 metres from the rear of houses at No.s 73 to 83 Waverley Crescent. This distance is considered to be acceptable and would maintain a good degree of outlook for the neighbouring residents to the west of the site.
- 7.36 On balance, it is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

Environmental Issues

- 7.37 Environmental Protection have raised no objections in relation to any historical contaminated land issues associated with the site, but have recommended that a precautionary standard condition in relation to contaminated land is included.
- 7.38 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 7.39 The proposal is not considered to give rise to any significant noise issues subject to conditions required by Environmental Health.

Trees

- 7.40 There are a number of trees sited in various locations within the site, none of which are protected by Tree Preservation Orders. The accompanying Arboricultural Survey Report has identified the majority of the trees as not worthy of retention. Given the positioning of the proposed buildings and the reconfiguration of the access roads and parking areas the majority of these trees will be lost as a result of the development. The Arboricultural Survey Report recognises that a small proportion of the trees contribute to the landscape character of the site and as such a comprehensive tree planting scheme for the site will be required as part of the landscaping condition.

Parking and Highway Issues

- 7.41 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) is set at 1b meaning that the site is classified as having relatively poor access to public transport. Therefore residential development in this location is required to provide a high car parking provision of 2-1.5 spaces per unit.
- 7.42 The proposal can demonstrate a total of 86 no. off-street car parking spaces (including 7 no. dedicated disabled user bays) within the site to cater for the proposed 46 no. residential units and 2 no. commercial units. The car parking provision would be arranged along the reconfigured access roads as well as in a dedicated car parking areas including one to the front of No.s 52 to 74 Barberry Close. The existing main vehicular access points into the site from Briar Road would be retained and reconfigured.
- 7.43 A series of externally accessed internal refuse stores would be provided within the flatted block and placed in locations close to each of the main entrances. Each of the dwellings in the terrace row would be served by an enclosed bin store adjacent to the front door. An enclosed commercial refuse store would be provided to the rear of the shop units.
- 7.44 Secure cycle storage providing space for up to 36no. cycles would be provided in an enclosed cycle store located to the rear of the proposed commercial units. A secure storage shed would be provided in the rear garden of each of the terraced houses.
- 7.45 The Local Highway Authority has raised no objection in relation to the proposed amount of car parking provision and the access and servicing arrangements from Briar Road.
- 7.46 It is therefore considered that the proposed car parking and access arrangements are acceptable and would not result in highway safety or parking/ servicing issues.

Affordable Housing

- 7.47 It is proposed that the scheme will provide 100% affordable residential accommodation with the 36no. flats for affordable rent and 10no. houses for a shared ownership scheme.

Mayoral Community Infrastructure Levy

- 7.48 The proposed development will create 46.no new residential units and 2no. commercial units with 2,029 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £40,580.00 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 7.49 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 7.50 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 7.51 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 7.52 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 7.53 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant

and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.

7.54 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.

7.55 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6000 per dwelling for educational purposes would be appropriate.

7.56 The proposed new dwellings would result in an additional local infrastructure demand such that a financial contribution is needed in accordance with policy DC72. There would be a net addition of 46 units and a charge of £276000.00 is considered necessary to make the development acceptable in accordance with the policy which would need to be secured by way of unilateral undertaking owing to the applicant owning the land.

8. Conclusion

8.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.

8.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.

8.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the unilateral undertaking.

Legal implications and risks:

The planning merits of the application are considered separately to the Council's interests as landowner and applicant.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including units that provide for wheelchair adaptable housing, and units which are designed to Lifetime Homes standards. The residential development is exclusively for affordable housing, thus contributing to the provision of mixed and balanced communities.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 23 March 2015.

REGULATORY SERVICES COMMITTEE

30 July 2015

REPORT

Subject Heading:

P0512.15: 9 Chase Cross Road, Romford

Demolition of existing rear workshop and construction of five apartments comprising 3 No. 2-Bed and 2 No. 1-Bed units, and revised internal layout to existing first floor residential unit at 9a Chase Cross Road. Received 17 April 2015

Ward

Report Author and contact details:

Havering Park
Helen Oakerbee
Planning Manager
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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

The application seeks permission for the demolition of the remaining part of the single storey workshop to the rear of the site and the construction of a building to provide five apartments, comprising of 3 no. 2 bedroom and 2 no. 1 bedroom units. The proposal includes the reconfiguration of the internal layout of an existing first floor residential unit at 9A Chase Cross Road to relocate a bedroom to the front of the property. Parking is provided for 5 cars.

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

1. 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 £10,980, subject to indexation. This is based on the creation of 549 square metres of new gross internal floor space (549 x £20 = £10,980).
2. 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 for education purposes.
 - 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, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
 - Payment of the appropriate planning obligations/ monitoring fee prior to completion of the agreement.

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

1. Time Limit

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

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

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

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

3. Contaminated Land

No works shall take place in relation to any of the development hereby approved (except works required to secure compliance with this condition) until the following Contaminated Land reports (as applicable) are submitted to and approved in writing by the Local Planning Authority:

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

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

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

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

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

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

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

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

Reason:

Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

4. Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will 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.

5. Landscaping

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

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

6. 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:

Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. Wheel Washing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason:

Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

8. Construction Methodology

No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. 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:

Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

9. Refuse and Recycling

The refuse and recycling store shown on approved drawing 2009-139/200 Rev G shall be provided prior to occupation of any building or commencement of any use and shall be permanently retained thereafter.

Reason:

To protect the amenity of occupiers of the development and also of the locality generally and to ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

10. Cycle Storage

The building shall not be occupied until secure storage for 8 cycles is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason:

The submitted proposals for cycle parking show an insufficient provision of spaces. Submission of a revised scheme for cycle parking prior to occupation is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

11. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday,

and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:

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

12. Noise Insulation

The buildings shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise and 62LnT, w dB (maximum values) against impact noise.

Reason:

To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

13. Flank Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

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

14. Amenity of Occupiers of 9A

The new building shall not be occupied until the changes to the internal configuration of 9A Chase Cross Road shown on approved drawing 2009-139/201 Rev E have been fully implemented to the satisfaction of the local planning authority.

Reason: To preserve the amenity of occupiers of 9A Chase Cross Road and to comply with Policy DC61 of the Development Control Policies Development Plan Document.

INFORMATIVES

1. Secure by Design - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.
2. Discharge fee - 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.
3. Drainage - 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.
4. Changes to the Highway - 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 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.

5. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: 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. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. Site Description

- 1.1 The application site is approximately 30 metres east of the Collier Row town centre roundabout and lies between Clockhouse Lane to the north and Chase Cross Road to the south. The site is currently occupied by a semi-detached pair of properties which face south onto Chase Cross Road and are occupied by a driving school and a motor repair shop on the ground floor, with two flats, 9A and 11A on the first floor. 9A Chase Cross Road has a bedroom in the roof space. A large single storey workshop building, which is attached to the rear of the semi-detached properties, has been mostly demolished. There is an existing telecommunications mast located in the north western corner of the site.
- 1.2 The site has a generous hard standing in front of the shop units with a width of some 22 metres and a depth varying from 15 metres at its westernmost end to 8 metres in the east. A dropped kerb from Chase Cross Road provides vehicular access to the hardstanding and via an access road along the east flank of the building to the rear of the site which has a width of 22 metres and a depth measured from the rear of the semi-detached pair of 28.5 metres.
- 1.3 The surrounding area is predominantly residential in character, comprising of two storey semi-detached and terraced properties. To the north of the site is a wedge shaped piece of land in use as the playground of a day nursery and beyond this is Clockhouse Lane; to the south is Chase Cross Road; to the east are 13-15 Chase Cross Road, a semi-detached pair of houses in use as a medical centre; to the west is a parade of shops with residential accommodation above.

2. Description of Proposal

- 2.1 The application seeks permission for the demolition of the remaining part of the single storey workshop to the rear of the site and the construction of a building to provide five apartments, comprising of 3 no. 2 bedroom and 2 no. 1 bedroom units. The proposal includes the reconfiguration of the internal layout of an existing first floor residential unit at 9A Chase Cross Road to relocate a bedroom to the front of the property.
- 2.2 The proposed two storey building would be arranged with one, 1-bedroom flat and one 2-bedroom flat on the ground floor with individual private gardens. One 1-bedroom flat with a Juliet balcony and one 2-bedroom flat would occupy the first floor. One 2-bedroom flat would occupy the second floor.
- 2.3 In terms of appearance the proposed building would have two areas of pitched roof with different ridge heights and two crown roof sections. The proposal features one flat roofed dormer window in the northern elevation and two flat roofed dormers in the western elevation. There is a roof light in the southern elevation and two roof lights in the eastern elevation. The materials proposed are red brickwork, white render, double glazed aluminium windows, aluminium doors and a slate roof.
- 2.4 The proposed two storey building would have a maximum width of 10.7 metres by 13.2 metres in depth. The building would have a maximum and minimum height of 8.5 and 8.2 metres respectively. The pair of two storey semi-detached properties, No.'s 9-11 Chase Cross Road, would be retained. The proposal includes a single storey element comprising cycle store, bathroom (serving a one bedroom flat) and refuse/recycling store that adjoins No. 9 Chase Cross Road, which would have a maximum width of 6.55 metres, a depth of 9.4 metres and a height of 2.7 metres. The cycle store would have a roof light.
- 2.5 In total, the proposal features five car parking spaces. There is an amenity space located to the rear of the site and both ground floor flats have private gardens.

3. History

- 3.1 There is extensive planning history for the site, the most relevant of which is:

P1657.99 - Change of use to Class A3 - Refused.

P1685.00 - Change of use to restaurant - No decision. Approved on appeal.

M0005.03 - Telecommunications base station site comprising 1 no. 12m mono-pole supporting 3 no. antenna and associated equipment - Approved.

P0001.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 2 no. 2-bed and 3 no. 1-bed units - Refused.

P1616.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 3no. 2-bed and 2no. 1-bed units. New projecting bay window to existing first floor residential unit at 9A Chase Cross Road. This application was refused permission on 17 December 2010 on the grounds that:

The proposed development would, by reason of its height, scale, mass and position close to No. 9A Chase Cross Road, appear dominant, visually intrusive and overbearing and result in a loss of amenity and outlook to No. 9A Chase Cross Road contrary to Policies DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.

The decision was upheld on appeal in June 2011 with the inspector finding that the loss of outlook from one bedroom window to the rear of 9A Chase Cross Road would be unacceptable as the window would look out on a blank wall at a distance of 4.8 metres.

4. Consultation/Representations

The occupiers of 22 neighbouring properties were notified of this proposal. No responses were received.

The Highway Authority has no objection to the proposals and is satisfied with the parking provision and the proposed parking layout.

Environmental Health - Recommend conditions relating to noise and contaminated land if minded to grant planning permission.

London Fire Brigade - Consideration has been given to the provision of statutory hydrants and private fire hydrants. No additional or alterations to the existing fire hydrants are required for the site.

5. Relevant Policy

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

CP1 - Housing Supply
DC2 - Housing Mix and Density
DC3 - Housing Design and Layout
DC6 - Affordable Housing
DC27 - Provision of Community Facilities
DC32 - The Road Network

DC33 - Car Parking
DC34 - Walking
DC35 - Cycling
DC61 - Urban Design
DC63 - Delivering Safer Places
DC70 - Archaeology and Ancient Monuments
DC72 - Planning Obligations
Residential Design SPD
Planning Obligations SPD (Technical Appendices)

The following London Plan policies apply:

Policy 6.13 - Parking
Supplementary Planning Guidance Housing

The following national planning guidance is also of relevance:

The National Planning Policy Framework ("the NPPF")

6. Staff Comments

- 6.1 The main issues are considered to be the principle of development, the impact upon the character and appearance of the street scene, the quality of the accommodation provided and impact upon neighbouring occupiers.
- 6.2 The proposal under consideration seeks to address the reasons for refusal of planning application, P1616.10 by the following changes:
- A glazed bay window to a first floor bedroom of 9A Chase Cross Road is deleted from the new proposal - the window was included in the previous scheme in an attempt to mitigate loss of daylight, sunlight and outlook to that room. Instead the internal configuration of 9A Chase Cross Road is changed so that the bedroom is moved to the front of the building and the affected window to the rear now serves a kitchen.
 - The new building is moved 600mm further away from the rear of 9-11 Chase Cross Road.

7. Principle of Development

- 7.1 No.'s 9 and 11 Chase Cross Road are located within the Retail Core of Collier Row Minor District Centre. Policy DC16 seeks to maintain retailing uses within the core areas of the borough's town centres and balance this with non-retail uses (A2, A3, A4, A5) to ensure its vitality and viability.
- 7.2 The principle of residential development is deemed to be acceptable, as No.'s 9-11 Chase Cross Road are being retained, therefore, the proposal would not result in the loss of retail units.

7.3 The provision of additional housing is also consistent with the National Planning Policy Framework as the development is re-using urban land.

8. Design/Impact on Street/Garden Scene

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

8.2 The site has a relatively low level of Public Transport Accessibility (PTAL) of 2 and Policy DC2 anticipates a housing density of between 50-80 dwellings. The site occupies an area of 0.1 hectares and the proposal would produce a density of 50 dwellings per hectare which falls within the required range.

8.3 The proposal involves the demolition of the remainder of the workshop at the rear of the site. The building is not of any particular architectural or historic merit and no objection is therefore raised to its demolition.

8.4 The new building would not be directly visible from Chase Cross Road as it would be located to the rear of, and would be very slightly lower in height than, No.'s 9-11 Chase Cross Road.

8.5 Conditions could be imposed requiring the submission of details relating to the proposed use of building materials, boundary treatment, and landscaping works, for the approval of the local planning authority, to ensure that the development would have an acceptable visual impact.

8.6 Given the nature of the proposal, including its appearance, height, bulk, and massing in relation to the street scene, it is considered that the proposal would not result in any significant adverse impacts on the character of the area, and that it would be in accordance with Policy DC61 of the LDF.

8.7 Since the previous planning application was refused in 2010 and the refusal upheld in June 2011, the London Plan Supplementary Planning Guidance Housing has been published. The SPG sets out Baseline standards against which schemes can be assessed. The SPG states of Baseline standards that they address issues of particular strategic concern and that developments which depart significantly from Baseline standards "*either in terms of failure to meet with a number of baseline standards, or the extent of failure to meet particular baseline standards, are unlikely to be acceptable*". The scheme fails to meet some of the Baseline Standards as set out below.

8.7.1. Baseline Standard 4.1.1 sets out minimum internal areas that all developments should achieve. None of the flats meets the minimum standards for gross internal area. Of particular note are the two flats

on the first floor (which have only 84% and 87% of the internal area required), and the flat on the second floor (which has 88% of the internal area required) . In addition, while only the area in the second floor flat which has a ceiling height of more than 1.5 metres has been included in the calculation, a significant quantum of the area that has been included has a height less than 2.5 metres. Baseline Standard 5.4.1 states that the minimum floor to ceiling height in habitable rooms should be 2.5 metres between finished floor level and finished ceiling level.

8.7.2. Baseline Standard 4.10.1 states that a minimum of 5 square metres of private outdoor space should be provided for 1-2 person dwellings with an extra square metre for each additional person.

No private amenity space is provided for the first and second floor flats - these are the flats which are deficient in internal floor space and the Supplementary Guidance indicates that additional floor space should be provided for dwellings which do not provide private amenity space in order to compensate for the deficiency.

It should be noted that all of the dwellings have access to a communal amenity space of approximately 70 square metres located to the rear of the building.

8.8 The issues raised above were not raised as a reason for refusal in the previous decision, however the application of the new regional standards to the proposal has highlighted that the flats are somewhat small and that, while a relatively spacious communal garden of 70 square metres is provided, the three flats most deficient in internal space have no private outdoor space. On balance, in light of the previous decision, it is considered that it would be difficult to substantiate a refusal on grounds of lack of internal and private amenity space. However members may wish to assess these issues in light of the new regional standards.

8.9 The communal amenity space is adjacent to Clockhouse Lane and a well-designed boundary treatment would be essential to prevent impacts from traffic noise and fumes and from overlooking should permission be granted for the scheme.

9. Impact on Amenity

9.1 The proposed new building would be to the north of other properties in Chase Cross Road and it is considered that the proposed development is sufficiently distant from adjoining properties as not to present problems relating to loss of light, outlook or privacy. Issues relating to loss of light to, and outlook from a specific bedroom window of 9A Chase Cross Road have been addressed by the reconfiguration of the internal rooms of that dwelling. It is proposed that a condition is imposed preventing the occupation of the new flats until this reconfiguration has been implemented.

9.2 While there will inevitably be some loss of light and outlook to the rear living room window of 9A Chase Cross Road and the rear bedroom window of 11 Chase Cross Road, these windows look out along the flanks of the new building and it is not considered that this would result in an unacceptable level of natural lighting and outlook to these properties especially given the urban environment in which they are located where a degree of shading and obstruction of view is to be expected from neighbouring buildings.

9.3 It is considered that in terms of amenity the proposal complies with Policy DC61 of the LDF and the guidance contained in the Residential Design SPD.

10. Highway/Parking

10.1 The site has a low PTAL Level of 2 and the provision of 5 parking spaces is considered to be acceptable. The Council's Highways officers have no objection to the scheme.

10.2 A dedicated cycle store is shown on the submitted plans with space for 6 cycles. Changes to the London Plan in March 2015 have increased the quantum of cycle storage required for residential developments and storage for 8 cycles is required for this proposal (one space for each of the one bedroom flats and two for each of the others). A condition is proposed to secure the provision of adequate cycle storage.

11. Other Issues

11.1 The Council's Environmental Health officers have recommended the use of conditions in relation to noise and contaminated land. It is recommended that these be imposed should planning consent be granted.

12. Infrastructure Impact of Development

12.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (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.

12.2 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.

12.3 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all

development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.

- 12.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 12.5 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 12.6 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.
- 12.7 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6000 per dwelling for educational purposes would be appropriate.

13. Mayoral Community Infrastructure Levy (CIL)

- 13.1 The proposal would involve the demolition of a workshop with a gross internal floorspace of 202 square metres and the creation of 549 square metres of residential floorspace. As the workshop has not been occupied for more than 36 months its floor area cannot be offset against the new floor area created. The Mayoral CIL contribution is therefore calculated as £20 x 549 = £10,980.

14. Conclusion

- 14.1 The site is brownfield land and its redevelopment for housing is considered to be acceptable under LDF Policies CP1 and the guidance in the NPPF. The design, scale and layout of the proposed development is in keeping with the character and appearance of the locality and would provide a suitably high quality living environment. There is judged to be no material harm to neighbouring residential amenity and the proposal is considered to be acceptable in respect of parking and highways issues.
- 14.2 There would also be contributions to meet education costs associated with the development in accordance with Policy DC72. These contributions would be secured through a S106 Planning obligation. The proposal is therefore judged to be acceptable, subject to the prior completion of the obligation and conditions, and it is recommended that planning permission is granted accordingly.

IMPLICATIONS AND RISKS

Financial Implications and risks: None

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

There is a risk that the weight accorded to the Development Plan Policy and Supplementary Planning Document on Planning Obligations may be challenged at appeal or through judicial challenge.

Human Resource Implications: None

Equalities and Social Inclusion Implications: The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Application and supporting details and plans received on 17-04-2015

REGULATORY SERVICES COMMITTEE

30 July 2015

Subject Heading:

Application for the Stopping Up of Highway Land at Angel Way, Romford (OS 551,059E, 188,967N and 551,035E, 188,977N)

(Application received 26th April 2015)

CMT Lead:

Graham White

Report Author and contact details:

Alexander O'Dwyer, 01708 432468
Alexander.odwyer@havering.gov.uk

Policy context:

Local Development Framework

Financial summary:

None

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

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

- 1 This report relates to an application received on 26th April 2015 for the stopping up of highway to enable the development of land pursuant to a planning permission (planning reference APP/B5480/A/09/2108065 granted on appeal) for a mixed use development of 350 residential units, a 63-bedroom hotel, commercial floor space, basement car park and new public square (“the Planning Permission”).
- 1.1 The developer has applied to the Council under S.247 of the Town and Country Planning Act 1990 (as amended) (“the Act”) to stop up the area of highway shown zebra hatched on the plan entitled Angel Way, Romford – Highway Stopping Up Boundary Plan Reference ZG003-SK02 Rev A annexed to this report (“the Plan”) so that the development can be carried out. The Council’s highway officers have considered the application and consider that the stopping up is acceptable to enable the Planning Permission to be carried out.

RECOMMENDATIONS

2. Subject to the developer paying the Council’s reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of the Stopping Up Order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 that:-
 - 2.1 The Council makes a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway shown zebra hatched on the attached Plan as the land is required to enable development for which the Council has granted the Planning Permission.
 - 2.2 In the event that no relevant objections are made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.
 - 2.3 In the event that relevant objections are made, other than by a Statutory Undertaker or Transport Undertaker and not withdrawn, that the application be referred to the Mayor for London to determine whether or not the Council can proceed to confirm the Order.
 - 2.4 In the event that relevant objections are raised by a Statutory Undertaker or Transport Undertaker and are not withdrawn the matter may be referred to

the Secretary of State for their determination unless the application is withdrawn.

REPORT DETAIL

- 3 On 14 December 2009 the Planning Inspectorate resolved to grant the Planning Permission, for a mixed use development of 350 residential units, a 63-bedroom hotel, commercial floor space, basement car park and new public square.
- 3.1 The stopping up is necessary in order that the development can be implemented and it involves the stopping up of a section of existing public highway.
- 3.2 The section of public highway to be stopped up comprises part of the made up carriageway and footway of Angel Way and is approximately 38 metres in length and varies between approximately 2.5 metres to 13.5 metres in width. The boundary points of this section of land are: 551,059E, 188,967N and 551,035E, 188,977N.
- 3.3 The development involves building on land which includes areas of adopted highway. In order for this to happen, the areas of the highway shown zebra hatched on the attached Plan need to be formally stopped up in accordance with the procedure set out in the Town and Country Planning Act 1990 (as amended). The Stopping Up Order will not become effective however unless and until it is confirmed.
- 3.4 Section 247 (2A) of the Town and Country Planning Act 1990 allows a London Borough to make an Order authorising the stopping up of any highway if it is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission.
- 3.5 The Council makes the necessary Order, advertises it, posts Notices on site and sends copies to the statutory undertakers. There is then a 28 day period for objections to be lodged. If there are no objections or any objections that have been made are withdrawn the Council may confirm the Order, thereby bringing it into legal effect. If objections are made and not withdrawn then the Council must notify the Mayor of London of the objections and the Mayor may determine that a local inquiry should be held. However under Section 252(5A) of the 1990 Act the Mayor of London may decide that an inquiry is not necessary if the objection/s are not made by a local authority, statutory undertaker or transport undertaker and may remit the matter to the Council for confirmation of the Order. If however a Statutory Undertaker of Transport Undertaker makes a relevant objection which is not withdrawn then the matter may be referred to the Secretary of State for determination.

IMPLICATIONS AND RISKS

4 **Financial implications and risks:**

The costs of the making, advertising and confirmation and any associated costs, should the Order be confirmed or otherwise will be borne by the developer pursuant to The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000.

4.1 **Legal implications and risks:**

Legal Services will be required to draft the Stopping Up Order and Notices as well as carry out the Consultation process and mediate any negotiation with objectors.

4.2 **Human Resources implications and risks:**

None directly attributable to the proposals.

4.3 **Equalities implications and risks:**

None directly attributable to the proposal.

BACKGROUND PAPERS

1. Planning Inspectorate Appeal Decision dated 14 December 2009 which granted planning permission under planning appeal reference APP/B5480/A/09/2108065



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PROJECT TITLE ANGEL WAY, ROMFORD

DRAWING TITLE HIGHWAY STOPPING UP BOUNDARY PLAN

DATE 23.4.2015

SCALE 1:500

AT A4

STATUS PRELIMINARY

DRAWN DJA

CHECKED RF

APPROVED RF

DRG SIZE

A4

DRAWING NUMBER

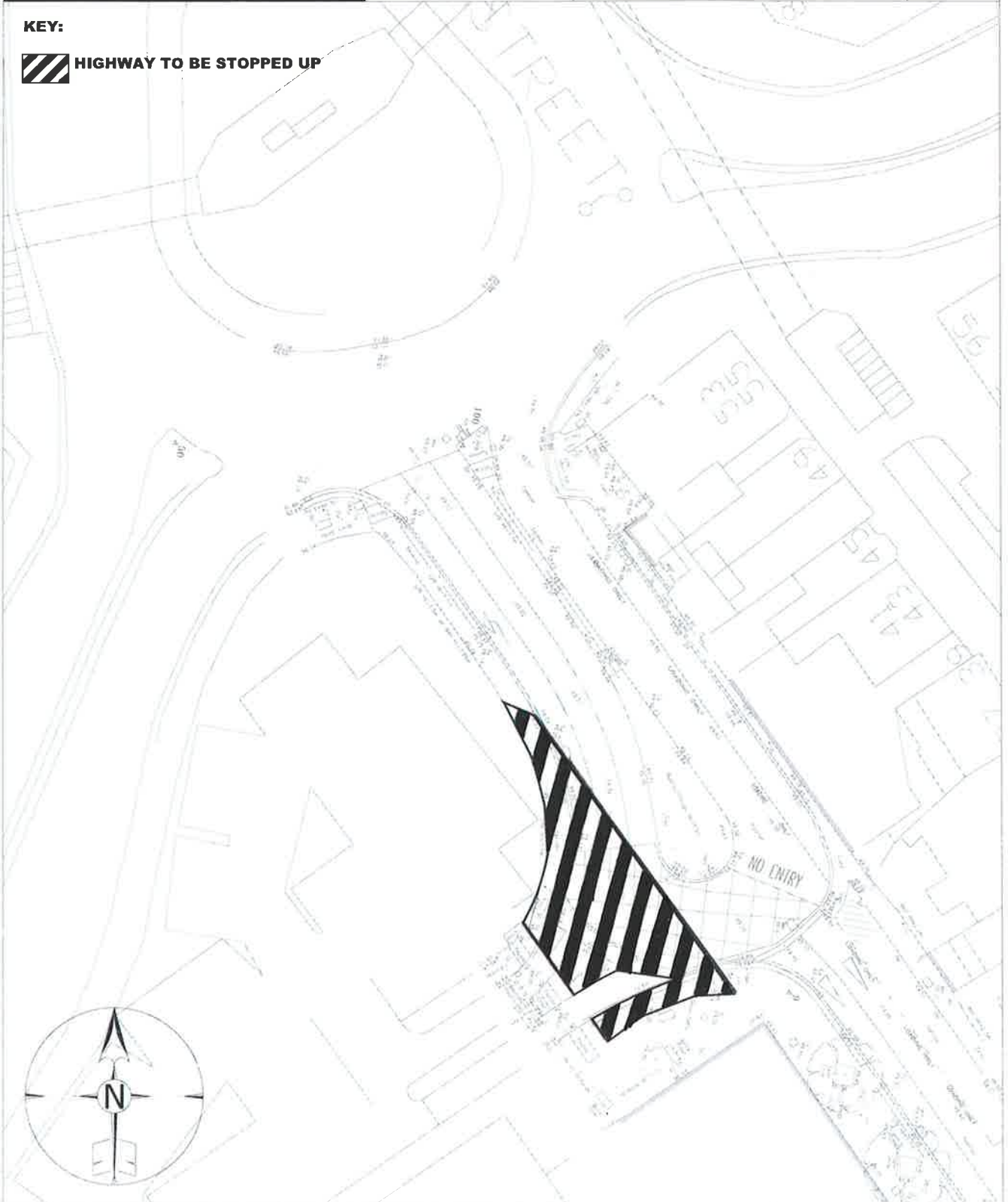
ZG003-SK02

REV

A

KEY:

 **HIGHWAY TO BE STOPPED UP**



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