



Havering

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

PLANNING COMMITTEE AGENDA

| | | |
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| 7.30 pm | Thursday 21 October 2021 | Havering Town Hall, Main Road, Romford |
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Members 8: Quorum 4

COUNCILLORS:

**Conservative Group
(4)**

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

**Residents' Group
(1)**

Stephanie Nunn

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

John Tyler

**Independent Residents
Group
(1)**

David Durant

**Labour Group
(1)**

Paul McGeary

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

**To register to speak at the meeting please call 01708 433100
Before 5.00pm on Tuesday 19 October 2021**

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:-

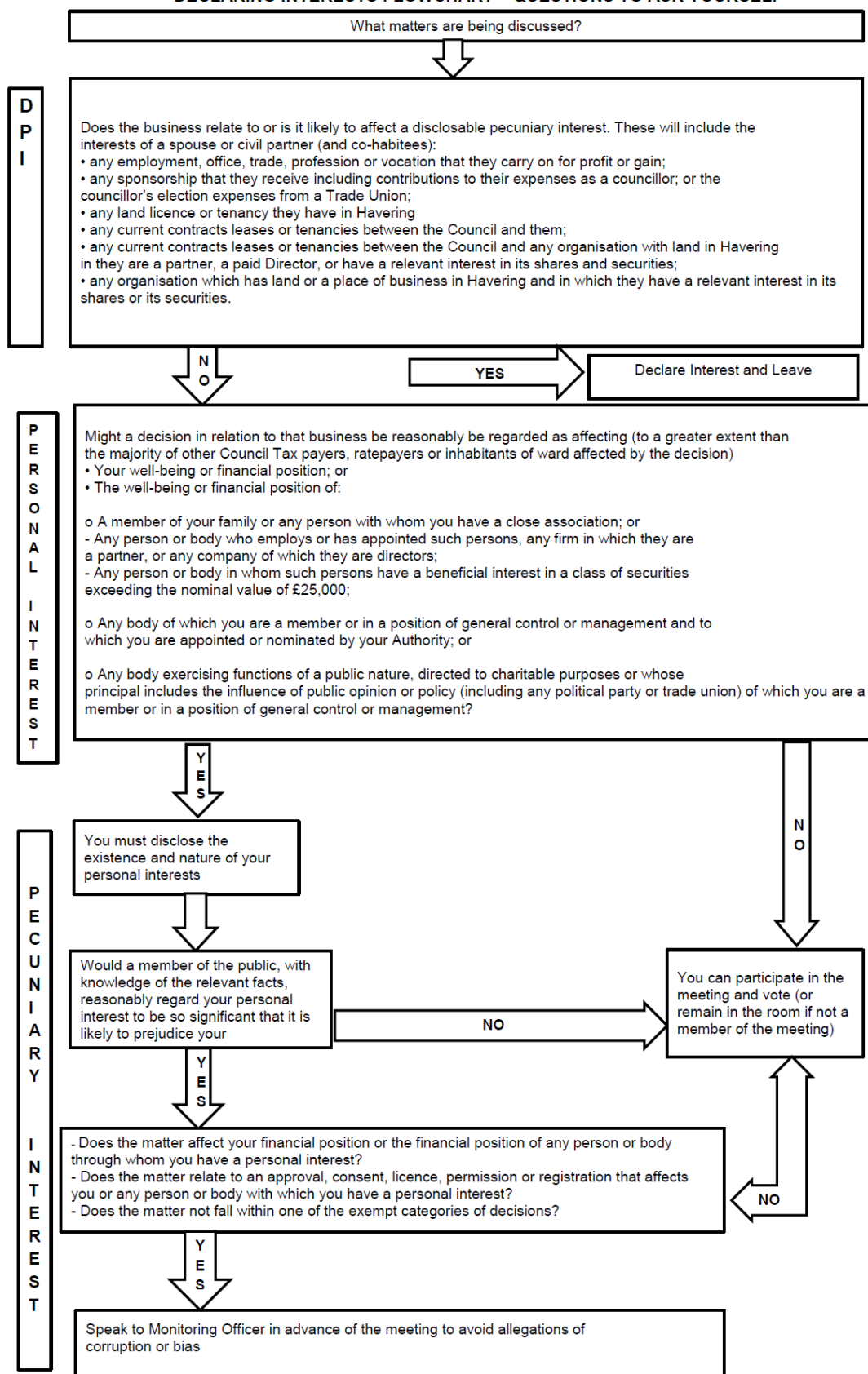
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing,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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

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

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

4 MINUTES (Pages 1 - 2)

To approve as a correct record the minutes of the meeting of the Committee held on 23 September 2021 and to authorise the Chairman to sign them.

5 APPLICATIONS FOR DECISION (Pages 3 - 6)

See attached document

6 P0998.21 - 4 CARLTON ROAD, ROMFORD (Pages 7 - 12)

Report attached.

7 P0762.21 - NEW CITY COLLEGE HAVERING, ARDLEIGH GREEN OFF GARLAND WAY (Pages 13 - 28)

Report attached.

**Andrew Beesley
Head of Democratic Services**

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**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
Havering Town Hall, Main Road, Romford
23 September 2021 (7.30 - 8.15 pm)**

Present:

COUNCILLORS: 7

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| Conservative Group | Robby Misir (in the Chair) Carol Smith (Vice-Chair) and +Christine Smith |
| Residents' Group | +Reg Whitney |
| Upminster & Cranham Residents' Group | John Tyler |
| Independent Residents Group | David Durant |
| Labour Group | Paul McGeary |

Apologies were received for the absence of Councillors Philippa Crowder and Stephanie Nunn.

+Substitute members Councillor Christine Smith (for Philippa Crowder) and Councillor Reg Whitney (for Stephanie Nunn).

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

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

15 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

16 MINUTES

The minutes of the meeting held on 26 August 2021 were agreed as a correct record and signed by the Chairman.

- 17 **P1824.20 - LAND NORTH END OF IMPERIAL TRADING ESTATE - UPGRADE OF EXISTING BASE STATION CONSISTING OF REPLACEMENT OF 15M MONOPOLE SUPPORTING 3 NO. ANTENNAS WITH 20M MONOPOLE SUPPORTING 6 NO. ANTENNAS AND OTHER ANCILLARY DEVELOPMENT**

The committee considered the report noting that the application had been called-in by Councillor David Durant.

With its agreement Councillor Durant Durant addressed the committee.

As Councillor Durant was a member of the Planning committee.

Councillor Durant left the chamber and took no part in the debate or vote.

Following consideration it was **RESOLVED** that **PLANNING PERMISSION BE GRANTED**.

- 18 **P0530.21 - 35 BIRCH CRESCENT, HORNCHURCH - PART TWO/PART SINGLE STOREY REAR EXTENSION AND CONVERSION OF ROOF SPACE TO HABITABLE USE TO INCLUDE TWO ROOF LIGHTS AND A REAR ROOF LIGHT**

Members considered the report noting that it had been called-in by Councillor Melvin Wallace.

As Councillor Wallace was not present at the meeting officers confirmed that the application would be determined by officers under delegated powers.

Chairman

Agenda Item 5

Applications for Decision

Introduction

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

Advice to Members

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
 - London Plan Adopted March 2021
 - Core Strategy and Development Control Policies (2008)
 - Site Allocations (2008)
 - Romford Area Action Plan (2008)
 - Joint Waste Development Plan (2012)
6. Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
7. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
8. Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development

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

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

Non-material considerations

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

Local financial considerations

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

Public speaking and running order

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

- a. Officer introduction of the development
 - b. Registered Objector(s) speaking slot (3 minutes)
 - c. Responding Applicant speaking slot (3 minutes)
 - d. Ward Councillor(s) speaking slots (3 minutes)
 - e. Officer presentation of the material planning considerations
 - f. Committee questions and debate
 - g. Committee decision
16. The items on this part of the agenda will run as follows where there are no public speakers:
- a. Where requested by the Chairman, officer presentation of the main issues
 - b. Committee questions and debate
 - c. Committee decision

Late information

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

Recommendation

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

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|  Havering LONDON BOROUGH | Planning Committee 21 October 2021 |
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| Application Reference: | P0998.21 |
| Location: | 4 Carlton Road, Romford |
| Ward: | Romford Town |
| Description: | Installation of a kitchen extraction system with ducting fitted to the rear elevation |
| Case Officer: | Adèle Hughes |
| Reason for Report to Committee: | A Councillor call-in has been received which accords with the Committee Consideration Criteria. |

1 SUMMARY OF KEY REASON FOR RECOMMENDATION

- 1.1 It is considered that the proposal would integrate satisfactorily with the streetscene and would not adversely affect neighbouring amenity. This application is recommended for approval subject to conditions.

2 RECOMMENDATION

- 2.1 That the Committee resolve to grant planning permission subject to conditions.
- 2.2 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. Time limit – The development must be commenced no later than three years from the date of this permission.
2. Materials – The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 14 of the application form unless otherwise agreed in writing by the Local Planning Authority.
3. Accordance with plans – The development should not be carried out otherwise than in complete accordance with the approved plans.
4. Odours & odorous material - Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme submitted to and

approved in writing by the Local Planning Authority in consultation with the Havering Public Protection Service. The approved equipment shall be installed on site and certification provided by a competent engineer. Thereafter, the equipment shall be properly maintained and operated within design specifications during normal working hours.

5. New plant & machinery- Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.
6. Noise & vibration - Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Informatives

1. Approval – No negotiation required
2. Fee informative
3. Environmental Health informatives
4. Non standard informative

3 PROPOSAL AND LOCATION DETAILS

Proposal

- 3.1 The proposal is for the installation of a kitchen extraction system with ducting fitted to the rear elevation of the building.

Site and Surroundings

- 3.3 The application site relates to a mid-terrace unit within an existing two storey, flat roof building on the south side of Carlton Road. The building comprises a parade of commercial units at ground floor and residential flats at first floor. The site is located within the Carlton Road Minor Local Centre. The premises were formerly used as a newsagent and are vacant.

Planning History

- 3.4 E0058.20 - The use of the ground floor commercial unit as Use Class E (Commercial, Business and Service) – Planning permission not required.

P1521.19 - Change of use from Newsagent to A5 Take Away, with flu pipe cased with matching brickwork at rear and new front door to access flat above – Refused. Appeal dismissed.

P0967.19 - Proposing the change of use on ground floor from A1 to A3 with flue pipe installation at rear, and first floor rear extension to enlarge the existing 1 bed flat to 2 bedrooms – Refused. Appeal dismissed.

4 CONSULTATION RESPONSE

- 4.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 4.2 Public Protection Department– Recommend three conditions regarding suitable equipment to remove and/or disperse odours and odorous material, a scheme for any new plant or machinery and a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed and informatives if minded to grant planning permission.
- 4.3 The StreetCare Department wish to ensure that there is adequate refuse storage facilities.

Officer note – The proposal is not for the use of the premises, just for extract equipment, therefore, the adequacy of refuse arrangements cannot be secured through this application.

5 LOCAL REPRESENTATION

- 5.1 A total of 102 neighbouring properties were notified about the application and invited to comment.

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

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| No of individual responses: | 19 (which consists of 11 objections and 8 letters of support). A petition objecting to the application was submitted with 15 signatures. |
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- 5.3 The following Councillor made a representation:

This application has been called in by Councillor Joshua Chapman on the grounds that two applications of the same nature have been refused by the council at the same site in the very recent past:

P0967.19 (seeking to change the use to a restaurant with extraction system).

P1521.19 (change of use to a take away)

The proposal by reason of the increase in comings and goings at the site, particularly arising from the proposed late evening hours of operation, together with increased parking congestion arising from lack of nearby parking, would cause significant harm to residential amenity from noise, disturbance and activity contrary to Policy DC55 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

The council has already decided the location is not suitable for a takeaway, yet the extractor is being sought, as per the application form, 'for the purpose of cooking in a takeaway restaurant'.

Since the last two applications, the applicant has also sought permission for and developed a flat on top of the site. With that in mind, the ducting itself will

have a much greater impact on residential amenity given the smell and the proximity to the new dwelling. In addition, the upper floor of the entire row of shops is residential and the impacts are similar.

Officer note: This planning application seeks consent for the installation of a kitchen extraction system with ducting fitted to the rear elevation of the building. The Use Classes Order was changed on 1st September 2020, which enabled some premises to change their use to a restaurant without planning permission being needed.

By virtue of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the lawful use of the newsagent premises at 4 Carlton Road has changed from A1 (shops) to Class E (Commercial, Business and Service), which includes restaurants. An existing Certificate of Lawfulness was issued for the use of the ground floor commercial unit as Use Class E (Commercial, Business and Service) on 15th April 2021. Therefore, the premises can be used as a restaurant without planning permission being required. However, the use of the premises as a takeaway would still require planning permission.

The agent has confirmed that the premises will be a restaurant and that the reference to a takeaway was an error.

Representations

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

Objections

- Food smells/cooking odours/fumes.
- Impact on residential amenity.
- The proximity of the flue to residential dwellings.
- Air quality.

Non-material representations

- 5.5 The following issues were raised in representations, but they are not material to the determination of the application:

- Reference was made to the previous planning applications for the site and the use of the premises as a restaurant & takeaway.
- Vermin.
- This is not in a suitable location.
- Traffic.
- Highway safety.
- Parking.
- Access.
- There is no need for any more restaurants and takeaways.
- Refuse.
- Graffiti.

- Disturbance.
- Crime.
- Increased pedestrian movements.
- Anti-social behaviour.
- Concerns regarding the opening hours of the premises.

6 MATERIAL PLANNING CONSIDERATIONS

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

- The impact on the streetscene and impact on amenity arising from the proposed development.

Impact on the streetscene

6.2 The extract ducting would project approximately 1.2 metres above the main roof ridge of the building. It is considered that the extract ducting would not be materially harmful to the character and appearance of the streetscene, as it would be located on the rear elevation of the building and the premises are set in from Junction Road. In addition, the depth and proportions of the extraction flue are relatively modest in size. The application form states that the ducting would be stainless steel and this is deemed to be acceptable and will be secured by condition if minded to grant planning permission.

Impact on residential amenity


6.3 Policy DC61 states that planning permission will only be granted where proposals would not result in unreasonable adverse effects on the environment by reason of noise impact, vibration and fumes between and within developments.

6.4 The application site comprises a two storey mid-terrace property with residential accommodation at first floor. The remaining terraced properties comprise of commercial uses at ground floor and residential accommodation above. There is a block of flats at Deer Mead Court to the south east of the site. Although the extract duct would be visible in the rear garden environment, it is considered that it would not result in an adverse visual impact, as its height and overall proportions are relatively modest. It is considered that the stainless steel extract duct would not appear visually intrusive. The Council's Public Protection Department was consulted and did not object to the application subject to the provision of three conditions regarding suitable equipment to remove and/or disperse odours and odorous material, a scheme for any new plant or machinery and a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed if minded to grant planning permission. Subject to these conditions, it is considered that the extract ducting would not result in a significant loss of amenity to neighbouring properties.

6.5 Officers consider that in terms of the amenity of existing neighbouring occupiers, that the proposal is acceptable and would be in accordance with Policy DC61 of the Local Development Framework.

Conclusions

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

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|  Havering LONDON BOROUGH | Planning Committee 21 October 2021 |
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| Application Reference: | P0762.21 |
| Location: | NEW CITY COLLEGE HAVERING, ARDLEIGH GREEN CAMPUS OFF GARLAND WAY. |
| Ward | SQUIRRELS HEATH |
| Description: | OUTLINE APPLICATION FOR THE ERECTION OF 3 DETACHED HOUSES WITH GARAGES AND ACCESS (WITH LAYOUT AND ACCESS ONLY) |
| Case Officer: | RAPHAEL ADENEGAN |
| Reason for Report to Committee: | <ul style="list-style-type: none">• Call-in of application by adjoining ward councillor. |

1. BACKGROUND

- 1.1 The application has been called-in by a councillor of an adjoining ward, and as such is referred to the Planning Committee for decision in accordance with the Committee Consideration Criteria of the Constitution.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The outline application which seeks erection of 3 (self-build) detached houses and garages with layout and access only determined at this stage, with appearance, landscaping and scale dealt with as reserved matters, is being brought forward in order to facilitate the College's future Masterplan proposals. The application would not be detrimental to the character and appearance of the street-scene.
- 2.2 The site is not within the Metropolitan Green Belt and as matter of judgement there is no in principle objection to the land being brought forward for redevelopment to provide new residential homes in lieu of disposal of other parts of the site for future development. The current development provides an opportunity to improve upon the ecological value of the land.
- 2.4 The proposed development is considered acceptable on its own merits, however with consideration given to the requirements of Paragraph 11 of the National Planning Policy Framework, it is not considered that a decision to

refuse permission could be substantiated as the level of harm viewed objectively would not outweigh the benefits of granting permission.

3 RECOMMENDATION

3.1 That the Committee resolve to GRANT planning permission subject to:

Conditions

1. Outline Reserved matters to be submitted
2. Time limit for details
3. Time limit for commencement
4. Accordance with Plans
5. Material Samples
4. Landscaping
6. Landscape Management Plan (Including biodiversity benefits of the scheme)
7. Hard and soft landscape details
8. Window Reveals
9. Removal of Permitted Development Rights
- 10 Car parking
11. Vehicle Access
13. Ecology/Biodiversity
14. Boundary Treatments
15. Water Efficiency
16. Contaminated Land
17. Surface Water Drainage
18. Sustainable Drainage Systems (SUDs)
19. Cycle Storage
20. Air Quality – Dust Monitoring
21. Air Quality
22. Construction Management and Logistics Plan
23. Construction Hours (8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.)
24. Highway Works
25. Wheel Washing
26. Visibility Splays
24. Refuse and Recycling
28. Site Levels
29. Construction Ecological Management Plan (Updated)
30. Development of the residential dwellinghouses hereby approved shall not commence until the car parking area shown in application reference number P0285.21 has been fully completed to the satisfaction of the LPA.
31. The houses hereby approved shall be constructed in an accordance with the Residential Design Codes document by IBI Group dated February 2021. No changes to the Design Code shall occur without prior written approval by the Local Planning Authority.
32. Access – M4(2)

Informatives

1. Highway approval required
2. Street naming and numbering
3. Community Infrastructure Levy (CIL).
4. NPPF positive and proactive.
5. Changes to the Public Highway
6. Highway Legislation
7. Temporary use of the public highway
8. Surface water management
9. Protected species

4 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 4.1 The application site is located within the Squirrels Health Ward. The overall site, including the college, is bounded by Garland Way, Nelmes Way and Ardleigh Green Road. Entrance into the College site is primarily via Ardleigh Green Road.
- 4.2 The subject site is located on the north-western corner of the junction of Garland Way and Nelmes Way covering an area of 0.21 hectares. The Site has historically been used as a car park associated with the New City College, Havering Campus. The car park is due to be re-provided on an alternative part of the college campus. A separate planning permission (P0285.21) has been granted for this.
- 4.3 The northern part of the college car park area is to accommodate a new care home (P0755.21) approved at the 7th October 2021 SPC. Nos. 1 and 3 Russetts abut the site to the east. To the west is Nelmes Way and 1A Nelmes Way to the south. Access is off Garland Way.
- 4.4 The area around the site is predominantly residential in character with a predominance of detached and semi-detached houses.
- 4.5 The site does not fall within a conservation area and there are no listed buildings on site. The site is also identified as falling within a possible contaminated land and landfill. The site falls within Flood Zone 1. The properties on the south side of Nelmes Way west of the site and further south of Garland Way fall within the Emerson Park Policy Area.

Proposal

- 4.6 The application is for outline planning permission for the erection of 3 x 4 bedroom detached houses and garages seeking approval for layout and access only with appearance, landscaping and scale as reserved matters.
- 4.7 It is the intention that the dwellings will be self-build allowing individuals to purchase the plots and build their own property. The layout has been prepared to demonstrate the capacity of the site to accommodate 3 detached houses with attached garages and to illustrate the type of dwelling that could be built.

- 4.8 The proposed indicative layout show that each dwelling extends to 184sq.m (GEA) over two floors (each footprint approximately 100sq.m) with a generous ground floor living area with access onto the rear garden. Each property has an indicative layout which shows how the house could provide 4 bedrooms and 3 bathrooms.
- 4.9 The plans show each house would have a single garage and off-street parking for 2 cars on the driveway. The driveway length is approximately 12m for each plot, thereby providing ample space to park 2 cars parking in tandem. Cycle storage would be within the rear gardens.
- 4.10 Vehicular access to the proposed houses are proposed from the Garland Way. The scheme includes visibility splays of 2m by 43m from each driveway with two of the plots having a clear line of sight with the junction at Garland Way/ Nelmes Way.
- 4.11 The layout plan shows spacious front and rear gardens for each of the houses. While landscaping is a reserved matter, the indicative landscaping comprises the retention of existing trees where feasible and planting of additional trees and hedgerow around each plot. The corner plot is larger than the other plots in order to avoid the root protection areas of two large Oak trees to be retained.
- 4.13 As such, details of the scale, appearance and landscaping of the development, other than those outlined above and set by the **Residential Design Code**, are not under consideration at this stage and are to be considered under future reserved matters applications. Subject to the acceptability of the proposal as currently proposed, the above documents would provide a framework for these subsequent details to be prepared.
- 4.14 In order to guide self-build purchasers, a **Residential Design Code** has been prepared which sets out detailed design guidance for future phases on matters such as massing and scale, frontage, access, orientation, amenity, architectural character and materials.

Planning History

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

P0755.21 - Erection of 2/3 Storey 87 Bedroom and Suites Care Home for The Frail Elderly (Class C2 Use) With Ancillary and Communal Accommodation, Together With Associated Landscaping, Access Arrangements, Car and Cycle Parking, Servicing, Refuse and Recycling.

Approved. Decision notice to be issued

P0285.21 – Revised access arrangements, relocated car parking, new cycle parking involving demolition of P Block and associated landscaping.

Approved 01/10/2021

P0196.15 – Erection of a part two, part three storey 'Construction and Infrastructure Skills and Innovation Centre' with covered pedestrian link, external alterations to the existing building and alterations to the existing servicing arrangements and car parking provision along with associated landscaping and a cycle/pedestrian path.
Refused 27/07/17

P0642.13 – Single storey temporary building for education (class D1) use.
Approved 23/07/13

P0913.12 Extension of Time Limit on application P0683.09-Demolition of up to 6,550sqm of existing floorspace and the re-development of 9,450sqm new educational floor space (Class D1) together with associated landscaping and access – Outline
Approved 05-10-2012

P0752.11 - Extension of time to P1047.08 - for the provision of a basketball court, artificial 5- a-side football pitch with perimeter fencing and erection of acoustic boundary fence.
Approved 14-07-2011

P0683.09 - Demolition of up to 6,550sqm of existing floorspace and the re-development of 9,450sqm new educational floor space (Class D1) together with associated landscaping and access – Outline.
Approved 14-08-2009.

Pre-Application Discussion

Prior to the submission of this planning application, the applicant has engaged with LBH planning and design officers over the last 24 months. Officers agree that the site comprises previously developed land and the principle of a residential development is acceptable. In respect of the design of the proposals, the scheme has also been subject to post submission discussions with Officers as well as a QRP Chair Review. The scheme has evolved and new elevations have been prepared which are submitted with the application for illustrative purposes only. External Appearance is a reserved matter.

A Design Code has been submitted with the application as requested and provides precedent and material examples from the area in order to support the design approach and quality expected from self-build schemes on the site, to maintain the level of greenery at the front of the site and create a more suburban form of development to reflect the surrounding character of Emerson Park. This matter is discussed in the Principle section of the report.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in section 8 of this report, under the heading “MATERIAL PLANNING CONSIDERATIONS”.
- 5.2 The following consultees were invited to comment on the application:

Essex & Suffolk Water: No objection subject to compliance with our requirements, consent is given to the development on the condition that a water connection for the new dwellings is made onto our company network.

Fire Brigade: Based on the information provided, no additional hydrants are required and no further action is required by our office. We are happy for the works at this site to go ahead as planned. Pump appliance access and water supplies for the fire service were not specifically addressed in the supplied document, however they do appear adequate.

LBH Waste Services: No objection – Waste and recycling sacks will need to be presented on the boundary of the property facing Garland Way on the scheduled collection day.

LBH Ecology: Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. The mitigation measures identified in the Preliminary Ecological Appraisal (section 5.2) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority species, particularly bats, nesting birds, reptiles, amphibians and hedgehogs. No objection subject to securing biodiversity mitigation and enhancement measures.

LBH Landscaping:

The plan show sufficient information on the location of the new trees. We would recommend that the Oak to the front garden be installed at a minimum size of extra heavy standard (EHS) 14-16cm girth and the trees to the rear should be planted in a mix of sizes for example 10-12cm & 12-14cm girth. As a minimum, the 5 No. trees removed to facilitate development should be replaced. Preference should be given to native trees, but in certain urban and residential situations, better results might be achieved by the use of naturalised trees, which are not necessarily native but are the correct tree for site conditions and would add landscape and arboricultural value. Due to their location within private gardens we would recommend that a restrictive covenant be considered to guard against their future removal. No objection subject to condition(s)

LBH Highways: We looked at the planning applications i.e. housing development, Care Home for elderly and s278 for New City College in details. We noted that due to the location, contribution for CPZ will not be required in the current planning application. No objection subject to condition.

- 5.3 No objections were made from any of the above parties invited to comment, subject to suggested conditions and informatives as outlined in the preceding section of this report.

6. LOCAL REPRESENTATION

6.1 A total of 28 consultation letters were sent to neighbouring properties regarding this application.

6.2 No of individual responses: 7, of which: 5 objected, 2 commented with conditions

The following Councillor made representation:

Councillor Bob Perry

The proposal would have a detrimental effect on local residents by causing excess traffic to the area. Also, it would be out of character with surrounding properties.

Representations

Objections

6.3 It must be noted that officers can only take into account comments that concern relevant material planning considerations and not those based on personal dislikes, grievances, land disputes, values of properties, covenants and non-planning issues associated with nuisance claims and legal disputes, etc. The following issues were raised in the representations received:

- i. Garland Way is the only means of access for 193 properties. In addition 5 days a week parents from Nelmes infant and junior school use this area to park and walk their children through the alleyway. This would force the mums to use Wingletye Lane and create problems there. Builders' deliveries, parking their vans on Garland Way will cause utter chaos.
- ii. There appears to be insufficient car parking spaces on site for the size of the properties which will lead to increase on street car parking. This is particularly problematic given the car use by the adjacent college and the car use associated with the proposed adjoining care home.
- iii. The proposal will exacerbate the parking problem in the area.

Comment with condition

- iv. In the event of approval I would like to see conditions attached to construction materials and the parking of lorries and other vehicles in Garland Way, so that they are constrained to being on site, so that there is no parking or waiting on Nelmes Way or on Garland Way, the latter being the only road of access to the housing area surrounding the pond. TPOs should be attached to appropriate trees on the site to retain the woodland character of the area

Officer comment: The issues raised are addressed in the context of the report.

7. Relevant Policies

7.1 The following planning policies are material considerations for assessment of the application:

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) sets out Government planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Themes relevant to this proposal are:

- 2 - Achieving sustainable development
- 5 - Delivering a sufficient supply of homes
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment

London Plan 2021

GG2 Making the best use of land

D1 London's form, character and capacity for growth

D4 Delivering good design

D5 Inclusive design

D6 Housing quality and standards

D11 Safety, security and resilience to emergency

D12 Fire safety

H1 Increasing housing supply

H2 Small sites

SI 12 Flood risk management

SI13 Sustainable drainage

T6 Car parking

Accessible London SPG

This and the document Design and Access Statements: How to write, read and use them (Design Council, 2006) guidance from Design Council CABE will also help to inform preparation of the Design and Access Statement needed to accompany the application.

Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document (2008)

The following policies are considered relevant to the proposed development:

- CP1 - Housing Supply
- CP16 - Biodiversity and Geodiversity
- .. CP17 - Design
- .. DC3 - Housing Design and Layout
- DC29 - Educational Premises
- DC33 - Car Parking
- DC34 - Walking
- DC35 – Cycling
- DC49 - Sustainable Design and Construction
- .. DC51 - Water supply, drainage and quality
- DC53 - Contaminated Land
- DC55 – Noise
- DC58 - Biodiversity and Geodiversity
- DC60 - Trees and Woodlands

- DC61 - Urban Design

Havering Emerging Local Plan

The following policies should inform design of the proposed development:

- 3 - Housing supply
- 7 - Residential design and amenity
- 24 - Parking provision and design
- 26 - Urban design
- 27 - Landscaping
- 29 - Green infrastructure
- 35 - On-site waste management

Havering Supplementary Planning Documents (SPDs)

Aspects of the following documents apply to the proposed development though need to be read in combination with newer mayoral guidance:

- Residential Design (2010)

MAYORAL CIL IMPLICATIONS

It is noted that the development proposed is liable for both London Borough Havering and the Mayor's Community Infrastructure Levy (CIL).

- The London Borough of Havering's CIL was adopted in September 2019. Therefore financial contributions for the education infrastructure will be secured via this mechanism. Subject to detailed checking and based on the figures provided by the developer in the submitted CIL form in good faith, assuming the application is approved this year and the proposed floor area remained unchanged, the CIL would be:

- Havering CIL: 11204-8600@£125/m² (2604m² net)= £69,000*
 - Mayoral CIL: 11204-8600@£25/m² (2604m² net) = £18,800*
- *subject to indexation.

8 MATERIAL PLANNING CONSIDERATIONS

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

- Principle of development
- Local character/Design
- Implications for highways, pedestrian access and parking
- Impact on amenity
- Ecological impacts/trees
- Flood Risk

9 Principle of development

- 9.1 The applicant has advised that as part of the Masterplan for the campus to delivering an innovative education facility, the process led to the identification of underutilised parts of the campus which could be sold in order to secure a capital receipt for reinvestment in the campus. This includes modern fit buildings.

- 9.2 As part of the Masterplan process, 476 car parking spaces currently provided has been assessed to be surplus to the requirement to meet the needs of its students, staff and visitors. The southern part of the car park, along Nelmes Way, has been identified as an area which could be released for alternative development and is the subject of this application. . Planning application (P0285.21) for relocating the car park area to another part of the college campus was approved at the 1st July 2021 Planning Committee. The new care home application (P0755.21) which would be sited on the majority of the area of the existing car park was also approved at the 7th October 2021 Strategic Planning Committee. As such, the principle of redeveloping the application site for non-educational uses has been established.
- 9.3 The proposal is sited on a brownfield site. Policies CP1 and DC2 requires development to take place on previously developed land. These objectives are consistent with the London Plan and National Planning Policy Framework (NPPF), which encourage the provision of more housing and the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 11 (a) of the NFF states that:
- “All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.”*
- 9.4 There is growing support for self and custom build housing, which the Government acknowledges can play a crucial role in securing greater diversity in the housing market as well as helping to deliver the homes people want.
- 9.6 The Self-build and Custom Housebuilding Act 2015 outlined that councils must have regard to their self-build and custom housebuilding register as part of their housing and planning work. Self-build housing helps to diversify the housing market and increase consumer choice and can lead to innovative designs and methods of construction.
- 9.7 The provision of additional housing is consistent with the National Planning Policy Framework (NPPF) and Havering Core Policy 1 (CP1) of the LDF Development Plan Document as the application site is within a sustainable location in an established urban area. The site has not been allocated for additional housing supply and as such comes forward as a windfall residential site. The Council expects a significant amount of new housing to be from ‘windfall’ supply which is consistent with the London Plan which expects borough’s to maximise housing supply.
- 9.8 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be

compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties.

- 9.9 The application site is located within an existing residential area where the infrastructure has capacity to absorb further development. The application site is also located within an area which is accessible by non-car modes of transport and where there are services and facilities available within walking distance of the site. Furthermore, there are no known physical or environmental constraints at this site.
- 9.10 Officers, in view of the above raise no in principle objection to a residential development coming forward on this site, in accordance with Policy CP1 on 'Housing Supply' of LBH's 'Development Plan Document' 2008; and Policies GG3 on 'Increasing the homes Londoner need' and GG2 on 'Making the best use of land' of the 'London Plan' 2021 and Para 5 from the "NPPF" 2021 which seeks to increase housing supply. Notwithstanding the acceptability of the principle, the proposal would be subject to all other material planning considerations, in particular, harm that will be caused to the character of its locality, which are explored further in the report below.

10. Local character/Design

- 10.1 Core Strategy policy CP17 states that new development to 'maintain or improve the character and appearance of the local area in its scale and design'. Core Strategy policy DC61 states that 'Planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 10.2 The indicative layouts show that each dwelling would provide a spacious ground floor living area with access onto the rear garden. Upstairs – each property could provide 4 bedrooms and 3 bathrooms. The resulting building to plot ratio proposed as part of this outline application would be of a similar nature to those surrounding, and would contain 3 dwellings across 0.21 hectares. The proposed layout/footprint of the houses are appropriately spaced apart and are appropriately distanced away from the different boundaries of the site and existing dwellings reflecting the established local characteristics of its surroundings. As a result the proposed 3 detached dwellings on spacious plots would represent a development consistent with the character and prevailing pattern of development in the surrounding area.
- 10.3 From the submitted Design and Access Statement and plans it is indicated that the proposed houses fronting Garland Way would not be greater than two-storeys in height. It is considered that would present a development at a height which does not detract from the current character of the street scene. It is considered that the footprint and siting of the building together with its dedicated parking areas would be acceptable on their planning merits.
- 10.4 Scale and Appearance are reserved matters, however, an indicative style and the materiality of the dwellings, have been set out in a Design Code. The document including the Design Code set out the history of the area and architectural styles which have evolved, with reference to the arts and crafts

movement particularly within Emerson Park to the south and more modern development to the north on Garland Way, Russets and Brindles. The Design Code provides examples of material precedents which could be used, including render, brick, timber and zinc. Therefore, it is considered that subject to condition requiring details of material use for reason of visual amenity, the proposal can achieve a complementary design in the context of its location.

11 Implications for highways, pedestrian access and parking

- 11.1 Access, is shown to be provided via three separate crossovers off Garland Way for the 3 plots. The layout plan shows that each house would have a garage plus a driveway.
- 11.2 Garland Way is an adopted highway with a footpath on each side of the carriageway. At its junction with Nelmes Way there are unobstructed sight lines in both directions. In principle the positioning of the access ways is considered to be acceptable and would not have a detrimental impact on the existing street scene or surrounding properties.
- 11.3 The application site achieves a PTAL score of 1- 2 (low-moderate accessibility), the proposal would provide for up to 3 parking spaces per dwelling. The provision proposed is closely aligned with the maximum standards suggested in the Planning Framework (which are based on the London Plan).
- 11.4 It is not considered that the erection of 3 new dwellings on the application land would result in any significant increase in vehicle movements along Garland Way and Nelmes Way such that it would adversely affect the safety of other road users or pedestrians or be detrimental to the amenity of existing nearby residents.

12. Impact on amenity

- 11.1 London Plan Policy D4 (Good Design) and the emerging Local Plan Policy 7 (Residential Design and Amenity) seek to ensure, inter alia, that new developments fit within their context and maintain an appropriate relationship with neighbouring uses, particularly residential.
- 12.2 Core Strategy Policy CP17 requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DC61 requires all development to achieve a high standard of privacy and amenity, and sets out a number of criteria for the consideration of the same. In addition, development should be designed, orientated and positioned in such a way to minimise overlooking between dwellings. The Council's Residential Design Guide supplementary planning document is also relevant.
- 12.3 The application site is located in a residential area. Consideration has been given to the residents located adjoining the proposed development along Russets and future occupant of the proposed care home to the north of the site.
- 12.4 In terms of amenity space for the proposed dwellings, the proposed layout shows each of the proposed dwellings to each have adequate rear/private amenity space. Whilst these may be smaller than some surrounding properties

fronting Nelmes Way, it is comparable with properties fronting Garland Way and Russetts such that it would accord with the provision of outdoor space indicated in the Residential Design SPD. It is therefore considered that this would provide a reasonable level of considered amenity of future occupiers of the dwelling.

- 12.5 In terms of the impact upon neighbouring properties consideration must be given to Nos. 1 and 3 Russetts and the new approved care home to the rear. No other property would be subject to loss of amenity as a result of this proposal given the sites corner location.
- 12.6 In respect of the relationship with the adjacent property, 3 Russets, the gap between this dwelling and the new house proposed on Plot 3 would be 5.6m. No window is proposed in the flank of the dwelling on this plot that may cause any overlooking. The indicative design shows a double height projecting wall to the rear of the proposed dwelling, which will reduce the potential for overlooking to the rear garden of no. 3 Russets. Existing boundary landscaping will be retained and improved. The orientation of the properties would mean that there side flank walls would face each other, which will ensure the privacy of no. 3 Russets is protected.
- 12.7 In respect of proposed relationships, the dwellings will have a separation of between 16 and 24m with the proposed care home on the adjacent site to the north. The care home has been designed to ensure that there will be no overlooking towards the proposed houses.
- 12.8 The Planning Statement states & Design and Access Statement indicates that the rear boundary screening between the proposed dwellings and the care home will be in the form of a 2m high close boarded fence, plus landscaping.
- 12.9 With regards to 1 Russetts, the position of the dwelling on Plot3 is sufficiently removed from the boundary, providing a buffer, which would prevent any impact in terms of loss of light or overshadowing. Furthermore, no material loss of privacy would result. There would be a separation distance of approximately 30m between the rear elevation of 1 Russetts and the dwelling proposed on Plot 3, with the orientation of the properties also being at right angle to each other.
- 12.10 Having regard to the above distances and relationships, it is clear that the proposed dwellings will not harm the amenity of existing or the prospective residents in terms of overlooking, outlook or loss of privacy in accordance with stated policies above.
- 12.11 Officers have reviewed the proposed waste management from the new dwellings, which will be serviced via Garland Way, and this arrangement demonstrates a convenient, safe and accessible solution to waste collection in keeping to guidance from within Policy DC40 on 'Waste Recycling' of the LBH's 'Development Plan Document' 2008..

12.12 Having regard to all of the factors above, the impact of the proposal on the amenity of these neighbouring properties are considered to be within acceptable limits.

12.13 For these reasons and subject to conditions, officers consider that the proposal would accord with the relevant policies with regards to safeguarding residential amenity.

13 Ecological impacts/trees

13.1 Policies CP16, DC58 and DC60 of the Havering Core Strategy seek to safeguard ecological interests and wherever possible, provide for their enhancement. The emerging Local Plan, Policy 30 states that the Council will protect and enhance the Borough's natural environment and seek to increase the quantity and quality of biodiversity by ensuring developers demonstrate that the impact of proposals on protected sites and species have been fully assessed when development has the potential to impact on such sites or species. The policy goes on to state that it will not permit development which would adversely affect the integrity of Specific Scientific Interest, Local Natural Reserves and Site of Importance for Nature Conservation, except for reason of overriding public interest, or where adequate compensatory measures are provided. The Council has also adopted the 'Protecting and Enhancing the Borough's Biodiversity' SPD (2009). This requires ecological surveys of sites to be carried out prior to development.

13.2 A full Arboricultural Report was undertaken with regards to the presence of trees on the site. The proposed development will result in 27 trees being removed. 22 of the trees are said to be suffering from Ash dieback and would need to be removed for arboricultural reasons. The remaining 5 are Category B (3) and C (2) trees. None of the Trees to be removed have Tree Preservation Orders .

13.3 The layout aims to retain those trees of greatest value and that are most sustainable on the site and through the provision of native landscaping around the site frontages, the proposal will retain a natural landscape feel and function and will make a positive contribution to bio-diversity. Two Oak tree on site are proposed to be retained.

13.4 In order to adequately mitigate for the loss of these trees, an indicative Landscape Plan has been prepared which includes replacement tree planting comprising 8 new trees. These are located principally in the rear gardens of the properties, with a single replacement tree on the Garland Way frontage within Plot 2.

13.5 In addition a full ecological survey was commissioned with a walk-over study undertaken which encompassed the site in its entirety including the land adjacent to the site to the west forming the grounds of Ardleigh House. The survey area is considered to be of moderate suitability for roosting, foraging and commuting bats, supporting numerous trees and hedgerows associated with the boundary features on site, which provide connectivity to the wider landscape and further suitable roosting, foraging and commuting habitats.

13.6 The development proposals, which include removal of some existing tree, will result in the loss of potential known bat roosts. However, suitable mitigation has been provided to safeguard bats and ensure their conservation status is maintained. With these mitigation measures in place, the Local Planning Authority has sufficient information to deal adequately with bats from a planning perspective, and can apply and satisfy the third test of the Conservation of Habitats and Species Regulations 2010 (as amended) prior to determination.

13.7 It is acknowledged that a European Protected Species (EPS) licence will be required to proceed lawfully. Natural England may require a number of up-to-date activity surveys for a licence to be issued, consequently these need to be factored into any development timescale.

13.8 Havering Council Ecology and Landscape Advisors were consulted and have advised that on the basis of the above, bats should not be regarded as a constraint to these development proposals and the application can be determined accordingly. Subject to suggested conditions and informatives in accordance with Local Plan policies CP16, DC58 and DC60, Policy 30 of the emerging Local Plan and the relevant paragraphs of the NPPF

14. Flood risk

14.1 Local Plan Policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised, whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed.

14.2 The Council's Strategic Flood Risk Assessment maps show that the site is not located in a higher risk flood zone London Plan policies SI12 and SI13 state that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and this objective is reiterated in Policy DC48.

14.3 The Drainage Report proposes sustainable drainage systems (SuDS) in order to achieve a greenfield runoff-rate. This will be achieved through the use of a permeable surface for all driveways and hardstanding. The proposed SuDS features will ensure flood water will be safely contained within the site boundary up to and including the 1 in 100 year event plus 40% climate change. In this regard, and subject to the imposition of suitable conditions, the proposal would give rise to no conflict with the above stated policies.

14.4 Furthermore, prospective purchasers will be encouraged to incorporate rainwater harvesting measures within the design to further deliver the Borough's sustainability targets. This will form part of the design which is reserved.

15. Conclusion

15.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy,

consultation responses and all other material planning considerations, it is considered that the proposal would not harm the form and character of the surrounding area, the residential amenity of the occupants of neighbouring properties or result in any highway issues subject to the monitoring of safeguarding conditions.