



Haverling

LONDON BOROUGH

STRATEGIC PLANNING COMMITTEE AGENDA

7.00 pm

Thursday
15 August 2019

Council Chamber -
Town Hall

Members 8: Quorum 4

COUNCILLORS:

Conservative Group
(4)

Dilip Patel (Chairman)
Timothy Ryan (Vice-Chair)
Maggie Themistocli
Ray Best

**Independent Residents
Group**
(1)

Graham Williamson

Residents' Group
(1)

Reg Whitney

Labour Group
(1)

Keith Darvill

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

Linda Hawthorn

For information about the meeting please contact:

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To register to speak at the meeting please call 01708 433100
before Tuesday 13 August 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.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



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.

Development presentations

I would like to inform everyone that Councillors will receive presentations on proposed developments, generally when they are at the pre-application stage. This is to enable Members of the committee to view the development before a planning application is submitted and to comment upon it. The development does not constitute an application for planning permission and any comments made upon it are provisional and subject to full consideration of any subsequent application and the comments received as a result of consultation, publicity and notification.

Applications for decision

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 everyone in the chamber note that they are not allowed to communicate with or pass messages to Councillors sitting on the Committee 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 - 2)

To approve as a correct record the minutes of the meeting of the Committee held on 18 July 2019 and to authorise the Chairman to sign them.

5 DEVELOPMENT PRESENTATIONS (Pages 3 - 4)

Report attached

6 PE/00064/19 - CORAL CAR PARK, LONDON ROAD, ROMFORD (Pages 5 - 10)

Report attached

7 APPLICATIONS FOR DECISION (Pages 11 - 14)

8 P0947/17 - 49/87 NEW ROAD, RAINHAM (Pages 15 - 40)

Report attached

9 P1904/18 - FREIGHTMASTER ESTATE, COLDHARBOUR LANE, RAINHAM (Pages 41 - 64)

Report attached

10 QUARTERLY PLANNING PERFORMANCE UPDATE (Pages 65 - 70)

Report attached

Andrew Beesley
Head of Democratic Services

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**MINUTES OF A MEETING OF THE
STRATEGIC PLANNING COMMITTEE
Council Chamber - Town Hall
18 July 2019 (7.30 - 8.45 pm)**

Present:

COUNCILLORS 7

Conservative Group Dilip Patel (Chairman), Timothy Ryan (Vice-Chair),
Maggie Themistocli and Ray Best

Residents' Group

**Upminster & Cranham
Residents' Group** Linda Hawthorn

**Independent Residents
Group** Graham Williamson

Labour Group Keith Darvill

An apology for absence was received from Councillor Reg Whitney

All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

73 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

74 MINUTES

The minutes of the meeting held on 27 June 2019 were agreed as a correct record and signed by the Chairman.

75 PE/00213/2017 - BRIDGE CLOSE, ROMFORD

The Committee received a developer presentation from Jonathan Kendall of Fletcher Priest Architects, Paul Eaton Allies & Morrison Architects and Richard Lavington Maccreanor Lavington Architects.

The proposal before Members was to demolish the existing buildings and to erect up to 1070 homes. The proposal also included a 3 form entry primary school with associated nursery, a health hub, a pedestrian/cycle bridge over the River Rom, vehicular access to Waterloo Road, public open space areas, and relocation of the Havering Islamic Cultural Centre, existing businesses and ambulance station.

The main issues raised by Members for further consideration prior to submission of a planning application were:

- Further detail should be provided on the tenure and unit mix
- The Council's housing needs survey was signposted to the developer, with an invitation that the developer look at that document and explain how the proposal responds to it, or not, as the case may be. In the latter instance, the developer was then asked to explain why not.
- Ensure that suitable provision was made for the London Ambulance Service
- Could all of the proposed uses be accommodated on the site in a way which ensured compatibility
- On the proposed Islamic Cultural Centre, further details were sought on the hours of use, likely capacity, travel patterns of the congregation and whether any noise mitigation measures would be included
- The developer was invited to consider and provide details of how parents/carers and children waiting to go into the school can gather before the school opens in the absence of wider school grounds
- Clarification was sought on the security measures to be employed for the four separate school entrances

Chairman

Development Presentations

Introduction

1. This part of the agenda is for the committee to receive presentations on proposed developments, particularly when they are at the pre-application stage.
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

4. These proposed developments are being reported to committee to enable Members of the committee to view them at an early stage and to comment upon them. They do not constitute applications for planning permission at this stage (unless otherwise stated in the individual report) and any comments made are provisional and subject to full consideration of any subsequent application and the comments received following consultation, publicity and notification.
5. Members of the committee will need to pay careful attention to the probity rules around predisposition, predetermination and bias (set out in the Council's Constitution). Failure to do so may mean that the Member will not be able to participate in the meeting when any subsequent application is considered.

Public speaking and running order


6. 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, save for Ward Members.
7. The items on this part of the agenda will run as follows:
 - a. Officer introduction of the main issues
 - b. Developer presentation (15 minutes)
 - c. Ward Councillor speaking slot (5 minutes)
 - d. Committee questions
 - e. Officer roundup

Late information

8. 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

9. The Committee is not required to make any decisions with respect to the reports on this part of the agenda. The reports are presented as background information.

 Havering LONDON BOROUGH	Strategic Planning Committee 15 August 2019
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Pre-Application Reference:	PE/00064/19
Location:	CORAL CAR PARK, LONDON ROAD, ROMFORD
Ward:	BROOKLANDS
Description:	RESIDENTIAL DEVELOPMENT OF 88 UNITS WITH ASSOCIATED PARKING AND AMENITY SPACE
Case Officer:	NANAYAA AMPOMA

1 BACKGROUND

- 1.1 The proposed development is the subject of a preapplication initially submitted in February 2019. A meeting was held between the developer and LB Havering planning and highways officers with written pre-application and urban design comments being provided in March. Since then, further pre-application discussions have taken place.
- 1.2 The proposal is being presented to Committee for the second time following its initial presentation at the Committee on the 27th June 2019. In response to comments made during that Committee there have been subsequent changes made to the scheme. The purpose of the second presentation is for the developer to explain the latest proposals; the amendments made and enable Members to make further comments prior to the submission of a planning application.
- 1.3 Issues raised by Members at the last presentation were:
- Clarification sought on whether the existing trees around the perimeter of the site would be retained.
 - Clarification was also sought on the amenity space strategy.

- The developer was invited to consider the level of car parking provision and whether the proposed provision would be appropriate given the low level of bus accessibility.
- The developer was also invited to consider whether the proposed unit types meet the borough's accommodation needs, notably family units.
- Further detail was sought on how the ground floor layout of the development takes into account designing out crime principles.
- Further details were sought on the width of the junction between London Road and Spring Gardens with regards sight lines for vehicle access and egress to the site.

1.4 For clarification, the pre-application proposals referred to in this report are not yet subject to any current application for planning permission. Therefore comments made in response to the developer's presentation are provisional, non-binding and are given without prejudice to the determination of any subsequent planning application. Any formal submission shall be subject to the normal planning legislation procedures.

2 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

2.1 The L-shaped site measures 0.41 hectares and is located on the corner of London Road and Spring Gardens. The site is vacant save for two small buildings in the north eastern corner of the site, with the remainder of the site used as surface level car parking. The topography of the site is flat and free of vegetation aside from several mature trees around the perimeter of the site. The existing car park is used for motorcycle tuition and overspill parking for the Romford Greyhound Stadium, the latter of which is no longer required on account of the major improvement works currently underway at the stadium. The northern and western boundary of the site front Spring Gardens, with the southern boundary fronting London Road, brick and steel warehouses are located adjacent to the eastern boundary of the site.

2.2 The area surrounding the site is a mix of residential, industrial and commercial uses. The prevailing residential typology is 1930s semi-detached terraces, though there are newer flatted developments including three to four storey apartment blocks on Spring Gardens. The Crown Public House to the west of the site has been granted planning permission (appeal reference APP/B5480/W/16/3153011) for a change of use from A4 (drinking establishing) to C3 (dwelling houses), part demolition of the public house and construction of 24 apartments. Crowlands Primary School is located to the south west of the site, on the opposite side of London Road. The Coral Greyhound Stadium is also located south of London Road. Romford Town

Centre is located 1.25km east of the site. The site has a Public Transport Accessibility Level (PTAL) of 1B, with access to bus route 86 (Stratford to Romford) from the stop immediately in front of the site, and train services to Liverpool Street, Shenfield and Upminster available from Romford Station.

Proposal

- 2.3 The proposed development comprises up to 88 residential units. This remains the same as previously presented. However there has been an increase in the number of family units following Members comments.

Unit type	Original SPC	Proposed	% of current mix
1 Bedroom	39	37	-2
2 Bedroom	40	34	- 6
3 Bedroom	7	15	+8
4 Bedroom	2	2	-
Total	88	88	-

- 46 car parking spaces (with 9 disabled spaces), 2 car club spaces
- Associated landscaping, cycle parking and refuse storage at ground floor.

Planning History

- 2.4 There are no relevant planning records.

3 CONSULTATION

- 3.1 The following consultees have commented as part of the pre-application process:
- LB Havering Highways
 - LB Havering Urban Design

4 COMMUNITY ENGAGEMENT

- 4.1 In accordance with planning legislation, the developer engaged with the local community in April 2019. This was also attended by some local Councillors.

5 MATERIAL PLANNING CONSIDERATIONS

- 5.1 The main planning issues for consideration are:
- Urban design
 - Amenity
 - Environment
 - Parking

- Affordable housing

Urban Design

- 5.2 The development has an opportunity, through its alignment on London Road, to make a significant contribution to the quality of the public realm in this location. A 4 – 6 storey development may not be considered overwhelming in scale in terms of London Road setting. However it is taller than surrounding buildings and mediation of this scale is an important design consideration, particularly in relation to relationship to single storey bungalows in Spring Gardens. There are concerns over whether the materials and treatment of the top floor are satisfactory given the context of the site and the need to break up the mass to reduce the impression of a single large building. Careful consideration also needs to be given to the pedestrian experience on Spring Gardens as the proposal currently has a negligible setback and no street planting. The developer's assessment of site constraints and opportunities is sound, and has informed the site layout. The proposed layout seems broadly acceptable though care should be taken to integrate the site with land to the east to ensure the future development potential of the adjacent site is not blighted. Communal gardens should provide adequate high quality play space for all age groups.
- 5.3 An initial Daylight/Sunlight analysis has been provided, but this only relates to surrounding amenity and not the quality of the proposed development in ensuring adequate daylight/sunlight levels for future occupiers. This, together with acoustic, wind and air quality assessments would be required to ensure the private and public open space is of sufficient quality.
- 5.4 Following Member comments, the developer had a meeting with the Secured by Design Officer and they have stated that they have incorporated the comments made into the current scheme. It should also be noted that the Secured by Design Officer will be consulted by officers should a formal application be forthcoming.
- 5.5 The developer has confirmed that a number of trees are to be provided along both the southern boundary of the site, fronting onto London Road. These will replace those existing.

Amenity

- 5.6 The southern elevation of the proposed development is set back between 18 and 20 metres from the adjacent property. No overlooking of existing dwellings to the north, south or west of the site is predicted given their distance from the site. The amenity of future residents could however be diminished by the proximity of units to service areas, sources of noise and communal spaces.

5.7 The initial daylight/sunlight analysis carried out by the developer indicates that the proposal has some impact on neighbours but not to a significant degree. This will need to be considered further by officers.

5.8 Following Members comments each flat would benefit from its own amenity space. An additional 729sqm of communal space is also being provided at the roof levels of floors 4, 5 and 6. The quality of these spaces will be an important factor. Officers have previously stated that it would not be supported for the development to have a terrace area on the roof of the 6th floor as this would create added bulk to the development and make that element appear as 7 stories. The proposed development also aims to meet the Mayor's play area provisions.

Environment

5.9 No assessments of environmental impact or energy efficiency were provided with the pre-application enquiry. An energy statement needs to be submitted with the application to demonstrate that the proposal can achieve London Plan requirements for carbon reduction (zero carbon emissions for all residential buildings constructed after 2016). In accordance with policy, a financial contribution for carbon offsetting might be sought to address any shortfall in achieving those targets.

Parking

5.10 The site has street frontages to London Road and Spring Gardens, the latter of which is a quiet walking route to school. The site has a PTAL of 1B, which is low. However, the site is connected by bus to Romford Station. Immediately around the site are yellow lines and the streets south of London Road have controlled parking. Further along Spring Gardens, there are no parking controls. The proposed unit typology may suggest a lower level of car ownership.

5.11 Following Members comments, the proposed car parking spaces have been increased from 44 to 46. This includes 9 disabled parking spaces. The developer has made provision for a car club with two spaces allocated in order to encourage sustainable modes of travel at the site. The developer has stated that the provision of a car club would reduce the need for car parking, suggesting that the provision of the car club with 2 vehicles would be equivalent to 26 car parking spaces. The developer has also conducted a survey of availability of spaces in surrounding streets which suggest there is parking capacity on street.

5.12 Following Members comments further assessment has been undertaken by the developer in respect of the junction between London Road and Spring Gardens.

Affordable housing

5.13 It is proposed to provide 35% affordable housing within the development.

FINANCIAL AND OTHER MITIGATION

6.1 The proposal would likely attract the following section 106 contributions to mitigate the impact of the development:

- Highway improvement contribution
- CPZ review
- Transport contributions
- Carbon offset contributions
- Restriction on parking permits
- Reasonable legal fees
- S106 Monitoring fee

6.2 The Havering Community Infrastructure Levy (CIL) will be adopted September 2019. Therefore the development is likely to be CIL liable. As such subject to the resulting floor space, the following charges would be applicable:

- Mayoral CIL would be applied at a rate of £25 per square metre
- LB Havering CIL would be applied at a rate of £125 per square metre, should it be implemented

CONCLUSIONS

7.1 The development is still in the pre-application stage and additional work remains to be carried out on it.

Applications for Decision

Introduction

1. In this part of the agenda are reports on strategic 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:
 - a. Officer introduction of the development
 - b. Registered Objector(s) speaking slot (5 minutes)
 - c. Responding Applicant speaking slot (5 minutes)
 - d. Councillor(s) speaking slots (5 minutes)
 - e. Cabinet Member Speaking slot (5 minutes)
 - f. Officer presentation of the material planning considerations
 - g. Committee questions and debate
 - h. Committee decision

Late information

16. 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

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

 <p>Havering LONDON BOROUGH</p>	<p>Strategic Planning Committee 15 August 2019</p>
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Application Reference:	P0947.17
Location:	49 - 87 New Road, Rainham
Ward	South Hornchurch
Description:	Outline planning application for the demolition of all buildings and redevelopment of the site for residential use providing up to 259 units with ancillary car parking, landscaping and access
Case Officer:	William Allwood
Reason for Report to Committee:	The application is by or on behalf of a Joint Venture that includes the Council and is a significant development. The Local Planning Authority is considering the application in its capacity as local planning authority and without regard to the identify of the Applicant.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The development of the site for residential is acceptable in principle with no policy objection to the loss of the current industrial uses.
- 1.2 The application is submitted in outline with all matters reserved for future approval. The density is within policy range and the layout is considered to be satisfactory and capable of providing a high quality development.
- 1.3 The proposed height at six and seven storeys is considered appropriate for this part of New Road which is set to be transformed through the arrival of the station and nearby redevelopments of sites.
- 1.4 Members may recall considering the application as part of a consultation exercise held at Strategic Planning Committee on the 28th February 2019. At that time the height of the blocks ranged from nine storeys to the east

adjoining Askwith Road, to six storeys to the west adjoining Walden Avenue. Further, Members raised a number of issues for clarification, which are addressed in some detail as part of this Report.

- 1.5 Subject to details submitted at reserved matters stage, the impact on the residential amenity of existing occupiers would not be affected to an unacceptable degree.
- 1.6 Given the location of the site close to the proposed new Beam Park Station and applicable maximum parking standards, the level of parking proposed is considered acceptable.
- 1.7 A significant factor weighing in favour of the proposal is the 35% affordable housing proposed across the sites in control of the applicant, meeting the objectives of the Housing Zone, and current and future planning policy.
- 1.8 The recommended conditions would secure future policy compliance by the applicant at the site, and ensure any unacceptable development impacts are mitigated.

2. RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission subject to conditions, to include key matters as set out below:
- 2.2 That the Assistant Head of Planning is delegated authority to negotiate any subsequent legal agreement required to secure compliance with Condition 34 below, including that:
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
 - The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
 - Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- 2.3 That the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters

Conditions

1. Outline – Reserved matters to be submitted
2. Outline – Time limit for details
3. Outline - Time limit for commencement
4. Details of materials if not submitted at reserved matters stage
5. Accordance with plans
6. Car club management
7. Parking allocation and management plan
8. Details of site levels if not submitted at reserved matters stage
9. Details of refuse and recycling storage
10. Details of cycle storage
11. Hours of construction
12. Contamination – site investigation and remediation
13. Contamination – if contamination subsequently discovered
14. Electric charging points
15. Construction methodology
16. Air Quality – construction machinery
17. Air Quality – demolition/construction dust control
18. Air Quality – internal air quality measures
19. Air Quality – low nitrogen oxide boilers
20. Details of boundaries if not submitted at reserved matters stage
21. Details of surfacing materials if not submitted at reserved matters stage
22. Car parking to be provided and retained
23. Pedestrian visibility splays
24. Vehicle access to be provided
25. Wheel washing facilities during construction
26. Details of drainage strategy, layout and SUDS

27. Details of secure by design
28. Secure by Design accreditation to be obtained
29. Water efficiency
30. Accessible dwellings
31. Archaeological investigation prior to commencement
32. Bat/bird boxes to be provided
33. Fire Hydrant
34. To provide the following planning obligations before the commencement of development:
 - a. Pursuant to Section 16 of the Greater London Council (General Powers) Act 1974, restriction on parking permits
 - b. School places contribution sum of £1,165,500.00 or such other figure as is approved by the Council: Indexed
 - c. Controlled Parking Zone contribution sum of £29,008.00 or such other figure as is approved by the Council: Indexed
 - d. Linear Park contribution sum of £229,991.78 or such other figure as approved by the Council: Indexed
 - e. Carbon offset contribution sum of £310,440.00 or such other figure as approved by the Council: Indexed
 - f. Bus capacity improvements and Travel Plan monitoring – sum to be agreed
 - g. To provide affordable housing in accordance with a scheme of implementation for all New Road sites controlled by the developer that ensures that individual development sites are completed so that the overall level of affordable housing (by habitable rooms) provided across the sites does not at any time fall below 35% overall. The affordable housing to be minimum 40% affordable rent with up to 60% intermediate
 - h. Affordable Housing Review Mechanisms: early, mid and late stage reviews (any surplus shared 60:40 in favour of London Borough Havering)

Informatives

1. Statement pursuant to Article 31 of the Development Management Procedure Order
2. Fee for condition submissions
3. Changes to public highway
4. Highway legislation
5. Temporary use of the highway
6. Surface water management
7. Community safety
8. Street naming/numbering
9. Protected species
10. Protected species – bats
11. Crime and disorder
12. Cadent Gas, Essex and Suffolk Water, and Thames Water comments
13. Letter boxes

- 2.4 In terms of the Community Infrastructure Levy (CIL), the development will be liable to pay CIL when the development is built, and as the liability is calculated at the Reserved Matters stage, there is no need to submit any CIL forms with this outline planning application. In any event, the Local Planning Authority will still require contributions for controlled parking, linear park and carbon offset as part of a Legal Agreement, and it is likely that just the education contribution would fall away. In this regard, the London Mayoral CIL charging rate is £25 per sq. m., and the Havering CIL for this part of Rainham (to be introduced on the 01st September 2019) is £125 per sq. m. In the case of this outline planning application, this would equate to a Mayoral CIL contribution of £553,600.00, and after 01st September 2019, a Havering CIL contribution of £2,768,000.00

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The application is for outline permission with all matters reserved seeking approval for the principal of the development quantum with access, layout, appearance, landscaping and scale as reserved matters. The red line site area, as amended, measures 1.06 hectares.
- 3.2 The application as submitted was for the demolition of buildings and redevelopment of the site for residential use providing up to 207.No. units with ancillary car parking, landscaping and access. Subsequently the outline proposals have been amended, and are now for the demolition of the existing buildings and redevelopment of the site comprising the erection of up to 6 and 7 storey blocks. The indicative mix proposed across the site, as amended, includes 110.No. of 1 bedroom, 2-person apartments, 26.No. of 2 bedroom, 3-person apartments, 66.No. of 3 bedroom, 4-person apartments and 57.No. 3 bedroom, 6-person apartments. A total of 259 units would now be provided.
- 3.3 The amended proposals have been subject to third party and statutory consultations, and this process expired on the 24th July 2019. Any further responses are therefore included within this Report.
- 3.4 The proposal also outlines 94.No. dedicated vehicular parking spaces for residents at a ratio of 0.36 spaces per unit. Secure cycle storage areas are to be provided within the apartment blocks and suggested that a minimum of 500.No secure resident cycle racks spaces and 7.No external visitor cycle parking spaces, will be provided together with internal refuse areas.
- 3.5 Vehicular access to the proposed apartment blocks is proposed from the west at Walden Avenue, and the east side of the site at Askwith Road. These accesses will replace the existing 8No. crossovers to the site. Further, the route between Walden Avenue and Askwith Road will also allow for servicing and refuse access.

- 3.6 The application site lies within the Rainham and Beam Park Housing Zone, and is owned by private landowners. The applicant is a joint venture including the London Borough of Havering, although they do not own the land. The Council are seeking to undertake Compulsory Purchase Orders (“CPOs”) to help deliver the comprehensive redevelopment of the area which is key to delivering the forecasted rate of house building and quality of development identified in the adopted Rainham and Beam Park Planning Framework. The precursor to a CPO is often to have planning permission in place.

Site and Surroundings

- 3.7 The site is currently accessed from New Road to the south, Askwith Road to the east and Walden Avenue to the west. The eastern corner of the site at the junction of New Road with Askwith Road is formed by surface parking areas and a 2-storey red brick and orange metal clad commercial building. The boundary to this building is formed by a low red brick wall. To the north east along Askwith Road is found typical 2-storey inter-war houses and bungalows. To the north west along Walden Avenue is formed by two-storey dwellings and bungalows. To the north of the site at Queens Gardens is found bungalows, chalet bungalows, two-storey dwellings and three-storey flatted development.
- 3.8 The site itself consists of a various assortment of car repair and former garage outlets, a car wash and related industrial uses; the existing buildings are typically of 2-storey scale, with pitched roofs and roller shutter doors facing New Road.
- 3.9 The site is 1.06ha and is located on the north side of the New Road, between Walden Avenue to the west, and Askwith Road to the east. The site is broadly rectangular in shape and appears to be generally level. It is bounded to the east and west by commercial and residential development along New Road. The southern part of the site fronts onto New Road and extends for approximately 213m, containing a variety of boundary treatment.
- 3.10 The site is within the Rainham and Beam Park Housing Zone and within the area covered by the adopted Rainham and Beam Park Planning Framework. The site does not form part of a conservation area, and is not located within the immediate vicinity or setting of any listed buildings. Site constraints that are of material relevance with the works proposed include potentially contaminated land, Health and Safety Zone, Air Quality Management Area, Flood Zone 1 and area of potential archaeological significance.

Planning History

- 3.11 The following planning decisions are relevant to the application:

P0076.06 – Two units for B1/B8 use. Planning permission refused. Appeal Allowed

P0239.10 - The retention of the current use of the premises by A V Autos for motor vehicle spares, parts, repairs and. Planning permission approved

P0752.13 – Change of use from B1(c) (light industrial) to B2 (general industrial) to include MOT Testing. Planning permission approved

P1476.14 - Erecting further portaframe warehouse units and providing extra width to crossover – No decision issued

P0737.15 - Use of land and buildings for vehicle breaking and recycling. Planning permission approved

P0348.17 (35-87 New Road) - Outline planning application (with all matters reserved except means of access) for the demolition of all buildings; development including four buildings comprising of up to 248 residential units (mix of studio, 1 bed, 2 bed, and 3 bed flats), with details of landscaping, appearance, layout and scale being reserved in accordance with the submitted parameter plans (Phase 1 & 2). Demolition of existing buildings and construction of 5 town houses, with all matters reserved (Phase 3). No decision issued

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 The following were consulted regarding the application:
- 4.3 Environment Agency – No objections, subject to recommending that finished floor levels are set above breach level, which is 3.26m AOD
- 4.4 Essex & Suffolk Water – no objections, subject to Informatives
- 4.5 Thames Water – Advice provided about surface water drainage Thames Waters underground assets and Sewage Pumping Station; in relation to sewerage infrastructure capacity, there would not be an objection, subject to Informatives.
- 4.6 Metropolitan Police (Designing Out Crime) – Requested conditions regarding designing out crime
- 4.7 Environmental Protection (Noise) – No objections, subject to necessary mitigation works
- 4.8 Environmental Protection (Contamination) – No objections, subject to conditions, remediation and necessary mitigation works

- 4.9 Environmental Protection (Air Quality) – No objections, subject to necessary conditions
- 4.10 LBH Waste and Recycling – Advise that the proposals for refuse storage and collection are acceptable
- 4.11 LBH School Organisation – No objections, subject to appropriate S106/ CIL education contributions
- 4.12 LBH Flood & Rivers Management Officer – No objections in principal
- 4.13 Greater London Archaeological Advisory Service – require pre-commencement planning conditions
- 4.14 London Fire Brigade – Confirm that it will be necessary to install one new fire hydrant
- 4.15 LBH Highways – No objections to the layout of the application site, and the proposed Transport Assessment, subject to conditions being included that deal with; i) pedestrian visibility splay, ii) highway agreement for vehicular access, and iii) vehicle cleansing during construction. In addition a S106 contribution is sought seeking funds for a CPZ in the area should it be required in the future. The amount sought is £29,008.00
- 4.16 Greater London Authority (GLA) – Originally made the following observations:
- Affordable Housing – a multi-site approach is proposed across nine sites along New Road. The applicant must commit to deliver 35% affordable housing; early implementation and late stage review mechanisms should also be secured
 - Urban design – concerns raised over the design/ appearance/ residential quality/ car parking/definition of public and public spaces/routes
 - Climate Change – advised that the final agreed energy strategy should be secured by the LPA, along with contributions towards off-site mitigation
 - Transport - advise that parking provision should be reduced and cycle parking increased. Further, GLA comments mirror those in terms of planning condition by TfL below

Further, the LPA met with the GLA on the 09th January 2019 to discuss proposed revisions to the scheme, and Officers of the GLA confirmed that they were generally satisfied with the changes to the scheme. Finally, GLA have been advised of the latest changes to the scheme, subject of the current submission.

- 4.17 Transport for London (TfL) – originally considered that the level of car parking provision is excessive, and the cycle parking deficient. The amended proposals are consistent with their requirements. In addition, TfL recommend a planning condition relation to a Construction Logistics Plan, and a Deliveries

and Servicing Plan; further, s106 contributions are required towards bus capacity improvements and Travel Plan monitoring – amount to be agreed.

- 4.18 National Grid (Cadent Gas) – Advise that there are gas pipelines and electricity overhead lines in the vicinity of the application site
- 4.19 Health and Safety Executive – Do not advise, on safety grounds, against the granting of planning permission

5 LOCAL REPRESENTATION

- 5.1 A total of 146 neighbouring residential and commercial properties were notified about the application and invited to comment. The application has been publicised by way of site notice displayed in the vicinity of the application site. The application has also been publicised in the local press.
- 5.2 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: 1 objection

Representations

- 5.3 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

- Residential units are too many
- Schools, doctors and dentists are oversubscribed locally
- Plans for a new school and health centre on the site; is this guaranteed?
- Where will everyone go before these are built? These should be put in place first
- Increase traffic on the road
- I notice that they haven't even allowed for one parking space per residence; while they park in existing roads taking parking spaces away from current residents
- Have C2C been consulted?

Officer Response

- The number of residential units is commensurate with the residential transformation of this part of New Road
- A Primary School, together with primary health provision will be provided opposite within the Beam Park development; the development of Beam Park is currently on-going at the site; this application is only at the outline stage. In addition, a further Primary School is to be delivered to the west along New Road with the LB of Barking and Dagenham

- The Transport Plan is acceptable to the Local Planning Authority, TfL and the Greater London Authority
- Controlled Parking Zones will be consulted upon and can be introduced to discourage indiscriminate parking on the local road networks
- Network Rail have been consulted, but to date have not responded

6 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of Development
- SPC Feedback/ Design Response
- Density/Site Layout
- Design/Impact on Street/Garden Scene
- Impact on Amenity
- Highway/Parking
- Affordable Housing/Mix
- School Places and Other Contributions

Principal of Development

6.2 In terms of national planning policies, the National Planning Policy Framework 2019 (NPPF) sets out the overarching roles that the planning system ought to play, including a set of core land-use planning principles that should underpin decision-taking, one of those principles being:

“Planning decisions should promote an effective use of land in meeting the need for homes.” Para 117

“Planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes.” Para 118

6.3 Policies within the London Plan seek to increase and optimise housing in London, in particular Policy 3.3 on ‘Increasing Housing Supply’ and Policy 3.4 on ‘Optimising Housing Potential’.

6.4 Policy CP1 of the LDF on ‘Housing Supply’ expresses the need for a minimum of 535 new homes to be built in Havering each year through prioritising the development of brownfield land and ensuring it is used efficiently. Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year. Policy 3 in the draft Havering Local Plan sets a target of delivering 17,550 homes over the 15 year plan period, with 3,000 homes in the Beam Park area. Ensuring an adequate housing supply to meet local and sub-regional housing need is important in making Havering a place where people want to live and where local people are able to stay and prosper.

- 6.5 The aspiration for a residential-led redevelopment of the Rainham and Beam Park area was established when the area was designated a Housing Zone by the GLA. Furthermore the production of the Planning Framework sought to re-affirm this and outlines potential parameters for development coming forward across the area with the aim of ensuring certain headline objectives are delivered. The 'Rainham and Beam Park Planning Framework' 2016 supports new residential developments at key sites including along the A1306, and the Housing Zones in Rainham and Beam Park. Therefore the existing business uses are not protected by planning policy in this instance.
- 6.6 In view of the above, the Local Planning Authority raise no in principle objection to a residential-led development coming forward on this site forming part of a development of sites north and south of New Road, in accordance with the policies cited above.

Strategic Planning Committee (SPC) Feedback/ Design Response from Developer

- 6.7 Members of the SPC may recall providing feedback to the scheme at 49 – 87 New Road, Rainham at their meeting of the 28th February 2019. In this regard, the report will set out the individual comments made, followed by the response of the developers:

SPC Feedback 1

Detail/justification is sought on why there has been an increase in storey height and units numbers from the original submission. The value of comparison with Beam Park was queried. Consider the justification for heights carefully. Further exploration of the height was invited given the relationship with the properties to the rear

Developer Response 1

Following the SPC feedback and a series of design workshops with Officers, the developers' design team has reduced the proposed maximum building height from 9 storeys to 7 storeys. The 7 storey height creates a mid-point between the existing buildings to the north and the proposed taller buildings to the south. This transition in height will allow each to sit comfortably against its neighbour and ensure that the new district centre feels compatible with the existing lower scale properties.

The design team reviewed the proposals for the newly consented Beam Park scheme (the context directly to the south of site NR09) in respect to massing and height. Beam Park includes four blocks within the centre of 11, 12, 12 and 16 storeys, plus seven other blocks, four of which are 7 and 8 storeys.

The proposal has been designed to minimise overshadowing to neighbouring gardens in line with BRE best practice guidelines. The overshadowing assessment demonstrates that no gardens are materially impacted by

overshadowing from the proposal and will continue to receive direct sunlight throughout the day.

The distances to neighbouring properties all far exceed recommended minimum separation distances with the closest distance to neighbouring windows being 31.5m. There are two side elevations to neighbouring properties to the north that lie at 18m away; however, these elevations only contain secondary windows.

SPC Feedback 2

Whether a tunnel effect would be created along both sides of the A1306 given the heights approved/proposed

Developer Response 2

The separation distance between the buildings either side of New Road is 41.5m. Whilst London Borough of Havering planning policy does not dictate minimum separation distances, these are typically accepted to be 18-21m for back-to-back habitable room distances. The proposed 41.5m, therefore, greatly exceeds these minimum distances. This, together with large gaps between buildings on site NR09 and changes in heights on Countryside's scheme to the south, from 8 to 2 storeys, allowing light through means there will not be a wall effect of built development in this locality.

Adverse wind conditions are often caused by drastic variations in building height; this is not the case for New Road. The greater the area of the windward face, the greater the potential problem, because of the absence of shelter from similar buildings. In the case of NR09 and the immediate developments to the local area, no 'towers' are proposed immediately adjacent to the road.

SPC Feedback 3

Further detail is sought on how the scheme responds to the Rainham and Beam Park Planning Framework and where it is contrary, what the justification is for that? Particular reference was made to height and density

Developer Response 3

Site NR09 lies within the Beam Parkway character area of the Rainham and Beam Park Planning Framework. The following table sets out the masterplan principles that are applicable to the site and illustrates how the design proposals respond. Where the proposals are non-compliant, please refer to the response as noted in the justification column.

Development Principle	Masterplan Guidance	Design Proposal Compliance	Justification
Residential Density	100-120 dwellings / hectare	X	Refer to Response 1
Building Heights	4 storeys fronting onto New Road; 2-3 storey town houses to the rear	X	Refer to Response 1
Frontages	Street based urban development with continuous frontages; buildings to turn corners; a consistent building line along New Road (Beam Parkway) with main entrances facing this street	✓	
Vehicular Access	Retention of existing road entry points to the north; Local access streets, residential courts and mews streets to apply single surface street design / Home Zone design principles to slow travel speeds and to support the social role of the street	✓	
Car Parking	Mix of undercroft parking under communal garden deck (apartment buildings) and on street parking; Maximum standards: • 0.5 space per 1 bedroom or studio unit; • 1 space per 2 bedroom unit; • 1.5 spaces per 3 bedroom unit; and • 2 spaces per 4+ bedroom unit.	X ✓	Refer to response 5

Public open space	Coherent design of Parkway, including pocket spaces	✓	
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SPC Feedback 4

The applicant is invited to consider the context of the borough

Developer Response 4

As noted in Response 1, through design development careful consideration has been given to ensure that the proposals for the site create a successful transition of heights between the residential context to the north and the new Beam Park Centre to the south contributing to the success of place making through articulated and integrated designs proposals across the Rainham and Beam Park Housing Zone area. Consideration has been given to the existing street connections to the north which are reinforced by buildings which turn the corners and building lines along the existing residential streets are respected and reinforced.

The proposal seeks to optimise the delivery of new homes and harness the opportunity to create a new green neighbourhood. The large communal gardens will add to the garden community vision for the Borough, whilst the varied offering of dwelling sizes and tenures, including 35% affordable dwellings, will add to the mixed and sustainable community.

SPC Feedback 5

How is the applicant working through the potential tensions between growth in housing numbers and car ownership?

Developer Response 5

It is understood that the Council would be consulting on a CPZ in the vicinity of the proposed development sites. The applicant has therefore developed an approach to car parking provision and management on the assumption that the proposed developments will therefore need to be “self-sufficient” in respect of its car parking provision and it is envisaged that residents occupying the developments (save for blue badge holders) will not be eligible to apply for car parking permits within the CPZ.

The applicant will implement a car parking management strategy which will in the first instance seek to allocate car parking spaces proportionate to the tenure split on a percentage basis. How these car parking spaces are allocated to individual units will depend on the tenure. The applicant will hire a parking management company to enforce the parking on the estate.

Further, and in terms of Car Clubs, these are a mode of transport which compliments the public transport upgrades being proposed for the local area. Car clubs are attractive to buyers and tenants as their property comes with access to a car without the high purchase and running costs. In addition, car clubs contribute towards reducing congestion and encourage a sustainable and economical alternative to car ownership.

Finally, a key element to the success of the car parking management strategy is transparency up front so new residents can make an informed decision about the property they wish to buy/ rent. The applicant will therefore make it clear in any sales literature and through the Council's Choice Based Lettings Nominations:

1. There is a CPZ in operation in the area;
2. Residents occupying the developments (save for blue badge holders) will not be eligible to apply for car parking permits within the CPZ;
3. Those residents who do not acquire/ are allocated a car parking space will not be eligible to park on the estate; and ensure
4. The publication and marketing material on the Car Club network to be provided.
5. Car parking management will be enforced, the principles of which are as above and as set out within the Transport Assessment Revision.

SPC Feedback 6

What is the typical car club cost? Annual membership and per rental cost

Developer Response 6

The graph below look at the cost comparison between casual use car ownership and car club costs

	Car Club	Car Ownership
Cost of Car	Joining Fee £60 (Annually)	Purchasing Car £4,000 - £5,000
Insurance	Included in Joining Fee Excess £50	£1028 per year Excess £30
Petrol + Full 12 months service	Petrol Included for up to 60 miles per day Full service included	Petrol Approx. £400 (2,000 miles usage per year) Full service £100 - £150
MOT + Breakdown Cover	MOT and Breakdown Cover included	MOT £54.85 Breakdown Cover £108 (AA)
Residents Parking Permits	N/A	£35 for 12 months
Hourly/ Daily Rate	£6 - £7 per hour	

	£52 - £65 per day	
Total cost for 12 months	£1,428.80 (Average cost when using car for maximum of 4 hours per week)	£2,791.00 (Average cost per year over 5-years with the car purchase)

SPC Feedback 7

What is the consequence of this in terms of traffic flows and wider environmental impact? What are the traffic management proposals? What is the thinking on the transport strategy?

Developer Response 7

The Transport Strategy has been guided by following principles:

- To promote awareness of transport issues and the impact of traffic on the local environment;*
- To show a commitment to improving traffic conditions within the local area;*
- To influence the level of private car journeys to and from the site in order to reduce air pollution and the consumption of fossil fuels;*
- To reduce the number of single occupancy trips to and from the site that would be predicted for the site without the implementation of the Travel Plan;*
- To increase the proportion of journeys to and from the site by sustainable modes of transport such as walking, cycling and public transport;*
- To promote walking and cycling as a health benefit to residents;*
- To provide access to a range of facilities for work, education, health, leisure, recreation and shopping by means other than single occupancy vehicle;*
- To reduce the perceived safety risk associated with the alternatives of walking and cycling;*
- To promote greater participation in transport related projects throughout the area.*

The issue of overspill parking arising from the existing business would also be removed if the proposal were to receive consent adding to the overall beneficial impact. For service deliveries to the site, refuse collection will take place from the service road that runs the length of the site with refuse collection vehicles able to enter and leave in forward gear from either of the proposed access points and therefore can be serviced without detriment to current or future highway condition.

SPC Feedback 8

What is the basis/applicants' justification for rigidly following the GLA comments?

Developer Response 8

Through collaboration and consultation with the Council's Planning Officer and the Principal Urban Design Officer at the GLA, comments were considered in response to these pressures and in the context of the existing and emerging environment. Comments were positively adopted where sensible, rational and appropriate for the local area balanced against the risk associated with an underdeveloped scheme which does not respond positively to the GLA's comments, potentially resulting in a GLA call-in of the application for its own determination.

Notwithstanding this, the design proposals for the site have evolved further since the presentation to SPC, to respond directly to the SPC's concerns on height especially, which have reduced by two storeys, with further design development as set out in Response 1.

SPC Feedback 9

Further detail is sought on the unit mix

Developer Response 9

The current proposal increases the total number of dwellings by 52 dwellings, with a balance of 1, 2 and 3 bedroom dwellings. 10% of dwellings are wheelchair accessible / adaptable. The planning application is in outline, and as such the mix shown is illustrative and has been developed to assess development impacts on matters such as traffic generation, public transport capacity, play requirements etc.

Current Proposal

FLATS	1bed/ 2 person	2bed/ 3 person	3bed/ 4 person	3bed/ 5person	TOTAL
NUMBER	110	26	66	57	259
	43%	10%	25%	22%	100%

Previous Proposal (June 2017)

FLATS	1bed/ 2 person	2bed/ 3 person	3bed/ 4 person	3bed/ 5person	TOTAL
NUMBER	30	0	123	54	207
	15%	0%	59%	26%	100%

SPC Feedback 10

Sustainability credentials and environmental standards to be employed

Developer Response 10

The energy strategy for NR09 has been developed in line with the energy policies of the London Plan and Havering Core Strategy.

The Rainham & Beam Park Regeneration Framework area has been identified by the GLA as a target cluster for the deployment of a district heating network in the London Riverside Opportunity Area. Should connection be made to the wider heat network it has been estimated to reduce regulated CO2 emissions under the SAP2012 carbon factor and annual carbon savings are estimated to increase to 36.5%.

The following measures will be introduced to ensure the development achieves these performance levels.

Be Lean

- Specify levels of insulation beyond Building Regulation requirements*
- High air tightness levels*
- Efficient lighting*
- Energy saving controls for space conditioning and lighting*

Be Clean

- Air Source Heat Pumps*
- Potential future connection to wider District Heating Network*

Be Green

- PV panels on rooftops*

SPC Feedback 11

Modern methods of refuse and recycling storage are encouraged

Developer Response 11

The refuse and recycling strategy has been developed in line with the Havering “Waste Management Practice Planning Guidance For Architects and Developers”

All bin stores are internal to ensure that refuse is not left visible in the public realm.

A vehicle access route is included at the rear of the proposal to ensure collection occurs from off-street locations.

All bins located within 30m of an external door.

Storage areas will be hard-floored and well lit.

2m minimum width of access threshold to the compound to allow for removal and return of containers whilst servicing.

Layout is such that any one container may be removed without the need to move any other with at least 150mm clearance space between the containers.

Adequate ventilation will be provided within the compound.

Underground Refuse Systems (URS) were considered during the design development of the proposal, however, after discussion with the Havering Refuse team, it was noted that turning circle requirements for the URS are

greater as the vehicles are wider which would result in a loss of car parking spaces, and thus it was felt not to be an appropriate strategy for this site.

SPC Feedback 12

Assurances are sought regarding design quality

Developer Response 12

The applicant is committed to ensuring the proposal delivers a high quality development, both in terms of meeting the requirements of local and regional planning policy, notably Part 2 of the Draft London Housing SPG, and ensuring that new homes are desirable and marketable commercial products.

The application will include a design code to set clear guidance to the developer and designer of the reserved matters application regarding all design parameters which influence design quality.

Density/Site Layout

- 6.8 The development proposal is to provide 259.No residential units on a site area of 1.06ha (10,600m²), which equates to a density of 249 units per ha. The site is an area with low-moderate accessibility with a PTAL of 2. Policy SSA12 of the LDF specifies a density range of 30-150 units per hectare; the London Plan density matrix suggests a density of 45-170 units per hectare in an urban context with a PTAL of 2-3 (suggesting higher densities within 800m of a district centre or a mix of different uses). The Adopted Rainham and Beam Park Planning Framework suggest a density of between 100-120 dwellings per hectare.
- 6.9 As advised, the site layout, massing and building heights have been revised in response to the comments of LBH Officers and the GLA, creating a gain of 52 units resulting in a density of 249 units/ hectare (695 hr/ha). Although this is higher than the GLA's guidance range, the increase responds directly to the GLA's comments that there is scope to increase the quantum of development. Further, there is a justification for a high density development due to its location within the Opportunity Area and close proximity to the Beam Park Centre and new station. The Local Planning Authority is in agreement with this approach, both in terms of maintaining a maximum 7 storey building height, which develops a coherent strategy with adjoining sites along the north side of New Road, and the taller buildings opposite to the south at Beam Park.
- 6.10 Based on the building footprint and the building height indicated on the proposed parameter plans, the proposed apartment blocks would achieve heights of between 6 and 7 storeys. A six storey datum has been established across the site; however, and as advised, higher points of 7 storeys are introduced in the centre of the site. This is appropriate due to the varying context to the north and south of the site and the taller elements also create a

profile for the buildings facing New Road. These points of height further respond to the proposed developments by Clarion and Countryside on the south side of New Road. Having reviewed the plot widths and their depths, the particularly wide nature of New Road and the existing heights of buildings and dwellings on the neighbouring sites, Officers consider the height proposed to be appropriate for the site in the context of a changing character to the area as outlined in the Framework and would not be considered unacceptable.

- 6.11 The majority of dwellings are double or triple aspect and all dwellings have private communal amenity space in the form of terraces or balconies, and where possible positioned to be south facing or overlook the communal gardens. The arrangement of the blocks and relationship with New Road, Walden Avenue and Askwith Road presents coherency within the street scene. It is considered that the indicative siting and orientation responds positively to the character of the area. The general layout plan of the building would fall in accordance with Policy DC61 of the LDF
- 6.12 The remaining area within the development to the north towards Queens Gardens is largely hard surfacing and consists of the access road and parking provision, although there would also be private, semi-private and public communal amenity space for the apartment blocks. It is considered that the layout of the site is acceptable on its planning merits in accordance with the implementation of the LB of Havering Residential Design Supplementary Planning Document 2010.

Design/Impact on Street/Garden Scene.

- 6.13 The proposal would involve the demolition of all buildings on the site, some of which are in a derelict condition. None of the buildings are considered to hold any architectural or historical value, therefore no principle objection raised to their demolition.
- 6.14 Scale is a reserved matter. From the submitted Design and Access Statement and indicative plans it is indicated that the proposed apartment blocks fronting New Road would not be greater than seven storeys in height to the centre of the street frontage, with the apartments to the east and west at a height up to six-storeys. It is considered that would present a development at a height which does not detract from the current character of the street scene, both old, new and those proposed for the area (as shown from the submitted illustrative masterplan on proposed heights). It is considered that the footprint and siting of the building together with its dedicated parking areas would be acceptable on their planning merits.
- 6.15 Appearance is also reserved matter. From the submitted Design and Access Statement, the agent has drawn attention to the proposed building design and has indicated that one of the main materials will be either red stock or buff/white facing brick, with some rendered elements. A condition would be applied to the grant of any permission requiring details of material use for reason of visual amenity.

- 6.16 Landscaping is a reserved matter; it is considered that the proposal can achieve an acceptable level and quality of hard and soft landscaping given the proposed layout. A condition would be applied to the grant of any permission requiring details of landscaping.

Impact on Amenity

- 6.17 The proposed apartment blocks that back onto Queens Gardens is sited such that there are no concerns with regard to its overshadowing or overlooking (subject to reserved matters). The distances to neighbouring properties all far exceed recommended minimum separation distances with the closest distance to neighbouring windows being 31.5m. There are two side elevations to neighbouring properties to the north that lie at 18m away; however, these elevations only contain secondary windows. In this respect, the application is considered acceptable at the outline stage.
- 6.18 The line of existing trees on the north boundary will further reduce overlooking to neighbouring gardens. These trees are approximately 15m tall so create a significant visual barrier. The separation distance between the buildings either side of New Road is 41.5m. Officers have further reviewed the external space provided with the proposed development, and the revised plans show both private and communal amenity space for its occupants which appear to be sufficient and in accordance with the Residential Design Supplementary Planning Document Policy PG20 on Housing Design, Amenity and Privacy in the Rainham and Beam Park Planning Framework.
- 6.19 From a noise and disturbance perspective, the applicant has submitted a Noise Assessment and Air Quality report which reaffirms that both residents from within and outside the proposal would not be affected by unacceptable levels of noise or air pollution arising from the development. The Councils Environmental Health officers have reviewed the submitted report and concluded that the scheme (subject to conditions imposed) would be compliant with Policy DC52 on Air Quality and Policy DC55 on Noise, subject to the introduction of appropriate planning conditions.
- 6.20 The proposed communal amenity space would be designed to be private, attractive, functional and safe. The indicative details of boundary treatments, seating, trees, planting, lighting, paving and footpaths are acceptable; the proposed landscape design creates 1455sqm of playable space in the communal amenity spaces, exceeding the minimum requirement set out in the GLA play space calculator. Details of effective and affordable landscape management and maintenance regime are yet to be provided and would be assessed as part of any reserved matter submission. Notwithstanding this, and from a crime design perspective, the proposal would present a layout that offers good natural surveillance to all public and private open space areas. The proposal would accord Policy 3.5 of the London Plan on Quality and Design of Housing Developments and Policy 7.1 on Lifetime neighbourhoods and Policy 7.3 on Designing Out Crime, as well as Policy DC63 of the LDF on Delivering Safer Places.

- 6.21 The LPA have reviewed the proposed waste storage areas catering the apartments, which have been set to be serviced via Walden Avenue/ Askwith Road and the internal service road. As it stands, there are no overriding concerns with this arrangement as scheme demonstrates a convenient, safe and accessible solution to waste collection in keeping to guidance within Policy DC40 of the LDF on Waste Recycling.

Highway/Parking

- 6.22 The vehicle access route to the rear of the apartment blocks has been redesigned with traffic calming measures included (road narrowing, speed tables and changes in material / colour) to prioritise pedestrian use and encourage low vehicle speeds.
- 6.23 The application site within an area with PTAL of 2 (low-moderate accessibility). The total quantum of car parking has reduced to a ratio of 1:0.34, resulting in 94 car parking spaces, with consideration given to the site proximity to the new Beam Park railway station; 10% of the car parking spaces will be wheelchair accessible, which is in accordance with the provisions of London Plan. The Planning Framework also expects the delivery of car sharing or car club provision. The maximum standards suggested in the Rainham and Beam Park Planning Framework (which is based on the London Plan) for a development of this indicative mix would be 270 spaces. Notwithstanding this, the LPA has to be mindful that the site would be located close to the proposed Beam Park station and accessibility levels would consequently increase. The LPA are also mindful that this submission is an application for outline planning permission and the residential mix is potentially subject to change at reserved matters stage.
- 6.24 In terms of the allocation of car parking spaces, the applicant will implement a car parking management strategy which will in the first instance seek to allocate car parking spaces proportionate to the tenure split on a percentage basis.
- 6.25 In terms of affordable rent units, car parking spaces allocated to affordable units will be located in the proximity of these units and be specifically allocated for use by this tenure. These car parking spaces will however not be attached to a specific property to allow flexibility over the life of the development. The Registered Providers Housing officer will allocate car parking spaces to individual families housed within the affordable units according to need. These spaces can also be swapped if needed by prior agreement with the Housing Officer.
- 6.26 As a general rule, the car parking spaces provided for shared ownership and private sale tenures will be allocated to 3 bed units first and cascaded down. In some circumstances, car parking may be allocated to specific 1 or 2 bedroom units based on sales consultant advice. Units will be sold together with a specific car parking space (exclusive right to use) and the allocated space confirmed in the corresponding unit lease.

- 6.27 This approach facilitates management as well as provides transparency or the buyers at the outset. If someone sells their flat and they had a car parking space it will be included in the sale of the unit.
- 6.28 Accordingly, and on the basis of a robust car parking management strategy, the LPA are content with the provision of parking proposed considering the 94 spaces would allow the applicant at reserved matters to finalise a car parking management plan. This element from the proposal adheres to London Plan Policy 6.13 Parking, and Policy DC33 Car Parking of the LDF.
- 6.29 The applicant has submitted a Transport Assessment as part of this application which predicts that the traffic generated from the proposed residential development would have a negligible increase over existing traffic conditions, in peak periods, but a significant reduction over the whole day. The Highways Authority have reviewed the document and consider the development acceptable from a highway perspective and unlikely to give rise to undue highway safety or efficiency implications in accordance with Policy DC32 The Road Network of the LDF.
- 6.30 The Councils Highways Engineer has further reviewed all other highways related matters such as access and parking and raises no objections subject to the imposition of conditions (covering pedestrian visibility, vehicle access and vehicle cleansing during construction), financial contribution to Controlled Parking Zone and limitation on future occupiers from obtaining any permits in any future zone.
- 6.31 The London Fire Brigade has raised no objection in principle.

Affordable Housing/Mix

- 6.32 Policy DC6 of the LDF and Policies 3.9, 3.11 and 3.12 of the London Plan seek to maximise affordable housing in major development proposals. The Mayor of London Supplementary Planning Guidance "Homes for Londoners" sets out that where developments propose 35% or more of the development to be affordable at an agreed tenure split, then the viability of the development need not be tested – in effect it is accepted that 35% or more is the maximum that can be achieved.
- 6.33 In this respect, the proposal is intended to provide 35% affordable housing across all sites that the applicant is looking to develop along New Road. This could mean less provided on this site if other sites, as part of the joint venture Council strategy, are developed prior to this provided more. Due to this and other development proposals coming forward from other applicants with low or zero, affordable housing, officers have sought a viability appraisal from the applicant which has been reviewed. The review concludes that the scheme, based on present day inputs, could not viably support 35% affordable housing, but that it could support circa 20% affordable units. In this case however, the developer is willing to deliver a greater level of affordable housing that can viably be justified based upon its unique nature as an

applicant (a joint venture) and its appetite for and ability to spread risk across a portfolio of sites. In this respect, affordable housing provision is being maximised, meeting the objectives of existing policy and future policy in the submitted local plan and draft London Plan as well as the stated ambitions of the Housing Zones and therefore weighs in favour of the proposal.

- 6.34 Policy DC2 of the LDF on Housing Mix and Density specifies an indicative mix for market housing, this being 24% 1 bed units, 41% 2 bedroom units, and 34% 3 bed units. The proposal incorporates an indicative *overall* tenure mix of 43% 1 bed units, 35% 2 bed units, and 22% 3 bed units. The proposed mix is and closely aligned with the above policy guidance, officers are content that the mix on offer falls in accordance with policy, albeit it is noted that the provision of 1 bed units is higher than Policy guidance, due to the marketability of such units given the location opposite the Beam Park Centre .

School Places and Other Contributions

- 6.35 Policy DC72 of the LDF emphasises 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 London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.36 Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 2 of the submitted Local Plan seeks to ensure the delivery of expansion of existing primary schools.
- 6.37 Evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early year's 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 S106 SPD). On that basis, it is necessary to require contributions to mitigate the impact of additional dwellings in the Borough. It is considered that, in this case, £4500 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development. A contribution of £1,165,500.00 would therefore be appropriate for school place provision.
- 6.38 As previously advised, the Education contribution would be not sought should the planning permission be issued after 1 September 2019 as Havering CIL would cover school places funding.
- 6.39 The Rainham and Beam Park Planning Framework seeks to deliver a new Beam Parkway linear park along the A1306 including in front of this site and seeks developer contributions for those areas in front of development sites.

The plans are well advanced and costings worked out – based on the frontage of the development site to New Road, the contribution required for this particular site would be £229,991.78. This is necessary to provide a satisfactory setting for the development rather than the stark wide New Road.

- 6.40 Policy DC32 of the LDF seeks to ensure that development does not have an adverse impact on the functioning of the road network. Policy DC33 seeks satisfactory provision of off street parking for developments. Policy DC2 requires that parking permits be restricted in certain circumstances for occupiers of new residential developments. In this case, the arrival of a station and new residential development would likely impact on on-street parking pressure in existing residential streets off New Road. It would therefore be appropriate to introduce a CPZ in the streets off New Road. A contribution of £112 per unit (total £29,008) is sought, plus an obligation through the Greater London Council (General Powers) Act 1974 to prevent future occupants of the development from obtaining parking permits.
- 6.41 From a sustainability perspective, the proposal is accompanied by an Energy Statement. The reports outline an onsite reduction in carbon emissions by 37.1%, to include a photovoltaic strategy, which aims to further reduce CO2 emissions across the entire site. In assessing the baseline energy demand and carbon dioxide emissions for the site, a financial contribution of £310,440.00 has been calculated as carbon emissions offset contribution in lieu of on-site carbon reduction measures. The development proposal, subject to contributions being sought would comply with Policy 5.2 of the London Plan.
- 6.42 In respect of all the above contributions, there may be scope to negotiate the overall total figure required if this application were to be one of several sites coming forward from the same developer at the same time – therefore the recommended sums would be subject to subsequent review and approval.
- 6.43 In this case, the applicant currently has no interest in the site. As such, it is unlikely that the current owners of the site would be willing to enter into a legal agreement (which is the usual method for securing planning obligations) as they have no role in the present application.
- 6.44 The NPPG states that in exceptional circumstances a negatively worded condition requiring a planning obligation or other agreement to be entered into before development can commence may be appropriate in the case of more complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at serious risk. It is considered that this application and its context as part of a large multi-site strategic development presents justifiable basis to impose a negatively worded condition which would require an s.106 obligation to be provided before the commencement of development.

Financial and Other Mitigation

6.45 The proposal would attract the following section 106 contributions, to be secured through a negatively worded planning condition (see para 6.35-6.36) to mitigate the impact of the development:

- Sum of £1,165,500.00 , or such other figure as is approved by the Council, towards provision of school places required as a result of the development
- Sum of £229,991.78 , or such other figure as is approved by the Council, towards provision of Linear Park in the vicinity of the site
- Sum of £29,008.00, or such other figure as is approved by the Council, towards CPZ in streets north of New Road
- Sum of £310,440.00, or such other figure as is approved by the Council, towards the Council's Carbon Offset Fund

6.46 The proposal would attract Mayoral Community Infrastructure Levy (CIL) and from the 01st September 2019, the London Borough of Havering CIL contributions to mitigate the impact of the development. As this is an Outline application, CIL would be assessed and applied when a reserved matters application is submitted.

Other Planning Issues

6.47 There is potential that the existing buildings may provide habitat for protected species. Otherwise there is no biodiversity interest in the site. Suitable conditions are recommended.

6.48 As advised within the Consultee Responses section of the Report, there are Cadent Gas and Thames Water assets within proximity of the site; relevant Informatives would address this issue.

6.49 Due to the previous industrial uses on part of the site, the land is likely to be contaminated. Suitable planning conditions are recommended to ensure remediation of the site.

Conclusions

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

 Havering LONDON BOROUGH	Strategic Planning Committee 15 August 2019
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Application Reference:	P1904.18
Location:	Freightmaster Estate, Coldharbour Lane Rainham, RM13 9BJ.
Ward:	Rainham & Wennington
Description:	Outline planning application for the demolition of all existing buildings (13.21 Hectares) and redevelopment of the site to provide up to 43,000sqm (GIA) commercial floor space for Use Classes B1/B2/B8, enhancements to strategic landscaping fronting the Thames foot/cycle path and associated landscaping.
Case Officer:	Nanayaa Ampoma
Reason for Report to Committee:	The application is of strategic importance and therefore must be reported to the Committee.

1. BACKGROUND

- 1.1 The application site is south of the Borough. It is bordered by the Veolia landfill site to its north and east and the River Thames to its south. The site currently comprises five large warehouses and a number of smaller storage units and warehouses. It has a PTAL rating of 0(Worst); falls within Flood Zone 1; borders the Wennington Marsh Site of Special Scientific Interest (SSSI); and the Green Chain cycle route crosses the site. However the site does not fall within a conservation area and there are no listed buildings.

- 1.2 The application has been the subject of several preapplication meetings and officer discussions since late 2018. There was a pre-application developer presentation to this committee on 16 August 2018.
- 1.3 The changing policy position in relation to this site is considered relevant to the determination of this application. Previously, the site was allocated for use as part of the proposed Conservation Area Park after the landfill use had ended and the site has been restored (currently importation of waste will stop in 2024, the final contours of the site completed in 2026 and a five year aftercare to 2031). However, the site is not part of the landfill site and has been used for industrial and storage purposes unconnected with the landfill. In addition, more recently, the London Borough of Havering's Employment Land Review (2015) found that the loss of the site would significantly harm the provision of Strategic Industrial Land (SIL) within the Borough and with the projected demand for such sites set to increase over the next 20 years the site should continue to be used for industrial purposes. Following this, the emerging Local Plan has designed the location as a SIL site.
- 1.4 The outline application proposes the comprehensive redevelopment of the site to provide mixed B Class uses over a maximum area of 43,000 square metres. Detailed design would come forward via subsequent reserved matters applications and would include sustainable drainage methods, landscaping, flood risk methods, BREEAM, cycle storage, full and continued access to the jetty (secured under S106), the incorporation of the existing cycle route and a contribution of £350,000 towards the Conservation Area Park.
- 1.5 The application site is over 2.3km away from the nearest residential property. Therefore, officers do not consider that there would be any harm to the existing amenity arrangements in the area. The overall design principles have been established through the engagement of the applicant and the Council's design officers and this has resulted in the production of the Design Principle Document. This document has established a design code to inform any forthcoming reserved matters application. A parking ratio has been agreed by the Highways Officer, Transport for London and the Greater London Authority to ensure any subsequent reserved matters application is compliant with both the London Plan and London Borough of Havering policies.
- 1.6 Access onto the site would primarily be via Coldharbour Lane. This stretch of road is not adopted and there are no current plans for adoption. During the lifecycle of the application, officers have engaged with the applicant to ascertain responsibility for the route. Clarification has been sought as to how the route is managed in terms of upkeep and access. Whilst there are covenants and other legal agreements between the owner of the application site, Oldrealm and Veolia in place for its management, in practice Veolia have been responsible for the route in the last 20 years. While the applicant does

not own the route, they do hold some reasonable powers to force Veolia to undertake works to the route if it falls into disrepair. This has never been necessary to date. Nevertheless, responsibility for this will be assured via a S106 provision. Following the end of Veolia's landfill use the upkeep of the route would continue to be undertaken by Veolia (or successors in title). Subject to the S106 provision, officers are comfortable that the management of the route will be secured long term.

- 1.7 Given the above, and for the reasons outlined in this report, officers have resolved to recommend APPROVAL.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The application provides comprehensive redevelopment of the existing Freightmaster site. It would provide greater employment opportunities through better utilisation of the Strategic Industrial Land and is in keeping with Havering Council's own aspirations for continued investment in SIL sites across the Borough to ensure the continued long-term usage of these sites.
- 2.2 The development directly responds to Havering Council's emerging site allocations and Proposals Map for the location. Therefore, complying with the emerging Local Plan (which at this stage is a material consideration) and all future policy implications such as the Havering Employment Land Review 2015.
- 2.3 The development would result in a high quality design owing to the design principles established within the Design Code document. These have been reviewed by the design team and officers, to ensure that good quality design and materials would be employed throughout the scheme.
- 2.4 The development would also contribute £350,000 towards the proposed new Conservation Park after restoration and £100,000 in contributions for environmental/highway improvements close to the site and within the Business Improvement District area.
- 2.5 Lastly, the recommended conditions and Heads of Terms would secure future policy compliance by the applicant on the site and ensure any unacceptable development impacts are mitigated.

3 RECOMMENDATION

- 3.1 That:

- i) Subject to resolution of Permit issues to the satisfaction of the Environment Agency
- ii) Subject to no direction from the Mayor for London to either refuse planning permission or take over the determination of the application

the Committee resolve to GRANT planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms below:

- Any direction by the London Mayor pursuant to the Mayor of London Order
- Legal Agreement pursuant to s106 of the Town and Country Planning Act 1990 and other enabling provisions, with the following Heads of Terms:
 - Employment and Skills: 4 Apprenticeships for every 10,000sqm + Job Brokerage (Job Brokerage is a dedicated skills, training and employment service for local people).
 - £350,000 Conservation Park/Wildspace Contribution – For park facilities
 - £100,000 Contribution for Environmental/Highway Improvements to adopted part of Coldharbour Lane and Ferry Lane south of the A13 junction
 - Parking Review – TfL requested parking review to determine the level of demand for parking spaces.
 - Reasonable/Best endeavours Improvement and Maintenance Scheme for Coldharbour Lane
 - Jetty access – Access to be allowed in perpetuity
 - Permit – Restriction on developing land the subject of the Environment Agency permit until such time as the permit has been withdrawn or revoked (wording to be agreed with EA before completing agreement).
 - Shuttle bus – Transport for London provision between the site and the station. To be reviewed annually for 5 years.
 - Travel Plan with £5000 monitoring fee
 - Carbon offset fund contribution (amount TBC), such sum calculated at sixty pounds (£60.00) per tonne that falls below the 100% threshold, for a period of 30 years, duly Indexed
 - Land reserved for riverside footpath/cycleway
 - Reasonable legal fees for the drafting and negotiation of the deed whether or not it goes to completion
 - Monitoring fee towards the Council costs of monitoring compliance with the deed
 - Any other planning obligation(s) considered necessary by the Assistant Director Planning

3.2 That the Assistant Director of Planning is delegated authority to negotiate the legal agreement indicated above and that if not completed by the 16th March

2020 the Assistant Director of Planning is delegated authority to refuse planning permission or extend the timeframe to grant approval.

- 3.3 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Reserved Matter – Details to be submitted
2. Time Limit – Expiry after 3 years
3. In Accordance with Approved Drawings – Parameter plans
4. Deviation from Outline – No change to Outline
5. Maximum Floor Space – No more than 1000sqm B1(Office) space
6. Design Review Panel – Detailed design subject to Quality Review Panel
7. Secured by Design – Details to be approved by Metropolitan Police
8. Landscaping – Details for hard and soft planting for wider area
9. Restricted Use (Commercial Units) – No change of use under PD
10. Archaeology – Secure heritage asserts
11. Site levels – Details of site building levels and protection from flooding
12. Flood Risk – To be submitted with reserved matters
13. Sustainable Drainage Systems (SUDS) – To be submitted with reserved matters
14. Ecology – Management Plan for the preservation of wildlife
15. Contaminated Land – Site remediation to be submitted and agreed
16. Non-Road Mobile Machinery – Compliance with reduction of emissions
17. NO_x – Maximum NO_x emissions less than 40 mg/kWh
18. BREEAM – Development to meet ‘Very Good’
19. Surface Water Drainage – Sustainable surface runoff methods
20. Levels – Site level access agreed to allow access for all mobility levels
21. Finish Floor levels – To ensure floors are raised
22. Car Parking Plan – To ensure compliance with TfL and Highways Officer
23. Disabled Parking Plan – Secured at 10%
24. Electrical Charging Points – Secured at 20% passive and active
25. Demolition, Construction Management and Logistics Plan – To be submitted with any reserved matters
26. Refuse and Recycling – Details to be submitted
27. Extraction and Ventilation (Commercial Units) – To be submitted with each detailed design
28. Drainage Strategy – To be submitted at reserved matters
29. Green Travel Plan – To be submitted at reserved matters
30. Cycle Storage – To be secure and enclosed
31. Delivery and Servicing Plan – To be submitted at reserved matters

32. Wheel Washing – Methods to reduce mud on the road.
33. Thames Water – Sewer details
34. Energy Efficient Measures – To ensure sustainable methods are used
35. Dynamic Overheating Assessment – To ensure adequate property ventilation
36. External Lighting Scheme – To ensure safety and comply with Secured by Design methods
37. Energy Statement Compliance – To encourage energy efficient methods

Informatives

1. NPPF
2. Highway approval may be required
3. Highways license
4. Street name and numbering
5. National Grid
6. Secure by design
7. Ground Risk Management Permit
8. Community Infrastructure Levy (CIL).
9. Planning obligations

4. SITE AND SURROUNDINGS

- 4.1 The application site lies south of the Borough at the north bank of the edge of the River Thames. At present the site comprises five large industrial units totalling approximately 28,000 square metres in Gross Internal Area (GIA). There are also a number of smaller ancillary buildings and storage units. However, the application site itself expands an area of 13.21 hectares. The maximum height of the current buildings on the site is 10m.
- 4.2 To the east the site is bordered by the Veolia Waste Management Site and to the north by the Rainham Landfill site. The existing landfill permission expires in 2026. At that stage, it is required that the site be restored to a green within the following 5 years aftercare period. Beyond the landfill site is the Inner Thames Marshes which is designated as a Site of Special Scientific Interest (SSSI). The site is located approximately 2.3km from the nearest residential units. The Green Chain route also crosses the site, and it borders the Wennington Marsh Site of Special Scientific Interest (SSSI).
- 4.3 However the site has no statutory designations.
- 4.4 The nearest Local Nature Reserve (LNR) Rainham Marshes located 1.5km north of the site. The LNR is located within the western section of the Rainham the Inner Thames Marshes SSSI and is also a Royal Society for the Protection of Birds (RSPB) nature reserve.

4.5 Access to the site is gained primarily via Coldharbour Lane.

4.6 Under the draft Havering Local Plan the site has been allocated as an employment area and Strategic Industrial Location.

5 PROPOSAL

5.1 The application seeks Outline planning permission for the redevelopment of the Freightmaster's site to comprise 43,000sqm commercial floor space for use as B1/B2/B8 and associated works including upgrading the existing cycle path and public walkway, landscaping and parking.

5.2 The application proposes development parameter as follows:

- Maximum 43000sqm dedicated to B1/B2/B8
- 23 metres maximum height of any building
- Any proposed buildings may only cover a limited area of 39% of the overall site.
- Design Principle Document to be secured as part of Outline

5.3 Refuse and recycling details to be submitted via reserved matters applications.

5.4 Cycle parking details also to be agreed via reserved matters.

5.5 Materials to be agreed at reserved matters stage.

6 PLANNING HISTORY

6.1 The following planning decisions are relevant to the determination of the application:

- **Z0011.18:** Environmental Impact Assessment (EIA) Screening Opinion. – **Screening issued 21st January 2019**
- **Z0009.18:** Screening opinion for an Environmental Impact Assessment. – **Screening issued 9th November 2018**
- **Z0002.18:** Screening opinion for an Environmental Impact Assessment. – **Screening issued 7th June 2018**
- **U0015.06:** Construction of a 400m long x 3m wide shared use footpath/cycle/path to the south of the Freightmaster Estate, to include a

2.1m high chain-link fence and motorcycle barriers. – **Approved with conditions 19th March 2007**

- **P1410.04:** Erection of 2.4 metre high palisade security fencing to replace broken chain-link and barbed wire fence (extends 326 metres along boundary). – **Approved with condition 10th September 2004**
- **P1324.98:** Storage, recycling and provision of recovered electrical equipment, paper & household co-mingled recyclable materials. – **Approval with condition 5th February 1999**

7 STATUTORY CONSULTATION RESPONSE

7.1 A summary of consultation response are detailed below:

- **The Environment Agency:** No objection subject to a condition governing floor levels and a legal agreement to control the area the subject of the existing permit.
- **Transport for London:** No objections.
 - No issues in respect of servicing and access.
 - Request the provision of shuttle bus service to and from the site to be secured via S106.
 - Confirmation that an access route to the LOOP walking/cycling route along the site would be maintained and provided.
 - Development to comply with agreed parking ratio (see Highways section below)
- **Greater London Authority:** Following extensive discussions with the applicant, the application is acceptable subject to conditions governing energy efficiency, overheating and renewable energy. In addition, space for B1a (office space) should be restricted to no more than 1000sqm. Also, S106 Heads of Terms for the following should be secured:-
 - The provision of a private shuttle bus service between the site and Rainham station. This obligation is triggered when the site is more than 50% spatially occupied, with service frequency and vehicle size to be based on demand from the occupier(s) employees.
 - A Car Parking review is subject to the same trigger, enabling the Council to limit the maximum car parking standards further for all subsequent development, especially if car use and car parking demand has reduced significantly by that time, as targeted by the Mayor's Transport Strategy (MTS).

- **Thames Water:** No objection in principle to development. However initial investigations have shown that the existing infrastructure is insufficient to support the development. Therefore, the applicant needs to contact Thames Water at an early stage to address this. Condition to be attached governing waste water.
- **Natural England:** No objection. Based on the details submitted the proposal would not have a significant adverse impacts on statutorily protected sites or landscape.
- **NATS Safeguarding:** No objection. To be consulted when formal application is received if it meets the height threshold of 15 metres or more.
- **London Fire and Emergency Planning Authority:** No objections. No new hydrants required.
- **Metropolitan Police Secure by Design Officer:** No objection subject to the attachment of a condition governing community safety.
- **Port of London Authority:** No objection in principle. However careful thought should be given to the development site after 2026 by the submission of a river freight plan. Any future light along the river needs to consider the ecological impact on wildlife.
- **LBH Flood & Rivers Management:** The applicant's Drainage Strategy requires greater detail. These details should be secured during Reserved Matters stage.
- **LBH Environmental Health:** No objection subject to conditions governing contaminated land, noise and sound insulation.
- **LBH Highways:** No objection subject to conditions and informative.
- **LBH Travel Plan Officer:** No objection. However a Green Travel Plan should be secured via condition.

8 COMMUNITY ENGAGEMENT

- 8.1 In accordance with planning legislation, the developer has consulted the local community on these proposals as part of the pre-application process.

9 LOCAL REPRESENTATION

9.1 The application was advertised via a Site Notice displayed at the site for 21 day between 9/1/2019 – 01/02/2019. The application was also advertised via a Press Notice 11/01/19 - 01/02/19.

9.2 Direct neighbour letters were also sent to 37 neighbouring properties. One neighbour response has been received as follows:

- 1 objectors
- 0 in support.
- No petitions have been received.

9.3 A summary of neighbours comments are given as follows:

- The local BID was not consulted
- There is significant cost in the Council adopting the Coldharbour Lane, although this road has no light and is unsafe.
- The site produces excessive mud which is slippery even though the road is regularly swept by Veolia
- The speed bumps on the road are inadequate at stopping the speeding of large vehicles
- There is insufficient electricity at the site to sustain Freightmaster. Also, there is inadequate drainage and water
- There is possible radioactive material
- The expansion of Veolia would be more beneficial at the location.
- The development may be acceptable but not for another 7-8 years. If permission is to be granted please reconsult.

9.4 *Officer's response: All relevant statutory consultees were consulted; The Council is not looking to adopt the Coldharbour Lane; a condition for lighting at the site has been attached; a wheelwashing condition has been attached.*

9.5 The following local groups/societies made representations:

- None.

9.6 The following Councillors made representations:

- None.

Procedural issues

9.7 No procedural issues were raised in representations.

10 MATERIAL PLANNING CONSIDERATIONS

10.1 The main planning considerations are considered to be as follows:

- Principle of Development
- Design
- Impact on Neighbouring Amenity
- Environmental issues
- Highways
- Access (Jetty/Coldharbour Lane)
- Cycle parking
- Refuse
- Sustainability
- Flooding and Drainage
- Security by Design

Principle of Development

10.2 Under policy CP3 of the current LDF, the Council will ensure that there are a range of employment sites across the Borough by: securing the most efficient use of land; prioritising particular uses within certain areas; and seeking contribution towards future employment training schemes. This followed the Havering Employment Land Review (2006) which predicted the likely future employment and skills demands and shortages based on realistic future business growth numbers. This also provided an assessment of the likely business infrastructure and land use requirements to inform the provisions of sufficient employment land within the Borough. It concluded that there are significant skills shortages within the current employment force which may increase over time if not addressed.

10.3 The National Planning Policy Framework (NPPF) (2019) places significant weight on the need to support the economic growth for local businesses as well as the wider environment. Through the planning system, emerging policies should operate to encourage a vision for the wider employment and not to impede or stunt sustainable economic growth within these areas. To help achieve economic growth the NPPF expects local planning authorities to plan proactively yet flexibly, and be driven by local opportunities within particular areas.

10.4 Under the current Adopted Policy Framework, the application site is incorporated into the Site Specific Allocations DPD (policy SSA17) and London Plan (2016: Policy 2.14 – Areas for Regeneration) as an area of restoration to be incorporated into the London Riverside Conservation Park (Wildspace). However since this allocation, the London Borough of Havering's Employment Land Review (2015) recommended that the Freightmaster site be re-designated to an SIL. This is because the Review found that there is

likely to be a demand for 350 hectares of industrial land (B2 and B8) within Havering over the next period up to 2031/2032, with this demand projected to further increase. It further notes that the vast majority of existing SIL sites are located away from residential areas with direct access to the strategic road network.

- 10.5 Therefore, making them primary sites for such uses, as they are most suitable to meet Havering's future industrial and warehousing demand. With this in mind, the Review follows with the recommendation to re-designate the existing Freightmaster Estate in Rainham as a Strategic Industrial Location and remove it from the Conservation Park area. The suggested designation has been followed through to the draft Havering Local Plan, with draft Policy 19 seeking to protect designated SIL. No objections have been received to this policy and the Plan is now at quite an advanced stage, awaiting the Inspectors final report and recommended amendments. Therefore, it is considered that the policy designation can be afforded significant weight. In addition to this, the site is privately owned and currently in employment use. There are no plans for intervention (e.g. CPO or existing S106/planning conditions) in respect of this site, so as such it is not available to become part of the proposed Conservation Park.
- 10.6 Given the above, there is no objection in principle to the demolition of the existing units and the redevelopment of the site to provide a mix of B industrial uses as it is in keeping with the current national, regional and emerging local policy framework. The proposal would provide new replacement industrial units which would continue to provide employment land.
- 10.7 In addition, the p development would sit next to the proposed Conservation Park and would therefore benefit significantly from its presence as a facility for employees. Therefore, officers have secured £350,000 towards provision of facilities associated with the Conservation Park.

Design

- 10.8 The NPPF 2018 attaches great importance to the design of the built environment. Paragraph 124 states *'The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*.
- 10.9 Policies 7.4 and 7.6 of the London Plan states that new development should be complementary to the established local character and that architecture should make a positive contribution and have a design which is appropriate to its context. Policy 7.7 states that tall buildings should be limited to sites close

to good public transport links and relate well to the scale and character of surrounding buildings, improve the legibility of an areas, have a positive relationship with the street and not adversely affect local character.

10.10 Policies CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. It is also required that these developments provide a high level of inclusion and accessibility.

10.11 As detailed above, the application site is currently used as a large industrial area. The existing buildings on site are of no architectural merit. As such, the demolition of these buildings and their replacement would have no adverse impact on the character of the area. As the application is an outline, the detailed designs of any units on site are to come forward via reserved matters. To help guide these future developments, the applicant has submitted a design code document that provides guiding design principles for any industrial units coming forward. This includes parameter plans detailing materials, security strategies, ecology mitigation, proposed building material palettes and planting and street furniture. These details have been reviewed by the Design Officers and deemed acceptable.

10.12 Any individual proposed building would be restricted to 23 metres in height and would cover a maximum area of 39% of the site. Access to the jetty will be maintained. Subject to the final building layout more roads within the site are proposed. Parameter plans would be secured as follows:

- Land use: R012/P3004 Rev P1
- Scale: R012/P3005 Rev P1
- Access and Movement: R012/P3006 Rev P1
- Landscape and Amenity: R012/P3007 Rev P1

10.13 The Design Code includes proposals for landscaping around the perimeter of the site, in particular alongside the existing riverside path and providing a buffer between the site and the adjacent landfill/future Conservation Park.

10.14 Officers consider that should the development result in a cluster of industrial units this would be preferred. However should a future reserved matter only propose one large unit at the site, officers would look closely at the level of detailed design and its acceptability in terms of scale and massing. Therefore further design assessments will be undertaken at each reserved matters stage.

Impact on Neighbouring Amenity

- 10.15 Policy DC61 states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 10.16 As the application seeks outline planning permission only, no details of the scale of buildings, their location, noise implications (as it relates to proposed buildings) and other amenity considerations have been submitted. Therefore a full amenity assessment cannot be undertaken at this stage. However officers will revisit the subject of amenity during the assessment of any reserved matters application brought forward. Conditions have also been attached by the Environmental Health Officer to allow future control of noise within the area.
- 10.17 Notwithstanding this, it is important to note that the site sits within an industrial estate. The nearest residential properties to the site are in Wennington (Wennington Road) and Rainham (Eastwood Drive) which are over 2.3km away. This together with the fact that the site itself is industrial in nature means that it is very unlikely that any development at the location, regardless of its building heights and use would have a significantly harmful impact on the residential amenity experienced by existing occupiers.
- 10.18 In summary, it is considered that the impact of the development in its present form, in terms of neighbouring residential would not be significant in terms of loss of residential amenity including daylight, overshadowing or loss of privacy.

Environmental Issues

- 10.19 The Environmental Health Officer has raised no objections to any contaminated land issues. However a condition requesting the submission of a remediation strategy should contamination be found during construction has been recommended. This will be attached to any permission.
- 10.20 The proposed development is located within an area of poor air quality which suffers from high concentrations of nitrogen dioxide. Therefore it has been designated as an Air Quality Management Area (AQMA). To safeguard against additional unnecessary impacts to air quality, conditions are recommended to mitigate future impacts during the construction and operational phases of the development, including details to protect the internal air quality of the buildings as well as a requirement for ultra-low carbon dioxide boilers.
- 10.21 A small part of the application site lies within an area covered by the Environment Agency permit for the landfill. The Environment Agency have objected on the grounds that the development would prejudice the use and

protection of the permitted land. This issue can be addressed through a legal agreement requiring that this land not be developed until the permit has been revoked or withdrawn. The Environment Agency wish to see the exact wording of this clause before removing their objection. As the drafting of any legal agreement would take some time, it is considered reasonable to seek Environment Agency approval post committee resolution with the legal agreement not being completed and decision issued unless the Environment Agency remove their objection.

- 10.22 The application site sits over 2.3 km away from the nearest residential property. Therefore officers do not consider that it would lead to an unacceptable level of noise. As such conditions regulating internal and external noise are not considered necessary in this instance.
- 10.23 In light of the above, the proposal is not considered to give rise to any significant environmental issues.

Highways

- 10.24 Policies CP9, CP10 and DC32 require that proposals for new development assess their impact on the functioning of the road hierarchy. The overriding objective is to encourage sustainable travel and reduce reliance on cars by improving public transport, prioritising the needs of cyclists and pedestrians and managing car parking. A Transport Assessment has been submitted with the planning application as is required for all major planning applications.
- 10.25 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 0 (Worst). Access to the site is predominantly by motor vehicle. At present there is an informal parking arrangement which makes it difficult to ascertain the number of exact spaces.
- 10.26 The London Plan Policy 6.13 sets out the Mayor's maximum and minimum standards based on the PTAL rating for a site. It states under point D of Policy 6.13 that developments must:
- a. ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles*
 - b. provide parking for disabled people in line with Table 6.2*
 - c. meet the minimum cycle parking standards set out in Table 6.3*
 - d. provide for the needs of businesses for delivery and servicing.*
- 10.27 In light of this, it is required that 20% of all spaces be allocated for electric vehicle use with an additional 20 per cent passive provision for electric

vehicles in the future. Officers have considered this requirement against the current proposal and note that as the application is an outline details for the exact location for electric vehicles are not available. Therefore, a condition will be attached to require these details during reserved matters stage. Disabled parking will also be secured at that stage.

10.28 Discussions with the GLA, TfL and the Council's Highways Officer has resulted in the agreed parking ratio as follows:

- 1 space per 30 sqm for B1(A)
- 1 space per 50 sqm for B1(C) and B2
- 1 space per 100 sqm for B8
- 1 space for every 500 sqm for HGVs/Lorries

10.29 However while TfL have agreed a more generous parking ratio, given the low PTAL of the site and its proposed use, an annual parking review is required to be secured via S106. This review is required to determine demand for the parking spaces. If demand is not as projected and there are a number of spaces not being utilised then the applicant would be required to reduce the level of parking.

10.30 In addition, a contribution of £100,000 has also been secured for use towards highway/environmental improvements to Ferry Lane and the adopted part of Coldharbour Lane.

10.31 Transport for London have requested that a shuttle bus service should be secured to transport employees to and from the site in order to encourage sustainable modes of transport. The applicant has agreed to this provision. The Highways Officer has commented that the Transport Statement and Travel Plan document submitted by the applicant sets out the requirements for in accordance with the LBB SPD Planning Obligations. This together with the shuttle bus service would be secured under the S106 and reviewed annually to determine demand for this service. A contribution of £5,000 towards the management of the Travel Plan will also be required. This will be secured via a S106 legal agreement.

10.32 Conditions ensuring that the proposed development is deliverable in an environmentally friendly and highways safe way will also be attached. This includes the provision of a Construction Management Plan and a Delivery and Servicing statement.

Access

10.33 The main access into the site is via Coldharbour Lane. This road is not adopted beyond the turning to the riverside car park. It has also not been

possible to establish ownership for the full road as some parts of the road are unregistered. However Land Registry details suggest that the road is owned by Oldrealm and Veolia. There is an existing Legal Agreement between the applicant, Veolia and Oldrealm that establishes a covenant to require both (Veolia and Oldrealm) to maintain the full stretch of the road. This is to expiry in 2044. Following this both Oldream and Veolia would be liable to maintain the part of road that falls within their respective ownerships.

10.34 Therefore when Veolia leave the site in 2026/31 there will still be a legal agreement in place for the management of Coldharbour Lane. It is recommended that there be a S106 agreement in place that requires the applicant to use their best endeavours to ensure that existing agreements are enforced should the access fall into disrepair.

10.35 To the northwest of the site is the Jetty. This is currently operated by Land and Water who were given permission to operate the jetty independent of the Veolia landfill site (P0995.17) in 2017 as was previously approved (P0835.97). Given the importance of the jetty it is imperative that access to this resource is maintained. The application boundary does not include the existing access way to the jetty. Therefore this will remain untouched. In addition, the GLA and the Environment Agency have requested that provisions be made within the legal agreement to ensure access to the jetty will remain in perpetuity. The applicant has agreed to this. Therefore this will be added to the Heads of Terms of the Legal Agreement.

10.36 Although support has been expressed by the Port of London Authority for the more formal and vibrant use of the jetty, it is important to note that it does not fall within the control of the applicant and is therefore not part of the current application. Further to this, officers do not have powers to force the applicant to undertake upgrade works to the jetty.

10.37 However the applicant's Design Principle Document demonstrates that thought has been given to potential future routes through the site to the jetty subject to the final design layout of buildings.

Cycle Storage

10.38 Policy DC35 of the Council's adopted policy framework looks to encourage sustainable modes of transport through improved cycle routes and cycle parking within the Borough. Largescale major applications are required to create routes to link to any existing cycle ways and where appropriate contributions towards the management of cycle routes will be required. This is in particular regard to the London Cycling Action Plan 'Creating a chain reaction' and the London Cycle Design standards and other relevant documents.

10.39 In line with London Plan policy 6.13 and policy CP10 and DC35, the Council will require the provision of secure and adequate cycle parking spaces as identified in Annex 6 of the adopted Local Plan DPD. As the application site relates to outline permission, the exact amount of required cycle provision will be confirmed at reserved matters stage. Nevertheless a condition requiring the overall development to comply with London Plan cycle provision standards has been attached.

10.40 There is an existing cycle route that runs to the east of the site. This will be maintained. Further provisions of routes are also proposed within the site subject to the final reserved matters applications.

Refuse Storage

10.41 Under policies CP11 and DC40 it is required that new development ensure that waste is managed in the most environmentally friendly way in order to protect human health and the environment from pests and other environmentally damaging effects. Waste and recycling provisions should therefore be clearly stated on a plan.

10.42 The required level of refuse would be based on the resulting number of units and uses. Therefore officers will assess the scheme for dedicated refuse and recycling storage once the reserved matters are submitted.

Sustainability

10.43 In recognising the importance of climate change and the need to meet energy and sustainability targets, as well as the Council's statutory duty to contribute towards the sustainability objectives set out within the Greater London Authority Act (2007), Policy 5.2 of the London Plan requires all major developments to meet targets for carbon dioxide emissions. This is targeted the eventual aim of zero carbon for all residential buildings from 2016 and zero carbon non-domestic buildings from 2019. The policy requires all major development proposals to include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy.

10.44 The Mayor of London's SPG on Sustainable Design and Construction (2014) provides guidance on topics such as energy efficient design; meeting carbon dioxide reduction targets; decentralised energy; how to off-set carbon dioxide where the targets set out in the London Plan are not met.

10.45 In terms of the LDF policy DC50 (Renewable Energy), there is a need for major developments to include a formal energy assessment showing how the development has sought to ensure that energy consumption and carbon

dioxide emissions are minimized applying the principles of the energy hierarchy set out in the London Plan.

10.46 Following negotiation with the GLA the applicant has submitted an updated Sustainability and Energy Report that demonstrate that the development shall reduce its carbon emissions by at least 35% over in relationship to Building Regulations Part L1A 2013 as required by the London Plan.

10.47 The approach to sustainable development is to improve the energy efficiency of the building beyond the requirements of Building Regulations. This follows the most recognised method of achieving sustainability through the energy hierarchy:

- Energy conservation – changing wasteful behaviour to reduce demand.
- Energy efficiency – using technology to reduce energy losses and eliminate energy waste.
- Exploitation of renewable, sustainable resources.
- Exploitation of non-sustainable resources using CO₂ emissions reduction technologies.
- Exploitation of conventional resources as we do now.

10.48 Policy 5.3 of the London Plan seeks that developers utilise the highest standards of sustainable design and construction to be achieved to improve the environmental performance of new developments. Guidance of how to meet the requirements as presented from the above policy is further discussed within SPD Sustainable Design Construction (2009). This encourages developers to consider measures beyond the policy minimum and centred around development ratings, material choice, energy and water consumption.

10.49 The proposed 35% carbon reduction will be secured via S106 with the remaining 65% being secured via carbon offset contributions. However as the development is an outline scheme the legal agreement shall establish specific requirements for more specific carbon calculations at each reserved matters stage. As these can be achieved on average across the whole development through the improvements to fabric efficiency, energy reduction measures and provision of onsite low carbon technologies and renewable energy in line with the requirements of the GLA London Plan. Therefore subject to sustainability details to be provided at each reserved matters stage officers are satisfied that the approach to sustainability would not conflict with relevant London Plan policy objectives.

10.50 The proposed development would need to demonstrate compliance with the Mayor's Sustainability Strategy for reducing carbon emissions and the

buildings energy demand through the use of sustainable design strategies. The development would normally be expected to achieve BREEAM 'Very Good' in accordance with the requirement of Policy 5.2 of the London Plan and policy DC49 of the Council's adopted policies (See also Sustainable Construction SPD).

- 10.51 Owing to the development being outline with all matters reserved officers have elected to condition the development to allow details pertaining to BREEAM to be submitted at a later stage. There have been no objections raised to this approach from statutory bodies.

Flooding and Drainage

- 10.52 The site is located close to the River Thames and a Flood Risk Assessment has been carried out and submitted with the application. This has been reviewed by the Council's Flood Officer, the GLA and the Environment Agency.
- 10.53 The site is within Flood Zone 1 - having a low probability of flooding (1 in 1000 annual probability of flooding). The Environment Agency have confirmed that the development does not affect existing flood defences or increase the risk of flooding..
- 10.54 Submitted details state that currently, there are no sewers on site and surface water simply runs off into the river. Foul water is currently managed through collection in tanks which are regularly collected for off-site disposal. Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so and applicant's should aim for greenfield run-off rates.
- 10.55 The applicant has given due consideration to SUDS. These details have been assessed by the Council's SUDS officer as well as the GLA. The Council's SUDS officer has stated that the applicant's Drainage Strategy requires more details that should be provided once the scale of buildings are known. Therefore during reserved matters stage these details would be required. This will be secured via condition. In addition, a condition is recommended to ensure a surface water strategy is in place prior to the completion of the development which incorporates measures such as rain water harvesting.

Secured by Design

- 10.56 In terms of national planning policy, paragraphs 91-95 of the National Planning Policy Framework (NPPF) (2019) emphasise that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder and the fear of crime, do not undermine the quality of life or community cohesion. In doing so, planning policy should emphasise safe and accessible developments, containing clear

and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas.

10.57 The above strategic approach is further supported by Policy 7.3 of the London Plan which encompasses measures to designing out crime to ensure that developments reduce the opportunities for criminal and anti-social behaviour, instead contributing to a sense of security without being overbearing or intimidating. Adopted policies CP17 and DC63 are consistent with these national and regional planning guidance. The SPD on Designing Safer Places (2010), forms part of Havering's Local Development Framework and ensures adequate safety of users and occupiers by setting out clear advice and guidance on how these objectives may be achieved and is therefore material to decisions on planning applications.

10.58 In keeping with the above policy context, officers have consulted the Metropolitan Police to review the submitted application. They have commented that the application is acceptable subject to a condition stipulating that future details regarding how the development would meet the principles and practices of Designing Out Crime shall come forward as part of any reserved matters application. This condition has been attached.

FINANCIAL AND OTHER MITIGATION

11.1 The proposal would attract the following section 106 contributions to mitigate the impact of the development:

- Any direction by the London Mayor pursuant to the Mayor of London Order
- Legal Agreement pursuant to s106 of the Town and Country Planning Act 1990 and other enabling provisions, with the following Heads of Terms:
 - Employment and Skills: 4 Apprenticeships for every 10,000sqm + Job Brokerage (Job Brokerage is a dedicated skills, training and employment service for local people).
 - £350,000 Conservation Park/Wildspace Contribution – For park facilities
 - £100,000 Contribution for Environmental/Highway Improvements to adopted part of Coldharbour Lane and Ferry Lane south of the A13 junction
 - Parking Review – TfL requested parking review to determine the level of demand for parking spaces.
 - Reasonable/Best endeavours Improvement and Maintenance Scheme for Coldharbour Lane
 - Jetty access – Access to be allowed in perpetuity
 - Permit – Restriction on developing land the subject of the Environment Agency permit until such time as the permit has been withdrawn or revoked (wording to be agreed with EA before completing agreement).

- Shuttle bus – Transport for London provision between the site and the station. To be reviewed annually for 5 years.
- Travel Plan with £5000 monitoring fee
- Carbon offset fund contribution (amount TBC), such sum calculated at sixty pounds (£60.00) per tonne that falls below the 100% threshold, for a period of 30 years, duly Indexed
- Land reserved for riverside footpath/cycleway
- Reasonable legal fees for the drafting and negotiation of the deed whether or not it goes to completion
- Monitoring fee towards the Council costs of monitoring compliance with the deed
- Any other planning obligation(s) considered necessary by the Assistant Director Planning

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 12.1 Given the scale of development a CIL payment is required at both local and Mayoral level.

Mayoral CIL

- 12.2 Policy DC72 of the Havering Adopted policies framework states that where appropriate the Council will use planning obligations to support the delivery of infrastructure; facilities and services to meet the needs generated by development and mitigate the impact of development. Furthermore, pursuant to Table 2: Mayoral CIL Charging Rates of the Mayor's April 2019 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £25 per square metre applies to LB Havering developments. The exact amount of CIL will be determined at a later date subject to any demolition credit as per regulation 40(7)(2014).

LB Havering CIL

- 12.3 The LB Havering charging rates are due to be adopted by the 1st of September 2019. However this specifies £0 charge for industrial uses, so a CIL payment would not be necessary.

EQUALITIES AND DIVERSITY

- 13.1 Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;


(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 13.2 For the purposes of this obligation the term “protected characteristic” includes:- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 13.3 The proposed development comes forward with all matters reserved. Therefore officers have been unable to make assessments on wheelchair access into the units and step-free pedestrian access. These details would be forthcoming within subsequent reserved matters applications. At that stage, officers will further assess the accessibility of the proposed industrial buildings. A condition on levels has also been attached to ensure that the gradients across the site can be navigated by those in a wheelchair.
- 13.4 Therefore in recommending the application for approval, officers have had regard to the requirements of the aforementioned section and Act and have concluded that a decision to grant planning permission for this proposed development will comply with the Council’s statutory duty under this important legislation.
- 13.5 In light of the above, the proposals are considered to be in accordance with national regional and local policy by establishing an inclusive design and providing an environment which is accessible to all.

CONCLUSIONS

- 14.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the Mayor’s London Plan and the Havering Development Plan, as well as other relevant guidance and material considerations, have been carefully examined and taken into account by the Local Planning Authority in their assessment of this application.
- 14.2 Officers have fully reviewed the details submitted and concluded that as conditioned, the proposal would not compromise the locality of the industrial site and would accord with all relevant development plan policies.
- 14.3 The design of the development is considered appropriate for its location and would not compromise access to the jetty, use of Coldharbour Lane or present ecological issues for the River Thames. With all other matters reserved more detailed assessments pertaining to materials and design will be undertaken during reserved matters stage, the principles of which have been secured under parameter plans and an agreed design code.

14.4 In light of the above, the application is **RECOMMENDED FOR APPROVAL** in accordance with the resolutions and subject to the attached conditions and completion of a legal agreement.

 Havering LONDON BOROUGH	Strategic Planning Committee 15 August 2019
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Subject: Quarterly Planning Performance Update Report.

Report Author: Simon Thelwell, Head of Strategic Development

1 BACKGROUND

- 1.1 This quarterly report produces a summary of performance on planning applications/appeals and planning enforcement for the previous quarter, April to June 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 As previously reported in regard to the first period, the final % figure of appeals allowed was 5.7% for major applications with no County Matter application appeals. Therefore the Council is 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, the current figure remains at 5% appeals allowed for major applications with only 1 appeal decision awaited and no County Matter appeals. 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): 44

Number of appeals allowed: 1

% of appeals allowed: 2.3%

Appeals still to be determined: 1

Refusals which could still be appealed: 2

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.

Appeal Decisions Apr-Jun 2019				
Total Number of Appeal Decisions - 36				
Appeals Allowed - 11				
Appeals Dismissed - 25				
% Appeals Allowed - 31%				
Appeal Decisions where Committee Decision Contrary to Officer Recommendation				
Total Number of Appeal Decisions - 1 (details below)				
Appeals Allowed - 1				
Appeals Dismissed - 0				
% Appeals Allowed - 100%				
Appeal Decisions Jan-Mar 2019				
Decision by Committee Contrary to Officer Recommendation				
Date of Committee	Application Details	Summary Reason for Refusal	Appeal Decision	Summary of Inspectors Findings
Planning Committee 25 Oct 18	P1015.18 63 Crystal Avenue, Hornchurch Proposed annexe at rear of garden to provide ancillary accommodation.	Incongruous and visually intrusive in rear garden. Intensification of use causing noise and disturbance.	Appeal allowed	Proposal similar to other outbuildings in area and would not be dominant or visually intrusive. Residential movements between the house and building are not likely to be disturbing. A condition requiring a higher boundary treatment will protect privacy.

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 (to the end of June 2019 – 1 quarter to run) 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, it is considered unlikely that the Council is at risk of designation due to speed of decision, but the figure 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:

Apr – Jun 2019	
Number of Enforcement Complaints Received: 208	
Number of Enforcement Complaints Closed: 176	
Number of Enforcement Notices Issued: 13	
Enforcement Notices Issued in Quarter	
Address	Subject of Notice
110 Lower Bedfords Road, Romford	2 x haulage containers and unauthorised boundary fence, walls and gates.
178 Crow Lane, Romford	Use of part of car park for cooking

	and sale food and drink.
20 Nevis Close, Romford	Unauthorised side extension
106 Whitchurch Road, Romford	Rear dormer not in accordance with planning permission.
Grass Verge, Hacton Lane	Unauthorised telecommunications mast and associated equipment
Land to south of New Road	Unauthorised residential use
40 Palm Road, Romford	Unauthorised roof extension
Harefield House, The Chase, Upminster	Breach of condition re landscaping
Harefield House, The Chase, Upminster	Unauthorised change of use of residential and outbuilding.
39 Rainham Road, Rainham	Unauthorised residential use of outbuilding
5 Curtis Road, Hornchurch	Unauthorised side/rear extension with balcony.
Railway Sidings, Ockendon Road, Upminster	Breach of condition re occupiers, number of mobile homes.
Land to east of Tye Farm, St Mary's Lane, Upminster	Unauthorised storage

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