



# Haverling

LONDON BOROUGH

## PLANNING COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Thursday 24 October 2019</b>	<b>Council Chamber - Town Hall</b>
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Members 8: Quorum 4

**COUNCILLORS:**

**Conservative Group  
(4)**

Robby Misir (Chairman)  
Carol Smith (Vice-Chair)  
Philippa Crowder  
Matt Sutton

**Residents' Group  
(1)**

Stephanie Nunn

**Upminster & Cranham  
Residents Group'  
(1)**

John Tyler

**Independent Residents  
Group  
(1)**

David Durant

**Labour Group  
(1)**

Paul McGeary

**For information about the meeting please contact:  
Richard Cursons - 01708 432430  
richard.cursons@onesource.co.uk**

**To register to speak at the meeting please call 01708 433100  
Before 5.00pm on 22 October 2019**

## **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 INTERESTS**

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

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

### **4 MINUTES (Pages 1 - 4)**

To approve as a correct record the minutes of the meeting of the Committee held on 26 September 2019 and to authorise the Chairman to sign them.

**5 APPLICATIONS FOR DECISION** (Pages 5 - 8)

See attached document

**6 P0303.19 - 164 LONDON ROAD, ROMFORD - SLATERS ARMS** (Pages 9 - 20)

**7 P1678.18 - RISE PARK SCHOOL** (Pages 21 - 30)

**8 ITEMS FOR INFORMATION** (Pages 31 - 38)

See attached document.

**Andrew Beesley**  
**Head of Democratic Services**

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**MINUTES OF A MEETING OF THE  
PLANNING COMMITTEE  
Council Chamber - Town Hall  
26 September 2019 (7.30 - 10.25 pm)**

**Present:**

**COUNCILLORS: 8**

**Conservative Group** Carol Smith(in the Chair)Carol Smith (Vice-Chair),  
Philippa Crowder, Matt Sutton and +Ray Best

**Residents' Group** Stephanie Nunn

**Upminster & Cranham  
Residents' Group** John Tyler

**Independent Residents  
Group** David Durant

**Labour Group** Paul McGeary

An apology for absence was received from Councillor Robby Misir.

+Substitute member: Councillor Ray Best (for Robby Misir).

Councillors Christine Vickery, Joshua Chapman and Viddy Persaud were also present for parts of the meeting.

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

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

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

## 10 **DISCLOSURE OF INTERESTS**

Councillor Carol Smith declared a personal interest in item P0967.19.

Councillor Smith confirmed that she knew of one of the objectors to the application.

Councillor Smith also confirmed that she had no prejudicial interest and there was no issue of pre-determination.

11 **MINUTES**

The minutes of the meeting held on 1 August 2019 were approved as a correct record and signed by the Chairman.

12 **P0729.19 - 148A CHASE CROSS ROAD - S.73 APPLICATION - VARIATION OF CONDITION 8 (APPLICATION REF. P0729.99 DATED 07/08/1999) TO ALLOW FOR AN EXTENSION OF HOURS WHEREBY THE PREMISES SHALL NOT BE USED OTHER THAN BETWEEN THE HOURS OF 06:00~21:30 (OCTOBER TO FEBRUARY), 04:00~23:30 (MARCH TO SEPTEMBER).**

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

Councillor Christine Vickery had called-in the application and also addressed the Committee.

The Committee considered the report, noting the additional information that had been provided since the last meeting including the requirements that the applicant sought.

The report recommended that planning permission be granted however, following a motion to refuse the granting of planning it was **RESOLVED** that **PLANNING PERMISSION BE REFUSED** on the grounds of:

- Intensity and frequency of use
- Harm to neighbouring amenity
- Noise and disturbance

The vote for the resolution to refuse planning permission was carried by 6 votes to 2.

Councillors Smith, Best, Crowder, Sutton, Nunn, Tyler voted for the resolution.

Councillors McGeary and Durant voted against the resolution.

13 **P0967.19 - 4 CARLTON ROAD, ROMFORD - CHANGE OF USE ON GROUND FLOOR FROM A1 TO A3 WITH FLUE PIPE INSTALLATION AT REAR, AND FIRST FLOOR REAR EXTENSION TO ENLARGE THE EXISTING 1 BED FLAT TO 2 BEDROOMS.**

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

Councillor Joshua Chapman had called-in the application and also addressed the Committee.

The Committee considered the report.

The report recommended that planning permission be granted however, following a motion to refuse the granting of planning permission.

It was **RESOLVED** to **REFUSE PLANNING PERMISSION** on the grounds of:

- Increased activity at the site
- Lack of adequate car parking
- Harm to neighbouring amenity

The resolution to refuse the granting of planning permission was carried by 4 votes to 2 with 2 abstentions.

Councillors Best, Crowder, Sutton and Nunn voted for the resolution to refuse planning permission.

Councillors Tyler and McGeary voted against the resolution.

Councillors Smith and Durant abstained from voting.

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**Chairman**

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## Agenda Item 5

### Applications for Decision

#### Introduction

1. In this part of the agenda are reports on planning applications for determination by the committee.
2. Although the reports are set out in order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a specific application, you need to be at the meeting from the beginning.
3. The following information and advice only applies to reports in this part of the agenda.

#### Advice to Members

##### Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
  - London Plan March 2016
  - Core Strategy and Development Control Policies (2008)
  - Site Allocations (2008)
  - Romford Area Action Plan (2008)
  - Joint Waste Development Plan (2012)
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development

which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

9. Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
10. In accordance with Article 35 of the Development Management Procedure Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made based on the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

#### Non-material considerations

11. Members are reminded that other areas of legislation cover many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
  - Building Regulations deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
  - Works within the highway are controlled by Highways Legislation.
  - Environmental Health covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
  - Works on or close to the boundary are covered by the Party Wall Act.
  - Covenants and private rights over land are enforced separately from planning and should not be considered.

#### Local financial considerations

12. In accordance with Policy 6.5 of the London Plan (2015) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund CrossRail.
13. Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through a section106 agreement. Where these are necessary, it will be explained and specified in the agenda reports.

#### **Public speaking and running order**

14. The Council's Constitution allows for public speaking on these items in accordance with the Constitution and the Chair's discretion.
15. The items on this part of the agenda will run as follows where there are registered public speakers:

- a. Officer introduction of the development
- b. Registered Objector(s) speaking slot (3 minutes)
- c. Responding Applicant speaking slot (3 minutes)
- d. Ward Councillor(s) speaking slots (3 minutes)
- e. Officer presentation of the material planning considerations
- f. Committee questions and debate
- g. Committee decision

16. The items on this part of the agenda will run as follows where there are no public speakers:

- a. Where requested by the Chairman, officer presentation of the main issues
- b. Committee questions and debate
- c. Committee decision

### **Late information**

17. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

### **Recommendation**

18. The Committee to take any decisions recommended in the attached report(s).

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 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>24 October 2019</b>
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**Application Reference:** P0303.19

**Location:** 164 London Road, Romford

**Ward:** Brooklands

**Description:** Proposed extension and conversion of existing vacant building, to provide ground and basement retail together with 9 self-contained flats over upper floors and erection of a detached house fronting Richards Avenue; together with associated landscaping, access way and parking.

**Case Officer:** Scott Schimanski

**Reason for Report to Committee:** Call in by Ward Councillor

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## **1. BACKGROUND**

1.1 The application was called in by Councillor Viddy Persaud for the following planning reasons:

Unacceptable impacts on neighbouring amenity (privacy) and highway impacts including car parking

## **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

2.1 The approach to the site is design led and responds to the constraints associated with the site successfully. The applicant has worked proactively with the Council to mitigate any residual impacts associated with the proposed development.

2.2 The proposed development would deliver nine homes of a high standard of accommodation for those future occupiers, with limited implications for the amenity of surrounding neighbouring occupiers. Weight is attributed to the current unused nature of the site and it is considered that the current proposals represent an efficient use of land, which is in a sustainable location.

- 2.3 Having regard to the alternative use of the site, the NPPF presumption in favour of sustainable development, the development plan and in the absence of any other quantifiable harm arising from the proposals, officers consider on balance, that planning permission should be granted subject to conditions.

### **3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission subject to the following conditions:

#### **Conditions**

- 1 Time limit
- 2 Accordance with plans
- 3 Materials samples
- 4 Unknown contamination identification
- 5 Landscaping (as per details submitted)
- 6 Flank Window restriction
- 7 Boundary Treatment
- 8 External Lighting
- 9 Refuse & Recycling
- 10 Cycle Storage
- 11 Hours of construction
- 12 Construction Methodology/Wheel Wash Facilities (Pre-commencement)
- 13 Removal of Permitted Development Rights
- 14 NOx Boilers
- 15 Sound Insulation between different land uses
- 16 Delivery and Servicing Plan
- 17 Electric Vehicle Charge Points Provision
- 18 Building Recording Condition

#### **Informatives**

1. Approval following negotiation
2. CIL

### **4 PROPOSAL AND LOCATION DETAILS**

#### **4.1 Proposal**

- This application seeks permission for change of use and three level extension of an existing public house known as the Slaters Arms to a mixed use commercial (A1) and residential (C3) development comprising of 6 x 2 bedroom and 3 x 1 bedroom units and associated vehicle parking
- The erection of a three storey 3 bedroom detached dwelling house facing Richards Avenue and
- Provision of a new vehicular and pedestrian access from Richards Avenue

## 4.2 Amendments

4.2.1 During the course of the assessment of the application, a number of issues were raised, these included: The design of the extension and how it related to the locally listed building; the design and layout of the proposed on-site parking; the relationship of the proposed dwellings fronting Richards Avenue with neighbouring properties; and insufficient details of the proposed signage layout.

4.2.2 To overcome these concerns, the scheme has been amended in the following manner:

- Entryways to the two different land uses on the site have been clearly defined. Commercial operations are accessed from London Road and the residential units would be access via Richards Avenue. It is noted that a secondary pedestrian access remains from the London Road side.
- One of the two proposed dwellings (located on the southern side immediately behind 178/180 London Road facing Richards Ave has been removed to make way for the new access way
- The setback from the highway of remaining dwelling facing Richards Ave has been increased.
- Two parking spaces and additional landscaping is now proposed near the Richard Ave entrance.
- The undercroft vehicular entry and parking spaces have been removed and replaced with a two bedroom unit and plant equipment area.
- Parking spaces for the commercial unit have been reduced from 10 to 8 spaces including one disabled space
- The roof form of the new residential extension has been altered to reduce its impact on the existing Public House building.
- The parking area for the residential units is located to the rear of the property with access from Richards Road
- Balcony layout and size have been altered slightly
- A roof terrace has been introduced to the rear of the former Public House to provide external amenity space to one of the units located on the upper levels of the former public house
- The first floor layout now has 3 x 2 bedroom units, 1 x 1 bedroom unit and part of a 2 x 1 bedroom unit that will be located on the first and second levels within the existing (former) Public House.
- The second floor level layout now includes 2 x 1 bedroom and a 1 x 2 bedroom unit (and the remaining section of the two storey 2 bedroom flat proposed for the first and second floor levels.
- The setbacks, window layout and external materials of the main new building remain generally the same as the previous scheme.
- The proposed front dormer window facing London Road has been removed
- More detailed plans of the proposed new shop front have been provided.
- The parking layout for the retail unit has been amended

### **4.3 Site and Surroundings**

- 4.3.1 The application site comprises of an irregular shaped parcel of land to the rear and side of the former public house known as the Slaters Arms. The site fronts both London Road and Richards Avenue. The site is currently occupied by a two storey public house fronting London Road with a large single storey extension and associated outbuildings to the rear; a hardstand parking area along the western side boundary and a large unformed parking area to the rear of the site. A number of mature trees are located along the rear boundary and also the Richard Venue frontage.
- 4.3.2 The surrounding area is predominantly residential with a pair of semi-detached dwelling located to the west at the junction of London Road and Richards Avenue, semi-detached properties to the rear fronting Richards Avenue and a residential flat complex know as Ryan Court to the east also facing London Road.
- 4.3.3 The site contains a building known as the Slaters Arms which is recognised as a Non-Designated Heritage Asset by its inclusion within the local planning authorities Heritage Asset Register – Building of Local Heritage Interest (2014). The building was constructed in 1842 and is a square plan, brick building constructed with white render on upper front elevation and timber detailing. The building includes four bay leaded casement windows, a central main entrance and a hipped roof in plain tile with two brick chimney stacks. The building is described as an architecturally distinctive building and a prominent social landmark for the local area.

The site is not located within a Conservation Area.

### **4.4 Planning History**

There is no relevant planning history regarding this site.

## **5 CONSULTATION and REPRESENTATIONS**

### **5.1 Consultation**

- 5.1.1 A total of 63 neighbouring properties were notified about the application and invited to comment.
- 5.1.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 8

No of petitions: 0

### **5.2 Representations**

- 5.2.1 The following Councillor made representations:

- Councillor Viddy Persaud
- Unacceptable impacts on neighbouring amenity (privacy)
- Highway impacts including car parking

5.2.2 With regards to the above, the impacts upon the amenity of existing residential properties neighbouring the site and the impact that the development would have upon the highway and parking have been fully considered by officers, mindful of the existing use of the site.

5.2.3 It is acknowledged that the comments made by Councillor Persaud were made prior to revisions being secured by planning staff to further mitigate the amenity impacts of the development. Those measures and an assessment on the amenity impacts associated, in particular with regards to loss of privacy will be outlined within the material considerations section of this report.

5.2.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

#### Objections

- Insufficient parking for number of units
- Increased parking stress within surrounding roads
- Noise and disturbance
- Loss of privacy/overlooking
- Restrictions to emergency service and waste vehicles accessing the site and other properties in Richards Avenue
- Loss of light/overshadowing
- Impact upon wildlife
- Pedestrian safety
- Security concerns
- Health concerns arising from activities on neighbouring properties

Some matters raised are immaterial in the consideration of a planning application. Matters such as impacts during construction cannot be attributed weight in a planning decision for example. Any material matters raised in response to the statutory consultation have been fully considered by officers in making this recommendation.

### 5.3 Consultation Responses

5.3.1 Highway Authority: No Objection subject to details on cycle storage and vehicle cleansing and Section106 agreement to restrict parking permits.  
Environmental Health: No Objection subject to conditions

5.3.2 Waste and Recycling: No objection subject to the provision of suitable and compliant waste and recycling facilities.

- 5.3.3 Thames Water: The proposal should implement a positive pumping and other safety measures to ensure the site is not adversely impacted upon during storm events.
- 5.3.4 TFL: Parking on site should be reduced from 20 spaces to 18 to accord with the London Plan parking provisions. 20% of parking spaces should have the provision of Electric Vehicle Charge Points
- 5.3.5 Conservation and Design Officer: It is suggested that every attempt to keep the building operating as a public house or similar use should be made. Failing that, a Building Recording Condition is recommended to record details of the building before its use is changed. In addition, further information should be provided with regards to the signage, window finish, materials, street furniture and planting. Concern has been raised with the proposed alterations to the side elevation and it is suggested that the applicant could instead utilise the existing upper windows to create a light-well for the basement or a robust light-well at the foot of the building.
- 5.3.6 In response to the rear addition, the proposed rear addition still appears to crowd the locally listed pub and it is not clear how it has responded in a meaningful manner to its context aside from the use of brick. The existing building has a strong horizontal emphasis through bands of brick, signage and render under a distinctive roof which slackens at the eaves to provide a deep protective overhang. Any addition should be set slightly further back within the site to avoid altering the distinctive roof form and should also respond to the horizontal banding and heights of the former pub. Decorative brickwork could be used in reference to the horizontal banding of the host in a contemporary manner. The undercroft element of the design remains unfavourable and I do not have confidence that the new element will be able to establish a positive identity whilst this element remains. Retention of the undercroft to provide two parking spaces undermines the opportunity for a consistent and complete façade which could respond to context in a meaningful manner.
- 5.3.7 The erection of a detached dwelling is not considered to have an adverse impact upon the significance of The Slaters Arms (former) as a Non-Designated Heritage Asset. At present I am unable to support this scheme. Given the proposal would have a detrimental impact upon the significance of a non-designated heritage asset, the local planning authority should take a balanced judgement, having regard for the scale of harm identified and the significance of the heritage asset (Para.197 NPPF 2019). In my opinion, the scheme fails to fully realise the opportunity for making a positive contribution to local character and distinctiveness which the local planning authority should take into account when determining the application (Para.192c).
- 5.3.8 Urban Design Officer: Raised concern with the overlapping parking between the residential and commercial components of the development. The ground plan is dominated by parking and is unacceptable. Parking should be reduced given proximity to Romford Station and town centre. Security concerns are raised with the open undercroft parking area, front door not visible from the

street; the proposed houses do not respect the existing building line and are dominated by parking at the front.

- 5.3.9 Environmental Protection: No objections were raised to the principle of the development. It was suggested that a condition be included on any consent issues requiring that if contamination not previously identified on the site is found then no further development shall be carried out until a remediation strategy has been submitted and approved by Council. Given that any contamination on the site may adversely impact upon the future residents and users of the site, it is considered reasonable to impose such a condition.

## **6 MATERIAL PLANNING CONSIDERATIONS**

- 6.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development
- Design and appearance
- Impact upon the setting and character of the locally listed building
- Impact of the development on neighbouring amenity
- Implications for highways/servicing, pedestrian access and parking.

### **6.2 Principle of Development**

- 6.2.1 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.

- 6.2.2 There are no objections in principle to the subject plot being brought forward for residential development. The NPPF requires Local Authorities to make as much use as possible of brownfield sites and underutilised land. Accordingly, the best use of the site is attributed significant weight in the decision making process. Decision takers at every level are advised in Para 38 of the NPPF that they “should seek to approve applications for sustainable development where possible.”

- 6.2.3 The proposed development is acceptable in land use terms and is considered to accord with the aims and objectives of the development plan.

### **6.3 Design and Appearance**

- 6.3.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context and the Nation Planning Policy Framework (NPPF) reinforces this by placing emphasis on good quality, design and architecture. In addition, the framework also suggests that a balanced judgement is required when determining applications that impact upon a non-designated heritage asset.

- 6.3.2 Although Councils conservation representative raised concerns with the proposals impact upon the locally listed building, on balance staff consider

that the proposed change of use and alterations to the building are on balance an acceptable form of development that will make use of a vacant building.

- 6.3.3 Following revisions negotiated with the applicant, the development would comply with the above objectives set out by the Framework. The proposed development would create a contemporary addition to an existing locally listed building that includes a mix of compatible land uses to create a modern development that would exhibit a strong sense of place and responds positively to the constraints associated with the site.
- 6.3.4 The use of high quality materials, in particular brick, also makes a positive contribution to the local character and distinctiveness. A detailed materials specification has been provided in support of the current submission and in the event of approval a condition would be imposed to ensure that materials palette is progressed.
- 6.3.5 Whilst materially larger than the existing standalone public house the development viewed in totality would present an acceptable redevelopment of the site from its historic use. Accordingly no objections are made with regards to the visual impact of the development and implications for local character and its impact upon the locally listed building.
- 6.3.6 With regard to the specific impact upon the Richards Avenue street scene, the revised scheme resulted in the removal of one of the two proposed dwellings, the increased setback of the proposed dwelling and the retention of soft landscaping/trees fronting the highway. These changes allows siting of a contemporary dwelling in a positioned that respects the layout of existing row of dwellings fronting Richards Avenue, creates a solely residential entrances to the site and removes the creation of an unsightly hardstand area facing the highway. The changes to this component are considered appropriate and suitable address concerns raised by Council's urban design officer.

#### **6.4 Quality of Accommodation**

- 6.4.1 In terms of internal layout and design, the scheme proposes an efficient layout that provides a varied mix of unit types ranging from single bedroom flats to large three bedroom detached dwellings. All new residential dwellings satisfy the minimum space standards as outlined within the technical guidance.

##### *Impacts on the amenity of future occupiers*

- 6.4.2 The proposed internal layout includes two residential units on the upper level of the former public house. Given the age and construction of the building together with the proposed use of the ground floor as an A1 (food store) there is potential conflict between the uses with regards to noise. To overcome this, and protect the amenity of future residents of these flats is acceptable, it is proposed to include a condition requiring details of noise insulation. These details must be submitted to and approved by Council prior to the occupation of the development.

- 6.4.3 Each of the 10 residential units has access to some private amenity space. These areas consist of courtyards for the dwellings with direct access to ground level and roof terraces or balconies for the units on upper levels. Total external amenity space for the upper level units range from between 5sqm for a one bedroom unit and 12.5 sqm for a two bedroom unit. Many of these units have access to more than one balcony or terrace.
- 6.4.4 The proposed detached dwelling includes a rear courtyard that would have an area of approximately 47sqm. This space would be accessed directly from the living area of the dwelling and is uniform in shape. The layout and size of this space is considered appropriate as it allows for practical use and enjoyment by future occupants. Notwithstanding this, given the limited size of the courtyard and in order to protect the usability of this important outdoor space it is considered reasonable and necessary to restrict future enlargement of this dwelling without requiring a full assessment of its impacts. As such, if approved, it is recommended that permitted development rights are removed for this dwelling by condition.

## **6.5 Impact on amenity of surrounding residential properties**

- 6.5.1 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 or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 6.5.2 With regard to the scale, bulk and mass of the dwellings and their position relative to neighbouring premises, it is not considered that there would be any unacceptable loss of light or undue level of overshadowing sufficient for planning permission to be withheld.
- 6.5.3 Loss of privacy and overlooking are material considerations. It is accepted that the proposed development would introduce windows to habitable rooms and a roof terrace that will be orientated towards existing neighbouring residential properties to the west, north and east.
- 6.5.4 To overcome any direct overlooking, the scheme includes fixed and obscure glazing (up to 1.8 metres) to those windows on both the western and eastern elevation that would otherwise directly overlook the rear gardens and communal open space of neighbouring properties. To prevent direct overlooking of windows to habitable rooms on the eastern side from the proposed first floor terrace, a 1.8 metre privacy screen would be fixed to the eastern side of the terrace. This will direct any views to the rear of the site. Windows and terraces on the rear northern elevation will be setback in access of 12 metres from the boundary with the nearest property to the north. This, together with the proposed landscaping along the boundary will ensure any overlooking is kept to a minimum and one that is considered reasonable given the urban context of the site. No overlooking of adjoining

residential properties is expected from the windows of the proposed detached dwelling fronting Richards Avenue. On balance, the scheme if implemented is not expected to result in any overlooking that would have a significantly adverse impact upon the amenity of neighbouring properties.

- 6.5.5 Security concerns have been raised by neighbours that the area around the proposed bicycle storage/refuse area will become a hangout for people and this could result in increased crime/antisocial behaviour in the area. In response, the proposed bicycle/refuse area is a fundamental component of a residential development. The area has been designed to be directly overlooked by the residential units and is accessed from the private residential parking area. Given this and the likely frequent use of the facilities by residents, staff do not expect this area to be any more susceptible to antisocial behaviour than any other part of the development.
- 6.5.6 The introduction of a three storey extension to the rear and side of the site will alter the outlook from surrounding properties. The most affected would likely be 178 and 180 London Road (to the west), 2 Richards Avenue and from those units to the east that face onto the site.
- 6.5.7 Although, the outlook would be altered, the separation, orientation of the new works together with the depth and width of adjoining rear gardens/communal spaces is such that the new buildings are not considered to result in any undue sense of enclosure that would detrimentally impact upon the amenity and enjoyment of these neighbouring properties.
- 6.5.8 In view of the historic use of the site as a public house and associated parking area and the positive aspects associated with its redevelopment, the measures negotiated with the applicant are considered to have mitigated any residual amenity impacts. It is not considered that there would be sufficient grounds to withhold permission on the amenity implications for neighbouring occupiers.

## **6.6 Implications for highways, cyclists, pedestrian access and parking**

- 6.6.1 Whilst the site is recognised to have a public transport accessibility level (PTAL) of 2 which translates to a poor level of access to public transport, there would be adequate parking and turning space within the site to accommodate vehicles for the new dwellings.
- 6.6.2 The access to the site is via two vehicle entry points, one off London Road, the other off Richards Avenue. The two entry points allow for a separation between the commercial and residential uses. The existing access off London Road allows for a clear line of sight in either direction and as such provides a safe entry/exit point to the site for vehicles visiting the commercial unit. The proposed new access way off Richards Avenue is for the residential component and is considered appropriate for the likely number of vehicle movements to and from the site.

- 6.6.3 Off-street parking for the commercial unit is accessed from an existing crossover to London Road. A total of eight off-street parking spaces including one disabled space are proposed for the commercial unit. A further six spaces are located adjacent to the western boundary and would be consistent with the parking layout for the former public house and a further two spaces are located centrally on the site and will also be used as a loading bay for deliveries.
- 6.6.4 Council Policy requires 1 parking space for every 30sqm of food store floor space. With a floor area of 242sqm, the proposed parking numbers accord with policy, requiring 8 spaces.
- 6.6.5 A minimum of one off-street parking space is shown for each new dwelling, which would satisfy the policy requirement for off-street parking. The residential parking area would be accessed via a new entrance off Richards Avenue. Two spaces will be located adjacent to the Richard Avenue frontage; the remaining eight are positioned to the rear of the site, between the building and the refuse and residential bicycle storage area.
- 6.6.6 The parking layout allows for all vehicles to enter and exit the site in a forward gear to ensure safe movement to and from the site. Although, the parking area is located to the rear of existing residential properties, the layout, together with boundary treatments (fencing) and landscaping together with the residential nature of the site is not likely to result in an unreasonable level of disturbance with regards to noise and light spillage.
- 6.6.7 The proposal includes the provision of 27 bicycle parking spaces on the site. Specific details of the bicycle storage units has not be provided, however there is adequate information to determine that, if approved the scheme would can provide safe and convenient cycle facilities for future occupants, visitors and employees. Specific details of the cycle storage areas would be secured by condition.
- 6.6.8 Pedestrian access to the commercial units is via a designated retail entrance from the highway. This allows people coming to the site to have unimpeded access. Pedestrian access to the residential units can be via the entrance on Richards Avenue or a separate residents' entry located to the rear/side of the existing building. This entry is the most likely to be used by pedestrians as it will provide convenient access to London Road.
- 6.6.9 The Council's Highway officer has reviewed the proposal and raised no objection to the development subject to conditions and the requirement for the applicant to enter into a legal agreement to restrict access to parking permits. Given the sites located adjacent to a road that forms part of London's Strategic Road Network (SRN) and also fronts a suburban street, the request to restrict access to parking permits in this instance is considered in more detail below.
- 6.6.10 Notwithstanding this request, the site does provide parking that is compliant with Council policy with regard to the commercial element. In addition,

although the number of residential parking spaces is slightly below those outlined within the Core Strategy, they do accord with the London Plan guidelines and is supported by TFL. In addition, the adjoining streets do not have residential parking spaces with London Road consisting of clearways during the day and the majority of Richards Avenue is free of any parking restrictions. The current parking restrictions in the immediate area therefore imply that parking in this particular location may not justify any such restriction. Further, as the scheme proposes a space for each of the residential units, is located within 50 metres of a bus stop with direct links to Romford Town Centre and also includes substantial bicycle storage, the request to restrict access to parking permits in this instance is not considered justified or reasonable as it is not considered necessary to make the development acceptable in planning terms.

6.6.11 Transport for London (TFL) have reviewed the proposal and raise no objection subject to the following:

- Restricting the number of on-site parking spaces to 18 to accord with Policy T6 of the London Plan
- The construction of the development should not result in the blocking of the footpath or carriage way of London Road which forms part of the SRN.
- 20% (2 spaces) of the residential spaces should have the provision of Electric Vehicle Charge Points.
- A Delivery and Servicing Plan is required to mitigate impacts of congestion on the local highway network

6.6.12 In response to TFL comments, although ideally, all schemes should endeavour to provide charging points for electric vehicles. Given the size of the scheme, together with the relevantly restrictive layout of the parking area it would not be practical to provide such spaces on the site. As such, in this instance, it is not considered reasonable to require this as its absence from the scheme would not make the scheme unacceptable in planning terms. In order to ensure safe and to maintain traffic flow along London Road, a Delivery and Service Plan is considered reasonable and will be conditioned.

6.6.13 As part of the planning balance, officers have attributed some weight to the historic use of the site. In view of the wider benefits associated with the proposals any residual harm over and above that which may have been capable from any alternative use of the site would be outweighed in the opinion of officers by the other positive aspects of the scheme.

## **7 Conclusions**

7.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted subject conditions for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

 <b>Havering</b> LONDON BOROUGH	<b>Planning Committee</b> <b>24 October 2019</b>
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<b>Application Reference:</b>	<b>P1678.18</b>
<b>Location:</b>	<b>Rise Park Junior School, Annan Way</b>
<b>Ward:</b>	<b>Pettits</b>
<b>Description:</b>	<b>Installation of a Multi Use Games Area (MUGA)</b>
<b>Case Officer:</b>	<b>Scott Schimanski</b>
<b>Reason for Report to Committee:</b>	<b>Call in by Ward Councillor</b>

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## **1 BACKGROUND**

- 1.1 The application was called in by Councillor Osman Dervish for the following planning reasons:
- Unacceptable impacts on neighbouring amenity due to proximity to neighbouring properties

## **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 The approach to the site is design led and responds to the constraints associated with the site successfully. The proposed development would deliver improved facilities to an existing educational establishment without impacting upon pupil or staff numbers. In addition, the proposal is not expected to result in an increase impact upon amenity in terms of noise and disturbance that that of the existing playground. Further, the proposed would make a more efficient use of existing grounds by replacing an unusable area in winter with a facility that can be used all year round.
- 2.3 Having regard to the proposed improvements to existing facilities at the school and the NPPF requirement that Local Authorities should approach planning decisions in a positive and creative way, with a presumption in favour of sustainable development. In the absence of any other quantifiable harm arising from the proposals, officers consider on balance, that planning permission should be granted subject to conditions.

### **3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission subject to the following conditions:

#### **Conditions**

- 1 Time limit
- 2 Accordance with plans
- 3 Materials samples
- 4 MUGA Specifications (Sports England)
- 5 Hours of Use/Restriction of Use (No Private Hire)
- 6 Construction Methodology/Wheel Wash Facilities (Pre-commencement)
- 7 Surface Drainage (Pre-Commencement)
- 8 Hours of Construction

#### **Informatives**

1. Fees – Discharge of Condition
2. No Floodlighting without approval
3. Approval with no negotiation required

### **4 PROPOSAL AND LOCATION DETAILS**

#### **4.1 Proposal**

- This application seeks permission for the installation of a Multi Use Games Area (MUGA) with associated fencing being between 2 and 3 metres in height.

#### **4.3 Site and Surroundings**

4.3.1 The application site comprises of a rectangular shaped parcel of land to the south west corner of the Rise Park Junior School. The site currently forms part of the playing fields/soft open pay area for the school. The main school buildings are located to the east of the site with the school playing fields extending to the north. The rear gardens of residential properties and the roadway of Wood View Mews are to the west of the site and the Rise Park Chapel is located to the south.

4.3.2 The surrounding area is predominantly residential. The site is not located within a Conservation Area.

#### **4.4 Planning History**

There is no relevant planning history regarding this proposal.

## **5 CONSULTATION and REPRESENTATIONS**

### **5.1 Consultation**

5.1.1 A total of 61 neighbouring properties were notified about the application and invited to comment.

5.1.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 7

No of petitions: 0

It is noted that multiple letters have been received from a number of the same properties including letters from third parties presenting neighbours.

### **5.2 Representations**

5.2.1 The following Councillor made representations:

- Councillor Osman Dervish
- Unacceptable impacts on neighbouring amenity

5.2.2 With regards to the above, the impacts upon the amenity of residential properties neighbouring the site have been fully considered by officers, mindful of the existing use of the site.

5.2.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

#### Objections

- Increased parking stress within surrounding roads
- Noise and disturbance
- Loss of privacy/overlooking
- Details on exact location and alternative locations and relationship/proximity to neighbouring properties
- Accuracy of plans and height of fencing
- Adequacy of fencing to prevent disturbance of neighbouring properties
- Hours of operation
- Drainage
- Impact upon the visual quality of the locality
- Impact upon security

Some matters raised are immaterial in the consideration of a planning application. For example, matters such as disturbance during construction, potential further expansion of the use of the MUGA and introduction of

Floodlighting and overall expansion of the school cannot be attributed weight in a planning decision. Any material matters raised in response to the statutory consultation have been fully considered by officers in making this recommendation.

### **5.3 Consultation Responses**

- 5.3.1 Highway Authority: No Objection to the proposal. No requirement for conditions.
- 5.3.2 Waste and Recycling: No objection and no request for inclusion of conditions
- 5.3.3 Environmental Protection: No objections were raised with regards to land contamination or air quality. With regards to noise, it has been suggested that a pre-commencement condition outlining how noise emanating from the MUGA will be controlled.
- 5.3.4 Sports England: The sand filled surface proposed would only allow the school to play sports to a limited standard as it is not the most appropriate surface for most sports, especially those intended to be played in the MUGA. For instance, basketball is better played on a polymeric surface when outside and football on rubber crumb artificial turf. That said, given that the school is a junior school it is likely that they are seeking a more recreational type year round facility rather than a more specialist facility for one or two sports. In this respect a polymeric surface or sand based artificial turf could well achieve their aspirations. Sport England would want it made clear that the proposed surface would mean that the facility would not be suitable for any level of competitive sport.
- 5.3.5 In light of the above, Sport England would be content to remove its holding objection as the scheme is broadly in line with Exception E5 of its playing field policy as the proposed location of the facility would not affect the formal sport pitches that have been/are marked on the playing field, it would be on an area that has drainage issues and it would provide a year round facility for students to be active during school core hours and for after-school and holiday clubs. Sport England would also encourage that the school considers allowing community users access to the facilities.
- 5.3.6 In summary, Sport England raises no object to the proposal as it considers that the proposal's benefits to sport outweighs the loss of an often waterlogged area of playing field therefore it considers that the proposal broadly aligns with its Playing Field Policy. It is recommended, however, that the scheme is actually constructed in line with the guidelines outlined within their document, *Artificial Surfaces for Outdoor Sport*. A condition requiring compliance with this guidance would be included on any consent issued for the works.

## 5.4 Applicant's Response to issues raised

In response to the issues raised by the public, consultees and Committee members, the School has provided the following comments:

- The proposed site for the MUGA is on the Junior field, adjacent to the school playground at some distance from any boundary line
- It will not be floodlit, nor will it be let out for use by the wider community at evenings or weekends, being for the schools' own pupil use only during term time dates
- It will be placed on an area of the field which becomes damp and muddy during the winter months, rendering it unsafe for pupil sports activities at certain times. A permanent all weather pitch will provide an all year sports facility which would be of great benefit to our pupils
- The sports activities being played on the pitch e.g. netball, basketball, football, 5 a side etc. are currently played by our pupils on the field and so the frequency or volume of any noise related to these lessons would not increase; indeed the acoustics of such games within a permanently constructed, contained area would actually be better controlled than in a wide open space, as currently happens
- If the MUGA was to be placed on the opposite side of the school field, the same residential factors would need to be taken into account, as the school site is surrounded by a housing estate on all sides.
- The Trust has saved its Sports Premium Funding for the past four years for the specific purpose of installing this amenity
- The school have reviewed the latest guidance from Sports England on Artificial Surfaces for Outdoor Sport and given the range of sports that we wish our primary pupils to use the MUGA for (Athletics, Netball, Basketball, Mini-tennis, Football); the guidelines appear to point to a sand-filled or sand-dressed pitch. Having referred to a previous indicative design and quote from SportSafeUK their recommendation is consistent with this i.e. "2G Astro Turf second generation artificial grass designed to be infilled with sand or dressed with silica sand.....with a pile height of between 22-24mm".
- The school confirms that the playground is only used by pupils between 7.30am and 6pm Monday to Friday. This includes periods throughout the school holiday when it is used for holiday clubs.

5.4.1 In summary, the addition of a MUGA facility to our Trust site would not create any additional negative impact upon the local community, but would in fact positively impact upon the sports provision and enrichment opportunities that would be offered to all of our pupils for many years to come. Further, the proposed materials will accord with the requirements of Sports England.

## 6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development

- Design and appearance
- Impact upon the setting and character of the locality
- Impact of the development on neighbouring amenity
- Implications for highways/servicing, pedestrian access and parking.

## **6.2 Principle of Development**

- 6.2.1 The NPPF, at paragraph 7, states that the purpose of the planning system is to contribute to the achievement of sustainable development. Specifically in relation to educational facilities (paragraph 94), it is noted that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. The policy specifically states that great weight be placed on the need to create, expand or alter schools.
- 6.2.2 Replicating this, policy 3.18 of the London Plan details that development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Policy 3.19 goes on detailing that development proposals that increase or enhance the provision of sports and recreation facilities will also be supported.
- 6.2.3 Furthermore, LDF Policy DC29 states that educational premises should be of a suitable quality to meet the needs of residents and that the most efficient of land and buildings is undertaken in order to provide a full range of education opportunities.
- 6.2.4 Staff are of the view that the proposed development will enhance the quality of the school and by providing a more robust playing area will make a more efficient use of an existing school site. The proposal it is therefore judged to be in accordance with the London Plan and Policy DC29 of the Core Strategy.
- 6.2.5 As the proposal will not impact upon the existing operation and function of the school, there are no objections in principle to the subject site being brought forward for additional sporting/recreation facilities to the school. The NPPF requires that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Accordingly, the best use of the site is attributed significant weight in the decision making process. Decision takers at every level are advised in Para 38 of the NPPF that they “should seek to approve applications for sustainable development where possible.”
- 6.2.6 The proposed development is acceptable in land use terms and is considered to accord with the aims and objectives of the development plan.

## **6.3 Design and Appearance**

- 6.3.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context and the Nation Planning Policy Framework (NPPF) reinforces this by placing emphasis on good quality, design and architecture.
- 6.3.2 The proposed MUGA would measure 33 metres by 18 metres and will consist of a 2G Astro Turf second generation artificial grass that is designed to be infilled with sand or dressed with silica sand. The main pitch area of the MUGA would be positioned 7.5 metres from the western boundary and approximately 11 metres from the southern boundary. The MUGA will be surrounded by a two metre high power coated twin wire sports fence with three metre high recessed goal ends.
- 6.3.3 The MUGA is a simple design that minimises its components and height in order to reduce impacts upon its surroundings in terms of bulk. The submitted plans suggest that the fencing would be green in colour with the goal recessed (three metre fencing) being grey in colour. The proposed structure is located within an existing school ground and its appearance is considered to be suitable given its function/purpose and its location within a school ground. In terms of design and appearance, staff consider the MUGA to be acceptable (subject to a condition requiring specific details of materials) as it would respect the scale, massing and height of its surrounds in accordance with relevant guidelines and policies, particularly DC61 of the Core Strategy.

#### **6.4 Impact on amenity of surrounding residential properties**

- 6.4.1 The Core Strategy policies relating to community facilities require that new community facilities should be sited and designed such that there is no significant adverse effect on residential character and.. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 6.4.2 With regard to the scale, bulk and mass of the MUGA and its position relative to neighbouring premises, it is not considered that there would be any unacceptable loss of light or undue level of overshadowing sufficient for planning permission to be withheld.
- 6.4.3 Loss of privacy and overlooking are material considerations. The proposed MUGA is essentially the reuse of existing underutilised area of open space for the school. The proposed mesh fencing that would enclose the MUGA is likely to reduce direct views between the structure and neighbouring rear gardens of adjoining dwellings. Notwithstanding this, at present, both students and staff of the school are able to access this area and therefore the proposal would not result in any loss of privacy.
- 6.4.4 The proposal does not include any artificial lighting and this has been confirmed by the applicant. The proposed MUGA will only be used during daylight hours and only during the normal operating times of the school. In the event that the school wishes to install floodlighting at a future date, it

would require further planning consent. The merits of this would be at that time. An informative stating this would be included on any consent issued.

- 6.4.5 Residents have raised concern with the MUGA begin utilised after normal school hours. Unlike many such proposals, the school is not proposing to open the MUGA to the wider community outside school hours for public/private hire. To ensure this, a condition outlining hours that the MUGA can be used would be included on any consent issued.

The hours the MUGA can use used would be between 7.30 to 18:00 Monday to Friday, not including public holidays.

- 6.4.6 The provision of a MUGA as shown would increase the intensity and frequency of the use of this part of the site. Whilst it is not possible to quantify to what extent and how frequently the site would be used during the normal school hours, the associated noise and disturbance would be readily comparable to that of the existing school grounds. Although it's possible to reposition the MUGA to another part of the school, as the school is surrounded by residential properties any alternative site would have the same impact on other nearby residents.

- 6.4.7 Further, concern has been raised by nearby residents that the new MUGA would amplify the noise created by the bouncing of balls on the new surface. In response, this issue was raised with Sports England who stated that it is not normally the balls bouncing on the ground of artificial grass facilities that is the greatest source of noise from outdoor facilities. Noise from balls hitting fencing and side boards and shouting from users is the most common concern and that this is usually more of an issue when such facilities are used in the evening. Although such noise may be generated by the MUGA, the noise associated with it already does occur with the site being part of the playground of the existing school.

- 6.4.7 It is noted that Council's Environmental Protection Officer has reviewed the proposal and requested that a pre-commencement condition outlining how noise emanating from the MUGA will be controlled be included on any consent issued for the works. In response to this, planning staff are of the view that as the MUGA relates to activities that currently occur at the site and that those activities would only occur during normal school hours, the need for such a condition is not necessary. Further to this, given the openness of the MUGA, the only effective way to control noise is to limit the times it is used. In saying that, as the MUGA would be surrounded by play space that would be used by students, the potential noise generated by students and staff in the vicinity of the MUGA could not be suitably controlled. It is for this reason that the proposed condition is not sufficiently justified as its exclusion would not result in the proposal being unacceptable on planning grounds.

## **6.5 Implications for highways, cyclists, pedestrian access and parking**

- 6.5.1 The proposed works to the school will not result in any increase in the number of enrolled students or the need for additional staff. The proposed development once completed is therefore not likely to alter the impact that the existing school has upon vehicle movements to and from the site, the cycle network of pedestrian access/movement to and from the site.
- 6.5.2 Some impacts during construction may occur, however these impacts will be mitigated and kept to a minimum by way of conditions approving details of a Construction Management Plan and regulating hours of construction. Given the site is located within a grassed area of a large school, there is a high likelihood that construction and movement of construction vehicle could impact upon the surrounding road network and neighbouring properties. Because of this, it is considered reasonable to request that these details are agreed by the Local Authority prior to works commencing on the site. The applicant has been notified of this condition and has agreed to it being placed on any consent issued for the site.

## **6.6 Drainage**

The application states that one of the reasons why this specific site was selected was due to it often being waterlogged and unusable. This would indicate that surface drainage in this particular location is not adequate. As the application states that surface water would be dealt with via existing drainage facilities (existing watercourse), staff are of the opinion that additional details of surface water drainage works are submitted prior to works commencing on the site. Although, pre-commencement conditions should be avoided, by requiring this information prior to works commencing, the Local Authority can be assured that the development would not increase any risk of flooding and accord with the objectives of DC49 and DC61. In this instance, the discharge of this condition before development commences is considered reasonable as the proposal would not be considered acceptable in planning terms if it resulted in increased flooding risk. Notwithstanding this, the applicant has been informed of the condition and has agreed to it being placed on any consent issued.

## **7 Conclusions**

The proposed facilities would provide additional areas for the School to deliver play, sporting and education activities, especially during the winter months when the playing fields may not be useable.

Whilst it is accepted that there is not a specific need for these facilities, it is considered that the proposal would enhance the environment for education and skills development. Therefore, improving the school as a whole.

Having regard to all relevant factors and material planning considerations staff are of the view that this proposed Multi Use Games Area would be acceptable.

Staff consider that the proposal would accord with Policy DC29 in relation to enhancing existing educational facilities. The proposal comprises a relatively modest scheme that represents a minor increase in the scale, bulk and mass of the existing school.

All other relevant policies and considerations have been taken into account. Planning permission should be granted subject to conditions for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.

## AGENDA ITEM 7

### Items for Information

#### Introduction

1. This part of the agenda is for the committee to receive reports and other items for information purposes only.
2. The items on this part of the agenda will not normally be debated and any questions of clarification need to be agreed with the chair.
3. The following information and advice only applies to reports in this part of the agenda.

#### Public speaking

4. The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Applications for Decision" parts of the agenda. Therefore, reports on this part of the agenda do not attract public speaking rights.

#### Late information

5. Any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in the Update Report.

#### Recommendation

6. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented for information only.

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**Subject:** **Quarterly Planning Performance Update Report.**

**Report Author:** **Simon Thelwell, Head of Strategic Development**

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## **1 BACKGROUND**

- 1.1 This quarterly report produces a summary of performance on planning applications/appeals and planning enforcement for the previous quarter, July to September 2019.
- 1.2 Details of any planning appeal decisions in the quarter where committee resolved to refuse planning permission contrary to officer recommendation are also given.
- 1.3 The Government has set performance targets for Local Planning Authorities, both in terms of speed of decision and quality of decision. Failure to meet the targets set could result in the Council being designated with applicants for planning permission being able to choose not to use the Council for determining the application

## **2 RECOMMENDATION**

That the report be noted.

## **3 QUALITY OF PLANNING DECISIONS**

- 3.1 In accordance with the published government standards, quality performance with regard to Major (10 or more residential units proposed or 1000+ sq m new floorspace or site area greater than 0.5 hectares), County Matter (proposals involving minerals extraction or waste development) and Non-Major applications are assessed separately. If more than 10% of the total decisions in each category over the stated period were allowed on appeal, the threshold for designation would be exceeded. Due to the fact that 10% of the number of non-major decisions made exceeds the total number of appeals,

there is no chance of designation so the performance against the non-major target will not be published in this report, although it will still be monitored by officers.

3.2 On 29 November 2018, MHCLG announced that there would be two periods assessed for purposes of designation:

- decisions between 1 April 2016 and 31 March 2018, with subsequent appeal decisions to December 2018

- decisions between 1 April 2017 and 31 March 2019, with subsequent appeal decisions to December 2019.

3.3 The first period (2016-18) has passed with the Council not at risk of designation for this period.

3.4 With regard to the period of decisions between 1 April 2017 and 31 March 2019, with subsequent appeal decisions to December 2019, all outstanding appeals have been determined, with the final figure at 6.7% appeals allowed for major applications and 0% for county matter applications. Therefore the Council is not at risk of designation for this period.

3.5 Although there has been no confirmation from MHCLG, it is reasonable to assume that the designation criteria will continue for the next two year rolling period which would cover all decisions for the period April 2018 to March 2020. The current figures for this are:

Total number of planning decisions over period (to date): 55

Number of appeals allowed: 2

% of appeals allowed: 3.6%

Appeals still to be determined: 0

Refusals which could still be appealed: 3

County Matter Applications:

Total number of planning decisions over period (to date): 7

Number of appeals allowed: 0

% of appeals allowed: 0%

Appeals still to be determined: 0

3.6 Due to the low number of decisions that we take that are majors or county matters, any adverse appeal decision can have a significant effect on the figure. Consequently, it is considered that at this time there is a risk of designation. The figure will continue to be carefully monitored.

3.7 As part of the quarterly monitoring, it is considered useful to provide details of the performance of appeals generally and summarise any appeal decisions received where either the Regulatory Services Committee/Strategic Planning

Committee/Planning Committee resolved to refuse planning permission contrary to officer recommendation. This is provided in the table below.

<b>Appeal Decisions Jul-Sep 2019</b>				
<b>Total Number of Appeal Decisions - 34</b>				
<b>Appeals Allowed - 11</b>				
<b>Appeals Dismissed - 23</b>				
<b>% Appeals Allowed - 32%</b>				
<b>Appeal Decisions where Committee Decision Contrary to Officer Recommendation</b>				
<b>Total Number of Appeal Decisions - 1 (details below)</b>				
<b>Appeals Allowed - 1</b>				
<b>Appeals Dismissed - 0</b>				
<b>% Appeals Allowed - 100%</b>				
Appeal Decisions Jul-Sep 2019 Decision by Committee Contrary to Officer Recommendation				
<b>Date of Committee</b>	<b>Application Details</b>	<b>Summary Reason for Refusal</b>	<b>Appeal Decision</b>	<b>Summary of Inspectors Findings</b>
Strategic Planning Committee 11 Oct 18	P0048.18 112-116 South Street, Romford	Failure to integrate with non-designated heritage asset.  Due to height and lack of tall buildings nearby, would fail to respect the character of the town centre	Appeal allowed	The proposal would have less than substantial harm on the non-designated asset. However the design is of good quality and the provision of suitable town centre facility outweighs the harm.  This part of the town centre is varied and a taller building would not look out of character.

#### **4 SPEED OF PLANNING DECISIONS**

4.1 In accordance with the published government standards, speed of decision applies to all major and non-major development applications, with the threshold for designation set as follows:

Speed of Major Development (and County Matters) – 60% of decisions within timescale (13 or 16 weeks or such longer time agreed with the applicant)

Speed of Non-Major Development - 70% of decisions within timescale (8 weeks or such longer time agreed with the applicant)

4.2 On 29 November 2018 MHCLG announced that there would be two periods assessed for the purposes of designation:

- Decisions made between October 2016 and September 2018
- Decisions made between October 2017 and September 2019

4.3 For the period October 2016 to September 2018, performance was above the stated thresholds and there is no risk of designation.

4.4 For the period October 2017 to September 2019, the following performance has been achieved:

Major Development – 88% in time

County Matter – 100% in time

Non-Major Decisions - 90% in time

4.5 Based on the above performance, the Council is not at risk of designation due to speed of decision. The figure for future periods will continue to be monitored.

## 5 PLANNING ENFORCEMENT

5.1 There are no designation criteria for planning enforcement. For the purposes of this report, it is considered useful to summarise the enforcement activity in the preceding quarter. This information is provided below:

Jul – Sep 2019	
Number of Enforcement Complaints Received: 282	
Number of Enforcement Complaints Closed: 196	
Number of Enforcement Notices Issued: 13	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
42 Dymoke Road, Hornchurch	Unauthorised use for vehicle servicing and repairs
Sunnyside Farm, Risebridge Chase, Romford	Change of use of barn to dwelling.
11 Nelmes Way, Hornchurch	Unauthorised fence
Land North of Willoughby Drive, Rainham	Unauthorised use for waste transfer, unauthorised hardstanding.

Rear of 206 Victoria Road, Romford	Unauthorised canopy and car repairs.
1A Chase Cross Road, Romford	Unauthorised change of use to residential
Tara, Southend Arterial Road, Romford	Breach of conditions re parking, amenity space and landscaping.

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