



Havering

LONDON BOROUGH

PLANNING COMMITTEE AGENDA

7.30 pm

Thursday
9 February 2023

Havering Town Hall,
Main Road, Romford

Members 7: Quorum 4

COUNCILLORS:

**Conservative Group
(3)**

Philippa Crowder
Robby Misir
Carol Smith

**Havering Residents' Group
(3)**

Reg Whitney (Vice-Chair)
Gerry O'Sullivan
Bryan Vincent (Chairman)

**Labour Group
(1)**

Matthew Stanton

For information about the meeting please contact:

**Christine Elsasser 01708 433675
christine.elsasser@onesource.co.uk**

**To register to speak at the meeting please call 01708 433100
Before Tuesday on the week of the meeting**

Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.

Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.

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:-

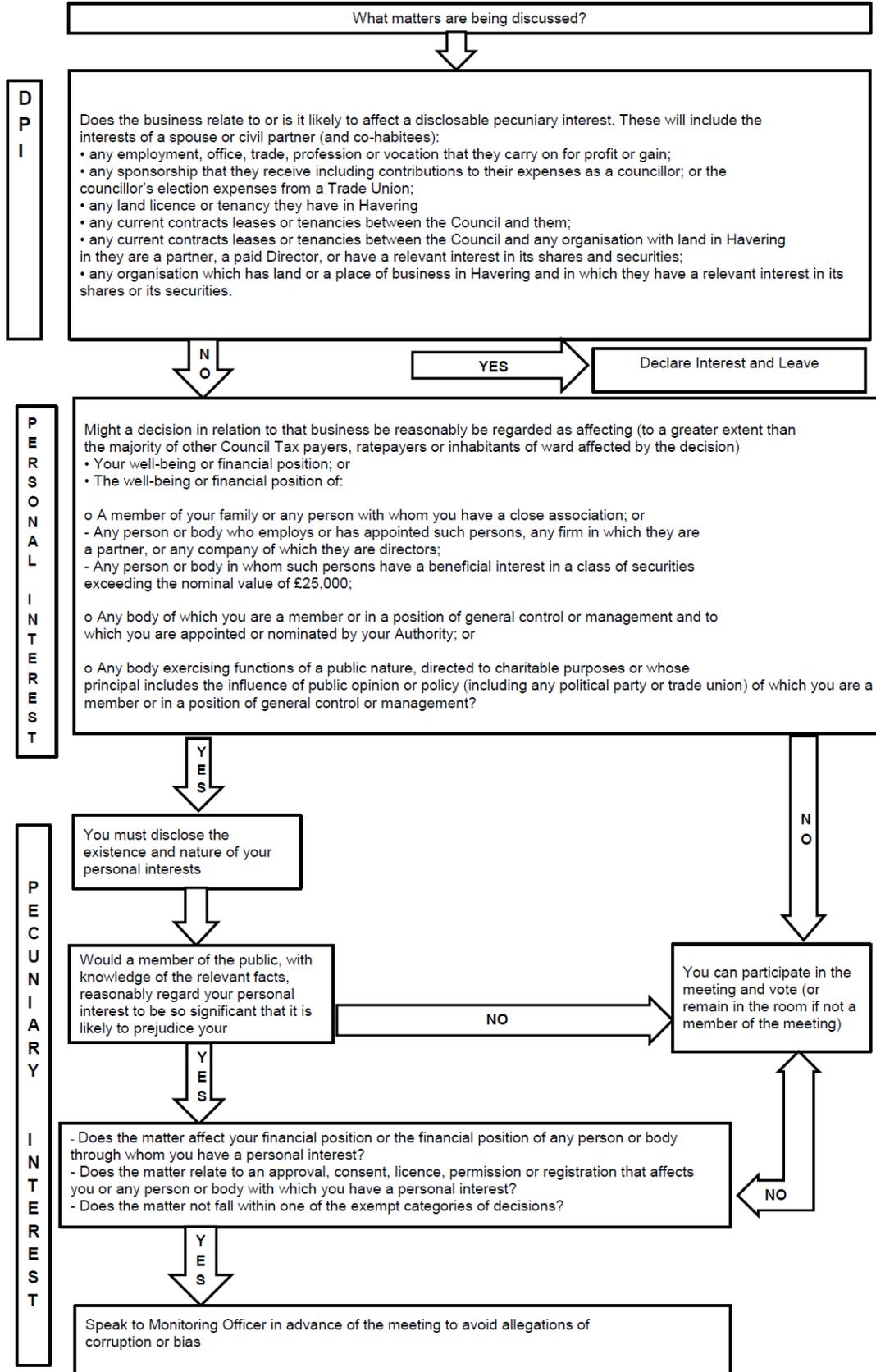
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, 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 12 JANUARY 2023 (Pages 1 - 4)

To approve as a correct record the minutes of the meeting of the Committee held on 12 January 2023 and to authorise the Chairman to sign them.

5 APPLICATIONS FOR DECISION (Pages 5 - 8)

See attached document.

6 P1723.22 14 WAYSIDE CLOSE ROMFORD (Pages 9 - 16)

Report attached.

7 P0645.22 HYLANDS PRIMARY SCHOOL GRANGER WAY (Pages 17 - 30)

Report attached.

8 P2062.21 LAND TO THE SOUTH OF FERRY LANE SOUTH (INCLUDING RIVERSIDE WALKWAY AND EMBANKMENT) (Pages 31 - 38)

Report attached.

**Zena Smith
Democratic and Election Services
Manager**

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**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
Havering Town Hall, Main Road, Romford
12 January 2023 (7.30 - 9.20 pm)**

Present:

COUNCILLORS:

Conservative Group	Robby Misir, +John Crowder and +Ray Best
Havering Residents' Group	Bryan Vincent (in the Chair) Reg Whitney (Vice-Chair) and Gerry O'Sullivan
Labour	Matthew Stanton

Councillor Christine Smith was also present for parts of the meeting.

There were 10 members of the public present at the meeting.

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.

51 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Carol Smith (Councillor Ray Best substituted) and Councillor Philippa Crowder (Councillor John Crowder substituted).

52 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

53 MINUTES - 20 OCTOBER 2022

The minutes of the meeting of 20 October 2022 were agreed as a true record of the same and the Chair was authorised to sign them.

54 **P0229.22 - 88 HARROW DRIVE HORNCHURCH**

The report before the Committee was an application for a single storey, 3-bed, detached bungalow with associated parking and amenity space.

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

A Councillor call-in has been received which accords with the Committee consideration criteria.

The application had been called-in by a Ward Councillor. With its agreement Councillor Christine Smith addressed the Committee.

The report recommended approval of planning permission, however following a motion it was **RESOLVED** to **DEFER** in order for officers to seek further clarification from the applicant on construction access to the site.

The motion for deferral was raised by Councillor Reg Whitney and was seconded by Councillor Robby Misir.

55 **P1723.22 14 WAYSIDE CLOSE ROMFORD**

The report before the Committee was an application for a proposed outbuilding to rear, ancillary to main dwelling, following removal of existing outbuilding.

A Councillor call-in has been received which accords with the Committee consideration criteria.

The application had been called-in by a Ward Councillor. With its agreement Councillor Robby Misir addressed the Committee.

Following addressing the Committee, Councillor Misir left the Chamber and did not participate in the committee deliberations.

The report recommended approval of planning permission, however following a motion it was **RESOLVED** to **DEFER** in order for officers to seek further clarification from the applicant on the level condition for construction.

The motion for deferral was raised by Councillor Reg Whitney and was seconded by Councillor Matthew Stanton.

56 **QUARTERLY MONITORING REPORT**

The Committee considered the quarterly reporting of performance to the planning committees and **RESOLVED** to note the contents of the report.

Chairman

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Agenda Item 5

Applications for Decision

Introduction

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

Advice to Members

Material planning considerations

4. The Committee is required to consider planning applications against the development plan and other material planning considerations.
5. The development plan for Havering comprises the following documents:
 - London Plan Adopted March 2021
 - Havering Local Plan 2016 – 2031(2021)
 - Site Specific Allocations (2008)
 - Site Specific Allocations in the 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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 <p>Havering LONDON BOROUGH</p>	<p>Planning Committee</p> <p>9th February 2023</p>
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Application Reference:	P1723.22
Location:	14 Wayside Close Romford
Ward	Marshalls & Rise Park
Description:	Proposed outbuilding to rear, ancillary to main dwelling, following removal of existing outbuilding.
Case Officer:	Aidan Hughes
Reason for Report to Committee:	A Councillor call-in has been received which accords with the Committee Consideration Criteria

1. BACKGROUND

- 1.1 This application was last brought to the 12th January Planning Committee. At that meeting, Members resolved to defer a decision on the application in accordance with Officers request to provide further details in relation to the location of the proposed outbuilding and where the overall height was going to be taken from, be it from the ground level of the garden or from the raised area to the rear of the garden which is accessed by two steps from the garden level.
- 1.2 The agent has provided revised plans following the deferral of the application. The main content of the report set out below is the same as that reported on 12th January 2023. No re-consultation was required as the revised plans were sought for clarity and transparency reasons and there was no change from the initial submission. The application was called-in to committee by the Local Ward Councillor on the grounds of the size and mass of the proposed building.
- 1.3 The revised plans confirm that the proposed outbuilding to be used for a gym/playroom with storage and w.c would be built at the main (lower) garden level and not the raised area which is accessed from the garden level by the two steps as shown on the photos.

2. SUMMARY OF KEY REASONS FOR RECOMMENDATION

It is considered that the proposed outbuilding would not unacceptably impact on the character of the immediate vicinity. The proposal is acceptably designed, would not unduly impact upon the street scene or the immediate garden scene. It is viewed that the proposal would not unacceptably impact on the amenity of the adjacent residents in terms of overshadowing, loss of light and loss of privacy. There is no impact on highway safety and off road parking guidelines are met.

3.1 RECOMMENDATION

3.1 That the Committee resolve to grant planning permission subject to suggested planning conditions:

3.2 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions and an informative to secure the following matters:

Conditions

1. SC04 – Time limit
2. SC10C – Materials as per application form
3. SC32 – Accordance with plans.
4. SC33 – Incidental Use
5. SC34B – Obscure Glazed Flank Window with fanlight openings only
6. SC46 – Standard Flank and Rear Window Condition.

Informatives

1. INF28 – No negotiation required

4 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

4.1 The application site comprises of a detached residential two storey dwelling house with an attached garage. The front garden is block paved to provide off-street car parking. The property is not listed, nor is it within a conservation area. It is noted that there are trees within the rear garden but none are protected by a Tree Preservation Order. The surrounding area is residential in nature, containing mainly semi-detached and detached properties.

Proposal

4.2 The applicant is seeking planning consent for a proposed outbuilding within the rear garden to be used for a gym/playroom with storage and w.c, following the removal of the existing structures.

4.3 Planning History

P1006.00 – Single storey side/rear extension – Approved.
P0593.07 – Two storey side extension - Approved

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5.2 Consultation of Statutory Consultees were not required.

6 LOCAL REPRESENTATION

6.1 A total of 5 neighbouring properties were notified about the application and invited to comment.

6.2 The number of representations received from neighbours in response to notification and publicity of the application were as follows:

No of individual responses: 1 objection

Representations

6.3 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:

- Inaccuracies on the Design Access Statement (DAS) which is misleading.
- Refers to property being a 3 bed semi-detached when it is a 4 bed extended detached property.
- The proposal replaces a gazebo and not an outbuilding as stated in the DAS.
- Resident considers the proposal to be too large and in particular its depth within the garden.
- The proposal will remove two large mature ash trees and a former Oak tree however it does not give any consideration of neighbouring properties trees.
- Concerned regarding the loss of the trees.
- The use of painted render does not match the Council's design guide.
- A contemporary design using high quality materials such as ash or cedar cladding.
- The front elevation indicates a mixture of glazing fenestration which is unusual which may indicate the internal sub-division.

- Potentially the proposal could be used for separate and permanent living accommodation.
- The proposal would set a precedent if the proposal is approved.
- To the rear of a garden is “French drain” which runs towards Raphael’s Lake.
- In high levels of rainfall, the ground becomes saturated until it naturally drains through into the substructure. The proposal would sit across this route which may hinder this function. The trees themselves play a part in mitigating this.

6.4 The proposal was called in by Councillor Robby Misir to be determined at a planning committee meeting on the following grounds:

- Size and mass of building

7 MATERIAL PLANNING CONSIDERATIONS

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

- Design and the impact on the street / garden scene
- Impact on the amenity of the residents of the neighbouring properties
- Impact on the highway and parking
- Environmental and Climate Change Implications

7.2 **Visual impact arising from the design/appearance on the area.**

- The Residential Extensions and Alterations Supplementary Planning Document and Havering Local Plan Policies 7, 24 and 26 are material to the assessment of this application.
- The proposed outbuilding within the rear garden would be used for a gym/playroom with storage.
- It is evident that the proposed outbuilding would be visible when viewed from the rear gardens and rear facing windows of the properties in Wayside Close and from the properties at the side and rear within Lake Rise and Rosemary Avenue and therefore particular care needs to be exercised. In this respect guidance set out in paragraph 9.5 of the Residential Extensions and Alterations SPD states that:-
 - "The outbuilding should be subordinate in scale to the existing dwelling and to the plot. In assessing proposals, the Council will consider factors such as the scale, height, proximity to boundaries, roof design, finishing materials and prominence in the street scene or rear garden environment. As with all extensions, outbuildings

should not detract from the character of the area and should be unobtrusively located to the side and rear of the existing dwelling".

- Paragraph 9.6 goes on to say
 - "The design of outbuildings should reflect their intended use. Outbuildings should not cause undue loss of light to neighbouring properties or adversely affect the living conditions of neighbouring properties".
- The proposed outbuilding will be set off the side boundaries by 0.75m with the proposal being set off the rear boundary by 0.8m. The submitted plans show that the outbuilding would measure 10.7m wide and 7m deep with a hip roof that would have an eaves line of 2.8m rising to an overall height of 3.8m. The revised plans received following the deferral show that the height is taken from the main garden level. It is considered that the proposed outbuilding, given the overall size of the garden (approximately 38m deep) and location at the far end of the garden, would not unacceptably impact on the rear garden and is considered to be within the realms of acceptability. No objections are raised from a visual point of view.

7.3 Impact on the amenity of the residents of the neighbouring properties

- Consideration has been given to the impact of the proposal on the neighbouring properties, primarily in respect of overshadowing, loss of light and loss of privacy.
- Following the deferral of this application, the revised plans confirmed the raised surface in which the decked area and gazebo is located on will be removed and the proposal would be constructed from the ground level of the garden and not the raised area.
- The proposed outbuilding would be used for a gym/playroom with storage and would be located at the bottom of the garden, away from the properties on Wayside Close, Rosemary Avenue and Lake Rise. The roof of the outbuilding would have an eaves line of 2.8m and it would be hipped away from the boundaries on either side to minimise the overall height of 3.8m.
- It is considered that the proposed outbuilding would not unacceptably impact on the amenity of the adjacent neighbours through loss of outlook, light or undue overshadowing.
- In considering any planning application, the Council are required to assess the application as currently submitted for a gym/playroom with storage. Concerns have been raised that the outbuilding would be "used for separate and permanent living accommodation" however, that is not proposed and the application can only be assessed on the details submitted.

- It is considered that the proposal would not result in any undue overlooking or loss of privacy from the proposed development.
- Given these circumstances and mindful of the general presumption in favour of development, it is considered any impact upon the adjacent neighbours to be modest and within that envisaged as acceptable within guidelines.
- To safeguard the privacy of the adjacent neighbours, three conditions would be imposed to ensure that no opening would be added to the sides or rear elevations of the outbuilding, the flank window to the bathroom would be obscured glazed and fixed shut apart for an open-able fanlight and that the outbuilding will only be used for incidental purposes unless specific permission is obtained in writing from the Local Planning Authority.
- Overall, the development is considered to fall within the guidelines in the Supplementary Planning Guidance (Adopted 2011) for householder extensions and the proposal is not deemed to be unneighbourly.

7.4 Impact on the highway and parking

The application site is within a PTAL area of 1a. As per Policy 24 of the Havering Local Plan for a site within a PTAL 0 - 1 that has 3 bedrooms, the site only needs to provide a minimum parking provision of 1.5 spaces per dwelling. The application site is able to accommodate potentially three vehicles, two on the drive and one in the garage. As a result, no highway or parking issues would arise and the proposal would comply with Policy 24.

7.5 Trees and Landscaping

Four trees will be removed to make way for the proposal. It is noted that the trees are not protected by Tree Preservation Order within the site or the adjoining land and therefore the trees can currently be removed without requiring planning consent. Although the trees are mature, the trees are not considered to be particularly visible from public views which is one of the main criteria for considering whether trees should be protected. Issues regarding damage to neighbouring trees are not considered to be a particular issue in this case given that they are unlikely to be seriously affected.

7.6 Environmental and Climate Change Implications

A concern has been raised regarding drainage. It should be noted that, under permitted development, up to half the rear garden could be occupied by buildings and the whole by hard surfaces without any requirements in relation to drainage. A building of the size proposed would not likely create significant drainage issues. No specific measures to address climate change are required to be secured in this case.

7.7 Financial and Other Mitigation

Given the limited scale of the proposals, no specific measures to obtain financial agreements are required to be secured in this case.

7.8 Equalities

The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The application, in this case, raises no particular equality issues.

7.9 Conclusions

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 9th February 2023
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Application Reference: P0645.22

Location: Hylands Primary School
Granger Way

Ward; St Albans

Proposed development

Variation of Condition No. 2 (Parking Provision) of planning permission (Ref; P1948.08) dated 23/03/2009 granted for the “erection of a two storey primary school building; formation of accesses from Granger Way (vehicular) and Benjamin Close (pedestrian); formation of multi-use games area with floodlighting; associated hardstanding, playgrounds, car parking, servicing and landscaping”, to permit the wider use of the carpark by local community.

Case Officer: Habib Neshat

Reason for Report to Committee: The original application was of strategic importance.

Summary of Key Reasons for Recommendation

- 1.1 The proposal would have the potential to reduce on-street parking pressure on the roads surrounding the site resulting in improvement to the free flow of traffic.
- 1.2 The proposal would also have the potential to improve road safety by averting the need for visitors to cross roads.
- 1.3 There would be no significant impact upon the amenities of the adjoining occupiers.
- 1.4 There would be overall improvement in air quality.
- 1.5 The proposal would particularly benefit, elderly, or those with impaired mobility, thereby complying with the provision of the Equality Act

2 Recommendation

- 2.1 That the Committee resolve to grant planning permission subject to the following conditions;

Conditions

1. The area set aside for car parking shall be retained permanently for the accommodation of vehicles visiting the school, together with, outside of main school hours, the wider use of the carpark for those visiting nearby community facilities.

Reason:

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

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

Reason:

To prevent loss of privacy.

3. The cycle storage shall be permanently retained.

Reason:

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

4. The travel plan shall be updated annually and the mitigating measures shall be implemented in accordingly with the agreed programme of monitoring and review.

Reason:

In the interests of encouraging safe and sustainable modes of travel.

5. Within six months from the date of this application, 20 percent of the existing car parking spaces shall be fitted electric charging point with a minimum of 10 percent to include active electric charging facilities.

Reason;

In the interests of encouraging sustainable modes of travel.

6. The CCTV system which has already been installed for the safety of users and the prevention of crime shall be permanently retained.

Reason

In the interest of creating safer, sustainable communities.

7. The approved, Community Use Scheme, shall be maintained as approved, and any upgrade shall be submitted to and agreed in writing prior to its implementation. All upgrades schemes shall include details of access policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review.

Reason:

To secure well managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

8. The approved sports facilities in Hylands Park, which has been completed and accords with Sport England Design Guidance Notes shall be permanently retained.

Reason:

To ensure the development is fit for purpose, subject to high quality design standards and sustainable.

9. The scheme for the replacement, improvement and maintenance of the playing field drainage, as implemented in accordance to the previously approved details shall be maintained.

Reason:

To ensure the quality of the pitches is satisfactory and they are available for use.

10. No floodlighting, other than that approved and implemented around the Multi Use Games Area (MUGA), shall be erected on site without the prior consent in writing of the Local Planning Authority. The lighting around the MUGA shall be permanently retained.

Reason:

In the interests of amenity

11. The floodlighting shall not be used outside the hours of 08.00 and 21.00 hours on any day.

Reason:

In the interests of amenity.

Informatives

NPPF positive and proactive

Site and Surroundings

- 3.1 The application site is Hylands Primary School in Granger Way. The school faces west onto Granger Way and Benjamin Close. The part of the school site

involved in this application relates to the existing car park. The site is surrounded by residential development to the north, west and south and by Frances Bardsley School for Girls to the east. Both Granger Way and Benjamin Close are no-through roads but also provide access to residential properties.

- 3.2 Hylands Primary School is a 3 Form Entry Primary School with a nursery and is currently attended by a total of 585 primary age pupils. The school also has a nursery on site that has 46 pupils. The school has a total of 81 members of staff employed at the school between full-time and part-time staff, which equates to 53 full-time equivalent (FTE) staff.
- 3.3 Hylands Primary School benefits from 46 car parking spaces. As well as a coach park. All cars, including the coach can enter and egress the site in forward gear manner.
- 3.4 The streets surrounding the school are predominantly residential; however, there are also a number of commercial properties to the west of the sites. To the south of the school lies Hylands Park and further residential neighbourhoods.
- 3.5 Pedestrian access to the Hylands Primary School is taken from Benjamin Close. The northern side of the street provides a continuous footway. The footway on the south side of the carriageway is not continuous due to the presence of parking bays and a turning area.
- 3.6 The majority of footways in the surrounding area are wide and of good quality, with street lighting columns provided at frequent intervals. A zebra crossing is located on Brentwood Road, approximately 15m to the northeast of Frances Bardsley Academy's vehicle entrance, and provides a safe means for pedestrians to cross the carriageway. A zebra crossing is also located to the southwest of the junction with Globe Road.
- 3.7 Immediately to the north of the junction with Benjamin Close and Globe Road, an uncontrolled pedestrian crossing is provided. The crossing is provided with a raised table with build-outs, bollards and tactile-paving and is marked with double yellow lines to prevent parking.
- 3.8 Most houses in Granger Way benefit from front drive with dropped kerbs.
- 3.9 The nearest bus stop to the Hylands Primary School is located on Brentwood Road, approximately 180m (two-minute walking distance) to the north of the school main entrance.
- 3.10 Benjamin Close is subject to residential controlled parking zone (CPZ), between Monday to Saturday, 8:30 – 18:30. The street is subject to single yellow line

restriction along both sides of the carriageway with 'School Keep Clear' markings in the vicinity of the pedestrian access to the site, at the end of the street. Benjamin Close is subject to a 20mph speed restriction.

- 3.11 Granger Way is subject to double yellow line restrictions along the majority of the road. There are 34 parking spaces along the footway of the road marked with white lines and have a different surface finish to that on the footway. These spaces are subject to CPZ restrictions and are dedicated to resident permit holders only between Monday to Saturday, 08:30 – 18:30. Granger Way connects with Brentwood Road via a priority junction to the north of the site. The junction is marked with double yellow lines that prevent parking at this location. Granger Way is subject to a 30mph speed restriction.

4. Proposal and location details

- 4.1 The planning application is seeking a Variation of Condition No. 2 (Parking Provision) of the planning permission (Ref; P1948.08) dated 23/03/2009 that permits wider use of the car park by the local community and the Church.

Planning Condition No. 2 states the following:

“Before the building (s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

The application has stated that the intended use of the car park will include the following:

1. Staff employed at the school can use the car park during the school day. This includes the time when breakfast club, after-school clubs, parents evening, any other school events etc. are taking place;
2. Parents of pupils with accessibility needs (and parents with accessibility needs) have been issued passes to allow them to pick up and drop off. They are not permitted to park long term.
3. Community use during evenings and weekends on the days and hours when the school is open for visitors using the school facilities;

4. Coach access by both the school and community use;
 5. Church parking during out-of school hours, as per agreed schedule with the school;
 6. Any other occasional lettings of the car park that will be agreed between the school and any other third party.
- 4.2 The applicant has also proposed to introduce electric charging point to the existing car park.
- 4.3 It should be noted that, the existing condition would permit any vehicle visiting the site to use the school facilities – during the school, pre-school or after school hours, could use the car park. That follows that, the items 1 to 4 above could already be carried out (except for coach parking for community use).
- 4.3 The proposal variation of condition would widen the scope of use of the car park for the community use, only when the school would not be in operation.

Planning History

- 5.1 The original planning permission (Ref P1948.08) was granted for the 'Erection of a two storey primary school building; formation of accesses from Granger Way (vehicular) and Benjamin Close (pedestrian); formation of multi-use games area with floodlighting; associated hardstanding, playgrounds, car parking, servicing and landscaping - Approved with Conditions on 23-03-09.
- 5.2 Planning permission (Ref;P0320.16) was granted for the Installation of a single storey flat roof demountable building for use as classroom - Approved with conditions on 19-07-16
- 5.3 Planning permission (Ref P0154.17) was granted for the erection of a 2 Storey block to Rear of school, infill of the existing courtyard area to centre of school. External landscape works to existing car park area to create 30 additional parking spaces, approved on 11-04-17.

Consultation;

- 6.1 611 letters of notifications were sent to the adjoining occupiers. 11 letters of objection have been received, largely concerned with respect to the potential increase in traffic, noise and air pollution.
- There is a concern with respect to noise pollution to those who live on the road.
 - There is no need for this to be approved as similar resources e.g. parking, playground, etc. are available in Hyland Park.
 - This planning application will increase the traffic flow in and around Granger Way which already becomes extremely busy during certain periods.

- The rise in traffic will most likely result in increased greenhouse gas emissions of which cause negative externalities for both the wider public as well children - e.g. Asthma and other associated lung diseases
- Not clear who would be using the car park?
- The council and government should be supporting a green economy and de-carbonising of the United Kingdom. Therefore, the car park would have to house electric car charging points
- No Environmental assessments have been undertaken as per previous applications.
- The condition with respect to the school extension has not been discharged. No action with respect to this should take place until the outstanding conditions are discharged.
- The residents of Granger Way objected all other application with Petitions and there is currently a petition in place before this application was processed that the Planning Department and Havering Council are fully aware of before the application was applied for.
- The car park to school is not needed, because, children can walk to school, or use scooters and bicycles, this would lower the pollution level and there would be no screaming /shouting and beeping by parents
- There are significantly more trip generation as originally envisaged by the council when first the school scheme was granted.
- There should be no action until such time all previous conditions with respect to planning permission for the development of the school extension has been discharged.

6.2 The council has also received 33 letters of support.. The followings comments are example of comments raised in support of the application, the main points are as follows; .

- The church generate 40 cars to the area on Sunday occupy various on-street parking on nearby street, causing congestion and inconvenience with the existing residents and church attendees. A significant number are elderly, and vulnerable, crossing the roads are generally hazardous. There has been a number incidents crossing the roads. The church generate 40 cars to the area on Sunday, they occupy various on-street parking on nearby streets, causing congestion and inconvenience with the existing residents and church attendees.

- There is a direct access from the car park to the church which would keep the people out of Granger way.
- The use of the car park would improve the highway safety and would prevent overloading on street parking and avoiding unnecessary crossing of a very busy road by the elderly and people with push chairs.
- Allowing the church to use the school car park will benefit local residents and church attendees as it will take cars off the road outside local residents' homes, thus not taking away residents spaces.
- The church and the school are important to the local community and the approval of this Application will enable both to better serve the people around them. It is important for the school to be able to generate revenue from letting out its premises and the car park for community groups. The highway safety consideration should be prioritised.
- The existing church (Romford Evangelical Free Church) has no parking on its site at present. The existing school car park is only used to a small amount of its capacity on Sundays for activities held on the school grounds. The use of the same school car park by the neighbouring church for members to park for Sunday services will both allow more efficient use of an existing car park facility for the community but also minimise the need for those attending services to park on nearby streets.

Internal and External Consultation:

The following responses were received from statutory and London Borough of Havering consultees:

The following consultees have commented as part of the consultation;

LBH Highway officers

No comment received

Environmental Health –

There is no objection to the scheme subject, any use of the car park shall be in prior agreement with the school.

7. Material Planning Considerations;

7.1 The main issues to be considered;

- Whether the proposal would have an acceptable impact upon highways condition.
- Whether the proposal would have an acceptable impact upon the amenities of the adjoining occupiers.

- Whether the proposal would have an acceptable impact upon air quality
- Whether the proposal would have an impact of people of protected characteristic group as defined in the Public Sector Equality Duty.

Impact upon highways condition

- 7.2.1 The issue with respect to highways condition is quite important and needs careful consideration. The NPPF, London Plan as well as the adopted local policies, all seek to combat congestion on the roads, reduce air pollution, reduce traffic hazards, and bring about a healthier lifestyle.
- 7.2.2 Policies T1 - T6 of the London Plan seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network. The London plan seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel plans aim to reduce reliance on private means of transport.
- 7.2.3 This is also echoed by policy 23 of the adopted Local Plan which indicates proposals will not be supported where they would have an unacceptable adverse impact on the capacity or environment of the highway network.
- 7.2.5 It is apparent that issues with parking/traffic associated with the school has been a source of concern by some residents, in particular those living in Granger Way, for a number of years. Particular concerns raised relate to congestion on the roads within the vicinity of the site, in particular during drop-off and pick-ups and the over-spill of parked cars associated with the use of the education establishments nearby onto the surrounding roads. Objections to the current application include a number that relate to issues during the school day. However, the current application is in relation to the use of the car park outside of schools hours.
- 7.2.6 The applicant has provided full detailed highways assessment with respect to the current operation of the school in terms of car parking, walking, cycling and deliveries to the school, which makes the following points:
- Hylands Primary School benefits from 46 car parking spaces, as well as a coach park. All cars, including the coach can enter and egress the site in forward gear.
 - There are appropriate pedestrian access point to the school. Vehicular access is provided from Granger Way, which provides direct access to the car park. This access is also used by delivery, servicing, refuse, emergency vehicles and coaches. It is prohibited for pupils to enter the school via

Granger Way due to a lack of footway provision or pedestrian gate at this location.

- There is a pedestrian gate between the school and Romford Evangelical Free Church. Staff that arrive on foot, or by public transport can access the school site from Benjamin Close, or using the connection through the church land.
- The school benefits from cycle and scooter parking facilities.
- A significant number of properties in the area benefit from off road car parking spaces.
- The school has detailed delivery and servicing plan.
- There are parking bays, parking restriction, zebra crossing and other road safety measures in the surrounding roads.
- There is no existing/inherent road safety risk present at school drop-off and collection times.
- The school has a Travel Plan that has achieved Gold Accreditation and has been last updated in 2022. The school continues to update the Travel Plan on an on-going basis.

7.2.7 It should be emphasised the planning application only relates to the use of the car park outside the school hours.

7.2.8 With respect to the proposed scheme, there would be no additional car parking pressure or highway issues during the normal operation hours of the school. The scheme would entail the use of the car park outside school operational hours.

7.2.9 The car park use would be for those who drive to visit community facilities in the local area, such as those attending the local church. It is likely that those attending the church already arrive by car but currently park on the surrounding roads.

7.2.10 The applicant has stated that there are approximately 40 worshipers who arrive by car for a Sunday morning service who currently use on-street parking. This level of parking on surrounding road, adds pressure on the existing capacity and would lead to situations where people would be likely to park inconsiderately and cause frustration for local residents.

7.2.11 The proposal would likely benefit the elderly and those with impaired mobility as well as families with small children, as they will not have to cross the busy Brentwood Road to attend activities at the neighbouring church.

7.2.12 In conclusion, in highways terms, it is not considered that the proposed use of the car park would result in any significant traffic or parking issues in surrounding roads.

Impact upon the amenities of the adjoining occupiers;

7.3.1 The existing condition as worded, would permit anyone using the school facilities to be able to use the car park. There is no restriction in terms of the hours or days where the school car park could be used by those visiting the school, including any event which may be organised by school during the weekend. The only impact would result from when the car park is not used by the school.

7.3.2 The car park in Hylands School is approximately 20m away from the buildings in Granger Way and that it is well screened by shrubs and trees. Given the low speed of the traffic in the car park it would be unlikely that the use of the car park would result in any significant noise upon the amenities of those residing in Granger Way who would be closest to the car park.

7.3.3 The entrance to the school car park is within the proximity of Brentwood Road. Therefore, the cars would only traverse a small stretch of the road before entering the car park. Cars would only pass the first pair of the properties which could likely already subject to some noise from the traffic in the main road. Hence, the proposal would not have a significantly detrimental impact upon the amenities of those residing in Granger Way.

7.3.4 However, as it was detailed above, the use of the car park would likely alleviate parking in roads adjacent to the scheme, with particular reference to potential inconsiderate parking and associated disturbance to the residents. Therefore, overall the proposal would have a positive impact upon the amenities of the local residents.

Air Quality;

7.4.1 Policy 33, explains The Council is committed to improve air quality in Havering to improve the health and wellbeing of Havering's residents. The Council will support development which:

- I. Is at least air quality neutral;
- II. Optimises the use of green infrastructure to reduce pollution concentrations and exposure
- III. Delivers measures to support active travel to reduce emissions
- IV. Meets the targets for carbon dioxide reduction in the London
- V. Minimises emissions from construction

- 7.4.2 The Council has adopted an Air Quality Action Plan which sets out the actions Havering will take to improve local air quality. The AQAP includes a number of actions around sustainable travel to reduce air pollution including work to encourage people to travel to school by foot, cycle or public transport.
- 7.4.3 The applicant has provided a thorough and comprehensive study with respect to air quality assessment with respect to the proposal.
- 7.4.4 The study suggests that the change in predicted PM and NO₂ concentrations at existing receptors in 2019 as a result of the development is considered negligible.
- 7.4.5 Further, the air quality neutral assessment has concluded that the development would meet the transport emission benchmarks. As such, no mitigation measures are required to reduce these emissions.
- 7.4.6 The proposal itself would not likely result in significant additional trip generation. The proposal would allow those already visiting the local area by car to use the car park. Hence, there would be no additional vehicle emissions.
- 7.4.7 The proposal would incorporate the provision of electric charging points to the school car park, thereby seeking to achieve improve in air quality.

EQUALITIES AND DIVERSITY

- 7.5.1 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:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.5.2 For the purposes of this obligation the term protected Characteristics includes: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 7.5.3 There are a number of church goers with mobility problem who would find it difficult park further afield, and cross busy roads. There would be a benefit from being able to park in Hylands school car park on Sundays or at other times when attending the church.

7.5.4 In recommending the application for approval, officers have had regard to the requirements of the Act and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty.

7.6. Other Matters

7.6.1 It should be noted that the Planning permission (Ref P0154.17) which was granted for the erection of a 2 Storey block to Rear of school, was subject to a number of conditions. It would appear that the conditions imposed with respect to the scheme have not been discharged. However, the applicant is currently in process of discharging the conditions, additional studies have been commissioned and preliminary discussion with the planning officers has been concluded.

7.6.2 It is considered that, the non-compliance with conditions would not affect the consideration of this application which only seeks to allow use of the car park by those not attending the school outside of the school's operation period.

Conclusions

8.1 In light of the above, the proposal is considered to be in accordance with national regional and local policy in particular with respect to providing an environment which is accessible to all.

8.2 The proposal would not have a significant impact upon the amenities of the adjoining occupiers., whilst it would result in improvement to highways safety and the free flow of the traffic. The proposal would particularly benefit vulnerable groups especially the elderly and those with disabilities.

8.3 Given this is a variation of condition with respect to a planning permission, all original conditions still relevant to the original scheme would need to be included in this decision.

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 <p>Havering LONDON BOROUGH</p>	<p>Planning Committee 9th February 2023</p>
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Application Reference:	P2062.21
Location:	Land to the South of Ferry Lane South including the riverside walkway and embankment
Ward	Rainham and Wennington
Description:	Public realm improvements to include “Riverside Belvedere” viewing structure, “Museum of Garden Escapes” courtyard garden, access paths, signposting and soft landscaping.
Case Officer:	Angelle Dimech
Reason for Report to Committee:	<ul style="list-style-type: none">A Councillor call-in has been received which accords with the Committee Consideration Criteria.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The application proposes public realm improvements along Rainham Riverside in the form of a viewing structure 'Riverside Belvedere', a courtyard garden 'Museum of Garden Escapes' and additional access paths, interpretation, and soft landscape including trees.
- 1.2 The proposed scale, mass, bulk and design of the development is considered not to result in adverse harm to the character and appearance of the surrounding area and highway and pedestrian users. Subject to the conditions recommended the proposal is considered not to result in an adverse impact on the natural environment. The proposal is considered to be in accordance with the relevant planning policies and guidelines.

2 RECOMMENDATION

2.1 That the Committee resolves to GRANT planning permission subject to the following planning conditions:

- 1) Time limit
- 2) According with plans
- 3) Materials as per application form
- 4) According to Phase 1 Habitat Survey and Management Recommendations (Complete Ecology Ltd, February 2022) and email entitled, '1904 Rainham Riverside - Planning Appl P2062.21.
- 5) Secure by Design
- 6) Provision of Lifesaving equipment
- 7) Construction environmental management plan biodiversity (CEMPD)
- 8) A Biodiversity Enhancement Strategy
- 9) Landscape and Ecological Management Plan (LEMP)
- 10) Landscaping
- 11) Cycle Parking

2.2 That the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives.

3 PROPOSAL AND LOCATION DETAILS

3.1 Site and Surroundings

The application site is approximately 0.804 hectares and comprises of an irregular piece of land which is mostly vegetation and paths. It has different site levels. In the past, part of the northern end of the site was occupied by The Three Crown Inn, which has since been demolished.

To the north of the site sits a construction site, to the east is part Ferry Lane and partly grassland, to the south lies Tilda Rice Ltd and to the West is grassland and the Thames riverwall. The site is approximately 400m west of Rainham Marshes.

The application site is not in a conservation area and has no listed buildings on site. It is in flood zone 2 and 3. Forms part of Riverside Opportunity Area.

3.2 Proposal

The proposed development seeks public realm improvements in the way of a viewing structure called "Riverside Belvedere" and a courtyard garden called "Museum of Garden Escapes". The proposal also seeks to add access paths and improve on some of the paths, signposting and soft landscaping including trees.

3.2 Planning History

The following planning decisions are relevant to the application:

U0015.09 – Construction and enhancement of part of Rainham Riverside Walkway/Cycleway adjacent to River Thames including environmental improvements and associated landscaping – AwC December 2009

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:

- Highways – no comments received to date
- Waste & Recycling – the proposal does not involve the domestic waste collection
- Environmental Health – consider there may be issues from noise and dust from adjoining waste facility and increased use by public may lead to more complaints about the impact; recommend a condition to mitigate any dust/noise issues.
- Designing Out Crime Officer – no objection subject to pre-commencement condition.
- Port of London Authority (PoL) – no objection subject to pre-commencement condition.
- Education – no comments received to date
- RSPB – no objection but suggests the use of native trees.
- Environment Agency – no objection
- Lead Local Flood Authority - no comments received to date
- London Riverside (BID) – no response received
- Natural England – no objection
- Place Services (Ecology) – no objection subject to pre-commencement conditions
- Place Services (Landscaping) – no objection subject to pre-commencement conditions

5 COMMUNITY ENGAGEMENT

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

5.2 The engagement was in the form of a questionnaire circulated to the local businesses and local employees. The results show that employees thought that the improvements to the site would contribute to better nearby facilities for their lunch breaks. Other matters included vermin and dust from the adjacent waste processing site however these matters are not considered within the control of the developer.

6 LOCAL REPRESENTATION

6.1 Neighbouring properties were notified about the application and invited to comment. The application has been publicised by way of site notices displayed in the vicinity of the application site.

6.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application was 1 response which supported the proposal.

6.3 Councillor Durant made representations:

Concerned about aspects of the scheme and how it impacts on future plans for a Conservation Park in the area. (Officer's comment, will be addressed within the material planning consideration section)

7 MATERIAL PLANNING CONSIDERATIONS

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

- Design & Materials
- Impact on amenity
- Highway/parking
- Environmental and Climate Change Implications

7.2 Design & Material

Riverside Belvedere:

On the southern part of the site, a raised viewing structure with a roof "Riverside Belvedere" is proposed to offer views across, up and down the River Thames and the surrounding area. The proposed structure would be approximately 16m by 10m and approximately 6m at its highest point. It would be built at the intersection of two paths. The proposed structure would be partly uncovered and partly covered with an asymmetrical roof. The form of the Belvedere would have an irregular shape and would respond to the distinctive triangular shape of the wider context of the site in which it sits. Access would be both by steps and ramp. Corten steel is the proposed material. It is considered a good quality material and generally used for this kind of project as the natural ageing of the material "rust" would become embedded and part of the surrounding natural environment.

The location of the proposed structure together with the proposed height above the river wall would allow panoramic views across and up and down the River Thames. The structure offers some shelter from the elements without impeding views of the surrounding natural environment. Its design offers a balance between shelter, seating and appreciation of views and the natural environment.

Museum of Garden Escapes:

It is a memorial to the Three Crown Inn and seeks to rebuild the perimeter of the Inn which would be made of concrete to act as seating. Breaks in the perimeter and structures, representing 2 doorways and 6 windows of the original Inn. The doorways would allow users to get inside the "Inn" which is proposed with 3 raised planting beds. The concrete perimeter would be 0.45m high and the planting beds would be 0.25m high. The height of the proposal and the permeability of the openings, would respect the open character of the

surrounding context and add significantly to the visual amenity of this area. The seating wall will positively contribute to a relaxing and enhanced environment. This can be secured by the condition through a landscaping management scheme.

Inside and close to the “Museum of Garden Escapes” new path/s are proposed to improve accessibility from Ferry Lane to the Museum of Garden Escapes and beyond to the existing riverside path.

Signposting:

These are considered acceptable designs. It would increase legibility around the site and understanding of the site.

The proposed structures and materials are considered acceptable in design terms and considered to contribute positively to creating a sense of space and adding architectural interest to the space. It is considered to be in accordance with Policy 7, 18, 26 and 29 of the Local Plan.

7.3 Impact on Amenity

The proposal would be a significant enhancement to the visual amenity of the surrounding area, which is primarily large industrial buildings. The proposals would also provide an attractive and interesting feature to the benefit of those working in the immediate surrounding area, such as at lunchtime etc, as well as those for example visiting the area along the Thames River Path. The surrounding site is in close proximity to Ferry Lane industrial area and there are no residential dwellings in close proximity to the site. Consequently, the proposal would not result in an adverse impact on the amenities of the surrounding properties.

Environmental Health have raised concerns about dust and noise from an adjacent site to the north and its impact on the users of this proposal, suggesting an assessment of existing conditions followed by measures to protect users. The adjoining site is being used for processing of construction waste but this is an unauthorised use of the site and is subject to an enforcement notice requiring the use to cease (currently subject to appeal). Part of the reason for serving an enforcement notice was the adverse impact of dust on surroundings. In the circumstances, a condition requiring an assessment of dust and noise which are out of the control of the developer and suitable mitigation would be unreasonable. The application site is already used by the public and is an outdoor site. The proposal seeks to add trees on the north side of the application site close to the adjacent waste processing site, which will provide some relief should the waste processing continue.

The proposal would be in accordance with Policy 7, 26 and 27 of the Local Plan.

7.4 Highway/Parking

Ferry Lane opposite the site benefits from clear road marking, double yellow lines on both sides of the street marking no stopping or parking, a cycle lane and tactile paving to aid people visually impaired users.

Along Ferry Lane close to the site is a lay-by which would provide provision for off street car parking for future users of the site. The proposal does not seek to improve or alter the existing parking provision. The proposal is considered not to result in significant footfall over and above the existing conditions that would result in a significant adverse impact on the safety of pedestrians and other road users.

The proposal seeks to improve accessibility from the road onto the proposed paths by way of building a small bridge, which would go over the existing ditch adjacent to Ferry Lane.

Cycle parking provision is proposed in this area, however, insufficient details have been provided, however this can be secured by condition.

The additional paths and improvement to the existing paths would contribute to better walking and cycling along the river and cycling route along Ferry Lane and Rainham Marshes. These improvements would contribute to better accessibility to a variety of users including families with pushchairs, pedestrians and cyclists. These would also contribute to better connectivity with any future improvements of parks and surrounding areas. To ensure accessibility to all users, in particular the landscaped areas, this can be secured by conditions within the Landscape scheme condition.

Therefore, the proposal is considered to be in accordance to Policy 23 and 24 of the Local Plan.

7.5 Biodiversity and Climate Change Implications

As part of the discussions with the Environment Agency (EA) during the consideration of the application, the Belvedere has been set back further from the riverwall, and there is a commitment from the GLA who is the landowner of the riverwall to submit a strategy to raise the flood defences to the EA within the next 2 years.

The site is predominantly covered by vegetation. Based on the information provided as part of the application and additional information being sought secured by conditions to ensure the safeguarding and enhancement of habitats and the natural environment.

8 Financial and Other Mitigation

8.1 The proposal will not require infrastructure to meet the needs generated by the development. Therefore, the proposal is considered not to require section 106 contributions to make the proposal acceptable in planning terms.

8.2 The proposal would not be liable to Community Infrastructure Levy contributions

9 Equalities

9.1 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

9.2 Officers are satisfied that no relevant protected characteristic or persons would be adversely affected by these proposals.

10 Conclusions

10.1 All other relevant policies and considerations have been taken into account. Subject to the recommended conditions the proposed development is deemed acceptable with respect to impact on visual amenities and the character and appearance of the area, the natural environment, the future users of the site and highway and parking/cycling considerations.

10.2 It is recommended that planning permission be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION section of this report (section 2).

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