



# REGULATORY SERVICES COMMITTEE

13 March 2014

**Subject Heading:**

P0863.13: Plot 2, Former Whitworth Centre, Noak Hill Road, Harold Hill

Creation of 105 no. one and two bedroom apartments and two, three and four bedroom houses, plus associated roads, paths, car parking, ancillary structures and landscaping (application received 2 August 2013; revised plans received 24 October 2013, 7 November 2013 and 28 February 2014).

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

## SUMMARY

The application is for residential development of 105 units, comprising a mix of houses and apartments, on land that constituted part of the former Whitworth centre site. These proposals represent a second phase of development on the site, with 144 units already under construction on the western part of the site, which were approved under planning permission reference P1558.11. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. A viability assessment has been submitted by the applicant to justify the level of affordable housing proposed within the development and, following independent appraisal, has been found to be sound. The proposal is judged to be acceptable in all other material respects and, subject to a legal agreement and conditions, it is recommended that planning permission is granted.

## RECOMMENDATIONS

That the committee notes that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an additional internal gross floor area of 10,916m<sup>2</sup> which equates to a Mayoral CIL payment of £218,320 (subject to indexation).

That the proposal is unacceptable as it stands but would be acceptable subject to:

A. No direction to the contrary on referral to the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008);

B. The applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision on site of 15% of the units within the development (comprising 6 no. one bed apartments, 9 no. two bed apartments and 1 no. two bed house) as affordable shared equity ownership units and should any owners of shared equity units staircase to 100% equity provision shall be made for any subsidy (if relevant) to be recycled for alternative affordable housing provision in accordance with Annexe 2 of the National Planning Policy Framework .
- A financial contribution of £630,000 to be used towards infrastructure costs and paid prior to the commencement of development in accordance with the Planning Obligations Supplementary Planning Document.

- A travel plan to encourage the use of sustainable modes of transport, including a scheme for submission, implementation, monitoring and review.
- The contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

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

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

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

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

3. Car parking - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Car Park Pergolas – The pergolas within the car parking area/s shall be erected prior to the first residential occupation of the relevant buildings and shall be permanently retained thereafter.

Reason: To enhance the visual amenities of the development in accordance with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Materials - Before any of the development hereby permitted is commenced, details and samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Landscaping – Unless otherwise submitted to and approved in writing by the Local Planning Authority, the hard and soft landscaping of the site shall be carried out in accordance with the details shown on drawing nos. PH107-PH02-LS01 Rev B; LS02 Rev A; LS03 Rev B; LS04 Rev A (soft landscaping) and PH107-PH02-06 Rev C; 07 Rev C and 08 Rev C (hard landscaping). All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Works to Protected Trees: Works on site shall be carried out in accordance with the Haydens Tree Survey, Arboricultural Implication Assessment & Method Statement, dated 14 April 2011 and received on 2 August 2013.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

8. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

9. Cycle storage - Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority. Cycle parking shall be to the standards set out in Annex 6 of the LDF. The cycle parking shall be retained permanently thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

10. Boundary treatment – The development shall be carried out in accordance with the details of boundary treatment shown on drawing numbers PH107-PH02-06 Rev C; PH107-07 Rev C and PH107-08 Rev C unless alternative drawings are otherwise submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

Reason: In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

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

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

12. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of

the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

13. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority outlining details of how the recommendations and associated habitat enhancement measures set out in the submitted Ecological Scoping Survey and Biodiversity Statement dated February 2011, received 2 August 2013 will be implemented. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

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

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

15. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

16. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and

nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

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

17. Land contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority:

a) Further site investigation report as the submitted geo-environmental assessment has identified the need for further investigation following demolition and clearance of the site. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Remediation Strategy) as the submitted geo-environmental assessment report confirms the need for remediation. The report will comprise two parts:

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

assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

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

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.
- e) Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination and the results of this testing together with an assessment of suitability for their intended use shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

18. Archaeology – No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been previously submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall only be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological evaluation to inform determination of any detailed planning consent.

19. Sustainability - No development shall commence until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline how the development will meet the highest standards of sustainable design and construction to



incorporate measures identified in the London Plan and shall be required to demonstrate that the development will achieve a minimum Code for Sustainable Homes Level 3. The relevant phase of the development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with the Policy DC49 of the LDF, the Councils Sustainable Design and Construction SPD Adopted April 2009 and Policies 5.2 and 5.3 of the London Plan.

20. Energy: Prior to the commencement of development, an energy statement shall be submitted to demonstrate the energy efficiency design measures and renewable energy technology to be incorporated into the final design of the development. The statement shall include details of a renewable energy/low carbon generation system for the proposed development, including consideration of the use of photovoltaics, which will displace at least 25% of carbon dioxide emissions, beyond Building Regulations requirements. The renewable energy generation system shall be installed in strict accordance with the agreed details and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any relevant phase of the development. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. Any change to the approved energy strategy shall require the written consent of the Local Planning Authority.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF, the Councils Sustainable Design and Construction SPD Adopted April 2009 and Policy 5.7 of the London Plan.

21. No additional flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the approved plans), shall be formed in the flank walls of the dwellings hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

22. Details of ground levels - Prior to the commencement of the development details of the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The

development shall then be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, amenities of adjoining properties, and appearance of the development. Also in order that the development complies with Policy DC61 of the LDF Development Control Policies Development Plan Document

23. Highway Alterations - The proposed alterations and additions to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

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

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

Reason: To ensure the interests of the travelling public and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

25. Site Waste Management – The development hereby approved shall be carried out in accordance with the submitted Site Waste Management Plan received on 2 August 2013 unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable development practices.

26. Parking for Users with Disabilities - Provision shall be made within the development for a minimum of 10% of the total number of parking spaces to be allocated for Blue Badge users.

Reason: In order to ensure the development provides accessible parking for people with disabilities and to comply with the aims of Policy 6.13 of the London Plan.

27. Vehicle Charging Points - Provision shall be made within the development for a total of 40% of the spaces provided with the passive provision of electric vehicle charging points, with a minimum of 20% of parking spaces to be fitted with active provision of electric vehicle charging points .

Reason: In the interests of sustainable transport and to accord with Policy 6.13 of the London Plan.

28. Freight Strategy - Prior to the commencement of development a Delivery and Servicing Plan and a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems, consolidated or re-timed trips and provision for secure off street loading and drop off facilities. The development shall than be carried out in accordance with the agreed details.

Reason: In order to ensure the construction of the development does not have an adverse impact on the environment or road network and to accord with Policy 6.14 of the London Plan.

29. Wheelchair Accessibility and Lifetime Homes - All of the dwellings hereby approved shall be built to lifetime homes standards and a minimum of 10% of the homes shall be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers and to comply with Policy DC7 of the LDF and Policy 7.3 of the London Plan July 2011.

30. Details of Playspace - Before the development is commenced, details of a children's play area, including details of location, boundary treatment, surface materials, equipment, timescale for provision relative to the phasing of the development and maintenance regime shall be submitted to and approved in writing by the Local Planning Authority. The children's play area shall be provided in accordance with the approved details and thereafter maintained in accordance with the approve maintenance regime.

Reason: To ensure a satisfactory level of play provision, in accordance with Policy 3.6 of the London Plan.

## **INFORMATIVES**

1. The applicant is advised that one additional private fire hydrant will be required by the London Fire Brigade (Water Office).
2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
3. The developer, their representatives and contractors are advised that this permission does not discharge the requirements under the New Roads and

Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

4. In aiming to satisfy condition 11 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.
5. The development of this site may affect archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design for the archaeological evaluation of the site. This design should be in accordance with appropriate English Heritage guidelines.
6. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.
7. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
  - (a) Necessary to make the development acceptable in planning terms;
  - (b) Directly related to the development; and
  - (c) Fairly and reasonably related in scale and kind to the development.

## REPORT DETAIL

### 1. **Site Description**

- 1.1 The application site has an area of 2 hectares and is located on the south-eastern side of Noak Hill Road. The site forms part of the former Whitworth Centre site, which had an overall area of 5.22 hectares, and was originally developed as a secondary school but subsequently used as a college and later as offices. The western part of the Whitworth Centre site (referred to as Plot 1) is currently being redeveloped for residential use, comprising a mix of houses and flats. The application site itself is on the eastern part of the former Whitworth Centre site. There were no buildings on this part of the site, which historically was used as a playing field for the original school. There is also a small balancing pond in the north-eastern corner of the site. There is a belt of trees to the northern boundary of the site that is subject of a Tree Preservation Order(TPO's 7/10 and 12/81).

- 1.2 Further east of the site are residential properties in Hitchin Close and Sevenoaks Close, beyond which Noak Hill Road takes on a more rural character and is designated Green Belt land. West of the site, beyond the ongoing residential development on Plot 1, is Straight Road, which is generally characterised by residential development. There is a travellers site located on the western side of Straight Road close to the junction with Noak Hill Road. South of the site there are residential properties in Appleby Drive and Stephens Close. Opposite the site, to the northern side of Noak Hill Road, is the former Broxhill Centre. The site was originally developed as a school but has been vacant for some time and planning permission has recently been granted for the construction of new community sports facilities on the site. The former Broxhill Centre is situated within the Metropolitan Green Belt.
- 1.3 There are no significant changes in levels across the site, although existing residential development outside the site, particularly in Stephens Close is on lower ground. The site is also lower generally than on Plot 1. Vehicular access to the site would be taken from Noak Hill Road, where a new roundabout has been constructed at the entrance to the site, under the provisions of the planning permission for Plot 1. The access is situated approximately 150m from the signal controlled junction of Noak Hill Road with Broxhill Road and Straight Road.
- 1.4 The site is allocated for development in the Site Specific Allocation Development Plan Document (DPD) and subject of Policy SSA2. The site has been removed from the Green Belt on the basis of the requirements of Policy SSA2.

## **2. Description of Proposal**

- 2.1 The application proposes re-development of the site to create 105 new dwellings. The application relates principally to land on the eastern side of the Whitworth Centre site and is referred to within the application as Plot 2. Development on Plot 1 was approved under planning permission reference P1558.11 and is currently under construction.
- 2.2 The development will utilise the existing access to the site from Noak Hill Road, which has recently been modified through the construction of a roundabout under the provisions of the planning permission for Plot 1. When development of Plot 1 was approved, a central access road was constructed through the site, which was always intended to be the route from which access into the eastern part of the site would be gained. This has been adhered to and there will be two spine roads leading in an easterly directly from the main access road serving the proposed new development.
- 2.3 The proposed development will predominantly comprise family housing, consisting of a mix of two, three and four bedroom units. All of the dwellings are two storeys but, consistent with the scale of development

approved on Plot 1, will have tall roof pitches which could, in principle, be converted to roof accommodation at a later date. The houses are a mix of architectural styles, although built on traditional lines, ranging between short terraces, semi-detached and linked semi's and detached housing. The development proposes a range of different house types, having separate external materials, detailing etc but which are of a type and character which complement that being built on Plot 1. There are 11 wheelchair accessible units within the development. External materials have been submitted and comprise multi red and buff coloured bricks and red or grey roof tiles, with some units within the development finished with Marley Eternit Cedral Weatherboarding. Windows, fascias and soffits are proposed to be white uPVC with black rainwater goods.

- 2.4 The proposals include the provision of an apartment block, located to the northern side of the site, set in approximately 16m from the boundary of the site with Noak Hill Road. The apartment block is located to the east of the flats constructed as part of the development of Plot 1 and are of similar design and scale. At its western end, the block is designed to appear 2.5 storeys high, including accommodation within the roof, and has an overall height of around 11.2m. As the building extends eastwards the character of the building reduces to that of a, more conventional, two storey building and its height reduces accordingly, to just below 10m at its easternmost end. In keeping with the blocks on Plot 1, the access to the blocks are located to the southern side of the apartment facing in to the site. The northern, outward facing elevation, is characterised by a series of balconies affording views over the landscaped area to the site frontage. The apartment block is generally of traditional design, finished externally with a combination of brick and white Marley Eternit Cedral Weatherboarding and tiled pitched roofs. The block contains 15 units ( 6 no. 1 bed; 9 no. 2 bed), some with balconies, and the remainder with access to communal amenity areas. The majority of the flats have two bedrooms. Parking for the apartments is located within a courtyard to the south side of the block, partly beneath a covered pergolas. Parking is provided at a ratio of one space per flat.
- 2.5 In respect of parking arrangements, all of the dwellings have off street parking. Some dwellings have parking within the front curtilage, others have garages/carports to the side of the house enabling in-tandem parking. This is similar to the arrangement approved for Plot 1. Additionally, some houses are provided within parking within rear or side courtyards, such as plots 53-58 and 44-47. The dwellings either have one or two parking spaces per unit (one space per unit is provided for each flat) giving a parking ratio of 1.58 per unit across the development as a whole.
- 2.6 The development includes the retention of TPO trees to the northern side of the site, which will be maintained within an undeveloped, landscaped area. A scheme of hard and soft landscaping is proposed throughout the site.

2.7 The application is accompanied by a suite of supporting documents including a planning statement, heritage statement, viability appraisal, arboricultural study, bat survey, contamination desk study, daylight/sunlight assessment, design and access statement, energy statement, flood risk assessment, noise assessment, sustainability statement and transport assessment and travel plan.

### 3. **History**

3.1 The site as a whole was originally developed as a secondary school but has subsequently been used as an adult education college and, more recently, as offices.

3.2 Previous applications which are of specific relevance to the application:

Z0004.11 EIA screening opinion for demolition of the Whitworth Centre and residential development – EIA not required.

D0199.11 Determination whether prior approval is required for the demolition of the Whitworth Centre – Prior approval required and granted subject to conditions.

#### **Whitworth Centre – Plot 1:**

P1558.11 Demolition of existing buildings and redevelopment of the site to create 144 no. one, two, three and four bedroom houses and apartments, plus associated roads, paths, car parking, garages, other ancillary structures and landscaping – approved. Currently under construction.

### 4. **Consultation/Representations**

4.1 The application has been advertised on site and in the local press as a major development. Neighbour notification letters have also been sent to 226 local addresses. Four letters of representation (including two from the same resident) have been received, objecting to the proposal on the following grounds:

- loss of privacy
- loss of Green Belt
- loss of light
- intrusive relationship to Stephen Close houses
- devaluation of property
- will be like Neave Place development (on Plot 1) in that dwellings are considered (by the objector) to be too small and overpriced for the area.

4.2 The GLA Stage I report raises no objection in principle to the development but raises the following issues:

**Sports facilities:** It is understood that the sale and subsequent redevelopment of this site will contribute towards the cost of providing new

sporting facilities at Broxhill. The level of contribution should be verified as appropriate and a planning agreement in place to secure the contribution.

**Housing:** The affordable housing offer is broadly supported but should be verified as the maximum reasonable amount. There should also be clarity on the extent of children's play space to accord with London Plan Policy 3.6.

**Sustainable Development:** Insufficient information available at this stage to demonstrate compliance with the London Plan, further information should be provided on carbon dioxide savings. Climate change adaptation measures are broadly supported.

**Transport:** Proposal is broadly acceptable in strategic transport terms but car parking should be reduced. Clarification sought on electric vehicle parking, cycle parking provision and deliveries and servicing.

- 4.3 The Environment Agency object to the proposals on the basis that the development does not demonstrate an acceptable use of SuDs for surface water drainage. At the time of writing this report the applicant is seeking to resolve the objection and Members will be updated at the meeting.
- 4.4 English Heritage (GLAAS) advise the development has potential to impact remains of archaeological importance and request a planning condition.
- 4.5 The Fire Brigade raise no objection on access grounds but encourage the use of a sprinkler system within the development. A further hydrant will also be required.
- 4.6 Environmental Health raise no objections subject to conditions relating to air quality, noise and land contamination.
- 4.7 Highways raise no objection to the proposals. They comment that the site has a low PTAL (1), the parking ratio complies with policy and no significant impact from trip generation is anticipated. Minor revision will be needed to the internal road layout, which can be achieved through the technical approval process for highway adoption.
- 4.8 The Designing Out Crime Officer confirms that pre-application discussions have been held with the applicant and the proposal is acceptable in principle subject to community safety related conditions.

## **5. Relevant Policies:**

- 5.1 The National Planning Policy Framework, specifically Sections 1 (Building a strong, competitive economy), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities), 9 (Protecting Green Belt land) and 10 (meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.



- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 3.19 (sports facilities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations) of the London Plan, as altered by the REMA published 11.10.13, are material considerations
- 5.3 Policies CP1, CP2, CP9, CP10, CP14, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC18, DC20, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.
- 5.4 In addition, the Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD and Sustainable Design and Construction SPD are material considerations.

## **6. Staff Comments:**

- 6.1 The issues arising from this application are the principle of development, the density and layout of the new development and the impact of its design, scale and massing on the character and amenity of the locality, the quality of the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues, affordable housing and the impact on community infrastructure.

## **6.2 Principle of Development**

- 6.2.1 The application site is identified within the Site Specific Allocations (SSA) DPD as a development site. Policy SSA2 refers specifically to the site. This policy treats both the site of the former Whitworth Centre and also the Broxhill Centre, which is situated on the northern side of Noak Hill Road, as a single development site. Although the application site was formerly within the Metropolitan Green Belt it was de-designated as part of the LDF process due to the developed nature of much of the site and the contribution it is able to make to housing delivery targets in the Borough.

However, to avoid unchecked urban sprawl and the merging of green belt into neighbouring developed area, the revised Green Belt boundary was drawn along Noak Hill Road, excluding the Whitworth Centre site. This enabled the existing quantum of development north of Noak Hill Road, to be transferred to south of Noak Hill Road but also enabled the re-provision of the playing field on the Whitworth Centre site as part of a new and improved public open space on the Broxhill Centre site.

6.2.2 The Broxhill Centre and Whitworth Centres sites are therefore treated as one site, with the public open space and park facilities on the Broxhill Centre required to be provided through cross subsidy from the redevelopment of the Whitworth Centre. Policy SSA2 provides that the site of the former Whitworth Centre may be developed for residential purposes subject to the demolition of the buildings on the Broxhill Centre and the provision of new public open space within the Broxhill Centre.

6.2.3 The demolition of the buildings on the Broxhill Centre site have already been secured through the development proposals for the Whitworth site relating to Plot 1. In terms of ensuring the provision of new open space at Broxhill, the Council has given a commitment to fund these works through the capital receipt obtained from the disposal of this and other Council-owned sites. Planning permission has already been sought and obtained for the proposed new open space and leisure development on the Broxhill sites (planning permission reference P0963.13). To underpin its commitment to the provision of the proposed new facilities at Broxhill, the Council is prepared to enter into a legal agreement under the provisions of the Local Government Act, Localism Act and the Greater London Authority Act with the GLA, which binds the Council to the carrying out of the works at the Broxhill site. Such works would either be in accordance with the leisure proposals already approved at Broxhill under planning permission P0963.13 or in substantially the same form. It is considered that such agreement provides the degree of certainty required by the GLA that the sporting enhancements to the Broxhill site will be secured. Authority has previously been given by the Committee for Staff to enter into such an agreement. Negotiations regarding the agreed wording of the legal agreement are still under discussion with the GLA, although at an advanced stage, and the GLA has indicated its agreement in principle to entering into such an agreement.

6.2.4 Members will note that the application site was historically used for sports provision in connection with the school that originally existed. Staff are satisfied that this use ceased many years ago and that no formal delineation of pitches remains on the site. Accordingly the site is not considered to constitute a 'playing field', as specifically defined in planning legislation and no formal consultation with relevant bodies, such as Sport England is deemed necessary in this case. Nevertheless, the proposed development, with its formal linkage through legal agreement with the provision of new sporting facilities at Broxhill, is considered to enable the overall improvement of sports facilities within the Borough and thereby satisfies London Plan Policy 3.19 in principle.

6.2.5 By virtue of the SSA and the linked works to the Broxhill centre the proposal is therefore considered to be acceptable in principle in land use terms. Furthermore, the proposal contributes to the provision of housing within the Borough and therefore complies in principle with Policy CP1 of the LDF, the SSA and Policies 3.3. and 3.4 of the London Plan. Policy SSA2 sets out further detailed criteria for the development of the site, the requirements of which are assessed in more detail below.

### **6.3 Density and Site Layout**

6.3.1 With regard to Development Control Policy DC2, this site is outside the PTAL zone identified on the proposals map and therefore is classified as 'rest of the borough' where a density range of 30-50 units per hectare applies. The application site has an area of 2 hectares and proposes 105 new dwellings. This equates to a development density of 52.5 units per hectare, which is marginally beyond the range specified both in Policy DC2 and SSA2. Density is however just one measure of the acceptability of a scheme and is not judged to be grounds for refusal if the development is acceptable in all other material respects. It is noted that the combined density of Plots 1 and 2, which are broadly of similar character, is less than 48 units per hectare.

6.3.2 In addition to density requirements and the works to the Broxhill Centre, Policy SSA2 sets out the following criteria that new development is expected to achieve:

- In its design, layout and boundary treatment the residential development at the Whitworth Centre minimises its impact on the Green Belt to the north by using a lower building profile and achieves a more sympathetic boundary treatment than currently exists.
- Pedestrian and cyclist links are provided through to Appleby Drive to enable convenient access to Harold Hill District Centre.

6.3.3 The development proposes a mix of houses and flats and provides units ranging from 1 to 4 bedrooms, with the majority of the units providing family housing. This complies in principle with the aims of Policy DC2 in respect of dwelling mix. Internal unit sizes comply with Policy 3.5 of the London Plan.

6.3.4 In respect of site layout, the application proposes a relatively conventional arrangement with residential roads running off the existing central access road. The layout of the site is considered to be acceptable in principle and to create a reasonably spacious arrangement of the dwellings. There is a flatted block to the northern side of the site which is set back at least 16m from the front boundary behind the existing tree screen. The north-eastern corner of the site is kept free of new buildings, with the nearest dwellings set back around 29m minimum from the boundary to Noak Hill Road. The existing balancing pond is retained. The visual impact of the built form

particularly as seen from the Green Belt, will be addressed later in this report. However, in terms of layout, Staff consider that the proposal accords with the requirements of Policy SSA2 in terms of respecting the proximity of the development to the Green Belt and the quality of the boundary treatment.

- 6.3.5 The principal access to the development is from Noak Hill Road, where the current site access is situated. This is considered acceptable in principle from a layout perspective. As mentioned above, there is a single flatted block within the northern part of the site. The building is set back from the road frontage and positioned generally in line with the existing flats on the western side of Plot 1. In principle there is no objection to an apartment block in this location subject to the suitability of the scale, bulk and mass.
- 6.3.6 Each upper floor flat has a balcony measuring 1.5m by 5m, which provides an acceptable standard of sitting out space, whilst the ground floor units benefit from the landscape setting to the building. The remainder of the development is principally family housing. In layout terms, Staff consider the arrangement of the buildings to be acceptable, with a reasonable degree of spaciousness from the site boundaries, commensurate with surroundings.
- 6.3.7 Each of the dwellings has access to private, screened amenity space of adequate size, which is considered to meet the requirements of the Residential Design SPD. There are no dedicated children's play facilities within the site. The GLA has calculated that the development would create an estimated child population of 35 and should therefore make provision for 350 square metres of children's play and informal recreation space. Staff note that the majority of the units have private rear gardens and that further recreational facilities will be provided on the Broxhill site. Nevertheless, it is considered that the site presents the opportunity to respond positively to the play requirements set out in the Mayor's SPG and a condition is therefore recommended for details of children's play facilities to be submitted. This will accord with Policy 3.6 of the London Plan.
- 6.3.8 One of the key objectives of Policy SSA2 is to ensure pedestrian and cyclist links through the site, giving access to the proposed sports facilities to the north and through to Appleby Drive and local amenities to the south. The development approved on Plot 1, which shares a boundary to Appleby Drive, largely provides for this. However, the proposed development also enables access through the south of the site between plots 43 and 47, leading on to Stephens Close, which enables a desire line that is appropriate for the site. Further links through are not provided at the request of the Designing Out Crime Officer. Staff therefore consider the proposal responds well to the requirement for connectivity between the site and surrounding facilities and complies with Policies DC33 and 34 as well as Policies 6.9 and 6.10 of the London Plan.
- 6.3.9 Staff are aware that the Borough Designing Out Crime Officer has been consulted on the proposals prior to their submission. This has enabled a

number of detailed matters relating to community safety to be addressed in the submitted application. The Borough DOCO has raised no specific objections to the proposal, subject to planning conditions. The proposal is considered to respond in principle to the requirements of the NPPF, Policy 7.3 of the London Plan and LDF Policy DC63. Staff are satisfied that reasonable measures have been undertaken to make the development as safe as possible and recommend conditions relating to Secured by Design and other community safety measures.

6.3.10 Detailed proposals for the hard and soft landscaping of the site and ongoing maintenance have been submitted with the application. In respect of hard surfacing the main road and parking areas will be finished with asphalt with the spine roads and cul-de-sacs surfaced with brindle block paving. This is in line with that approved for Plot 1 and will ensure continuity between the respective sites. In respect of soft landscaping, Staff have not relied on the details shown on the layout plan, as the planting shown here is illustrative only and does not fully match the landscaping proposals shown on other drawings. Detailed landscaping proposals have been submitted with the application and Staff have based their consideration of soft landscaping on these specific landscaping drawings and sought advice from the Council's Trees and Landscaping Officer. The proposal seeks to largely maintain TPO trees within the site and the detailed landscaping proposals are considered to be acceptable. The development is therefore considered to accord with the Trees SPD and Policy DC60 of the LDF.

6.3.11 The development is designed to Lifetime Homes standard and 11 of the units are designed to be adaptable to wheelchair housing standards. Accordingly the scheme is in accordance in principle with Policy DC7 of the LDF and the requirements of Policy 3.8 of the London Plan.

## **6.4 Design and Visual Impact**

6.4.1 The proposed development includes a single apartment block, which is situated at the northern end of the site. The block is positioned generally in alignment with the eastern end of the existing flatted block, recently constructed at the entrance of the site, as part of the development of Plot 1. The design of the block largely reflects the scale and character of the neighbouring building, carrying forward its 2.5 storey design and arrangement of wide gables facing towards Noak Hill Road. The design of the apartment block has been revised since the application was initially submitted, to respond to concerns raised by Staff with regard to the overall height and massing of the block, and its visual impact in relation to the open, Green Belt character further east of the site.

6.4.2 The revisions to the design of the apartment block have reduced the height of the building on its eastern side, reducing it to a 2 (rather than 2.5) storey building. A smaller gable and a hipped roof have been introduced to the eastern end of the building, demonstrating a step down in scale and more closely resembling the height and mass of the family housing within the

site. A gablet is added to the eastern elevation of the building to emphasise the reduced eaves height.

- 6.4.3 Staff have considered carefully whether the reduction in the scale and mass of the apartment building is sufficient to create an acceptable form of development within the streetscene and in relation to the open Green Belt to the east of the site. It is acknowledged that, viewed from the site frontage, the existing protected belt of trees will provide an effective screen of the development, that will largely mitigate against its impact in this part of the streetscene. However, despite the preservation order on these trees, landscaping is ephemeral and should not be relied on in perpetuity, such that this alone is not sufficient reason to accept the proposals. Furthermore, the development would be clearly visible as approached along Noak Hill Road from the east, particularly given the descending ground levels.
- 6.4.4 The character of the Noak Hill Road streetscene has however changed recently, particularly with the construction of the two apartment blocks at the site entrance, following the commencement of development on Plot 1. The existing apartment blocks are, in Staff's opinion, entirely acceptable in the streetscene and do not appear visually overbearing. The proposed apartment block would be seen in the context of these existing buildings. The new block would be in general alignment with the nearest existing block and, at its western end, of broadly similar height. Given these factors, together with the consistency of design, it is judged that this part of the proposed apartment block would complement the existing building and not look out of scale or character with its surroundings.
- 6.4.5 The reduction in the scale of the proposed apartment block towards its eastern end is considered to be appropriate. Whilst a better degree of articulation would have been preferable, to break up the perceived length of the block, it is considered that the change to a two storey building, the visibly lower eaves and ridge line of this part of the building, the use of the lighter and more contrasting cladding material and the reduced bulk of the balconies serve to provide a clear contrast between the scale of the building at its western end and at its eastern end. In turn, this is considered to significantly reduce the degree of visual intrusion of the building. Combined with the set back of the building around 16m from the road frontage and positioning some 55m minimum from the eastern site boundary, together with the screening of trees and landscaping, Members may agree that the visual impact of the flatted block within the streetscene and in relation to the nearby Green Belt is acceptable. It is acknowledged however that this is a subjective judgement, in respect of which Members may reach an alternative view.
- 6.4.6 The remainder of the proposed development comprises a range of family housing, of 2, 3 and 4 bedrooms. The development includes a number of different house types, although there are also design variations, within each type. However, they are all of a traditional design, constructed predominantly of red or buff coloured brick externally with red or grey tiles.

A small number of dwellings within the development are finished externally with weather boarding rather than external brick, creating feature elements within the streetscene.

- 6.4.7 The proposed dwellings are predominantly two storey, although many have a steep roof pitch, which would potentially enable accommodation to be provided in the roofspace in the future. The dwellings within the development are considered to be acceptable in terms of scale and massing. They are very similar in terms of their design and scale to that already under construction on Plot 1 and so they continue the character and appearance of the neighbouring development forward seamlessly into Plot 2. Details of boundary treatment have also been submitted with the application. These details are considered acceptable in principle and should be secured through condition.
- 6.4.8 The proposed development is therefore considered to be acceptable in terms of scale and massing and will create residential units of sufficient variety in design and appearance that are judged to contribute positively to the character and quality of the surrounding area.

## **6.5 Impact on Amenity**

- 6.5.1 The nearest residential properties to the development are those in Stephens Close, to the south of the site, and in Hitchin Close and Sevenoaks Close, which lie to the east of the site. Appleby Close is located to the south-west of the development, around 30m minimum (measured front to front) from the nearest house within the development, and therefore judged not to be materially affected by the proposals.
- 6.5.2 Turning to the relationship with Stephens Close, there is a terrace of existing housing nos. 1-7 Stephens Close, which are located on the south side of an existing footpath, which directly adjoins the southern site boundary. The majority of these houses are accessed from this footpath and front on to the application site. The exception is no.1 Stephens Close which has its entrance door located on the western end of the terrace. These dwellings are slightly set back from the footpath and are also on lower ground level than the application site. The change in level is in the region of 1m.
- 6.5.3 The houses on plots 43-46 within the development will face towards the terrace of houses at 1-7 Stephens Close. The proposals have been revised since initial submission at Staff's request to set the proposed new houses 1m further away from the façade of the houses opposite, so that there is now proposed to be a distance of between 9.5m and 10m between facing front facades. Staff have considered carefully whether the relationship between these properties is acceptable, particularly having regard to the change in ground levels between the site and the neighbouring terrace and recognise that this is an element of the development where Members will wish to exercise their judgement. It is noted that the proposed new housing lies to the north of these properties,

such that it will not result in a material loss of sunlight or daylight to the facing windows of the Stephens Close properties. Staff have also taken into consideration that this is predominantly a front to front relationship.

6.5.4 The new dwellings do not result in any material overlooking of private rear garden or amenity areas, as the properties at 2-7 Stephens Close all have their garden areas located on the south side and the garden of no.1 Stephens Close to the western site, whilst the new dwellings are located to the north. The outlook from the existing properties would change but the planning process does not seek to protect a particular view or outlook, rather to secure an acceptable degree of residential amenity. The loss of a view across the existing playing fields is not therefore material grounds for refusal.

6.5.5 The issue therefore is whether the relationship between the properties would cause an unacceptable degree of interlooking or overbearing impact in relation to the north facing windows of the Stephens Close properties. As a matter of judgement, Staff conclude that a separation distance of around 9.5m to 10m would be sufficient to maintain an acceptable relationship and degree of amenity for both existing and future occupiers. The proposal is therefore considered acceptable in this respect. Staff note that no.1 Stephens Close has a different internal layout to the remainder of the terrace but the principle windows to habitable rooms lie on the west facing elevation of the building, such that there is not judged to be material loss of light or amenity received to the secondary lounge window or kitchen window (both on the north facing elevation) of this property. Notwithstanding this, further amendments have been sought to the proposal, and the applicant has agreed to lower the levels of the terrace of houses on plots 43-46 to have an improved relationship with the neighbouring properties. Staff consider therefore that the relationship of the proposed development with nos. 1-7 Stephens Close will be acceptable.

6.5.4 With regard to the relationship with nos. 8-22 Stephens Close, there is a greater degree of separation between the respective elevations of the existing and proposed dwellings (around 15m minimum). The proposed dwellings on plots 47-52 back on to the southern boundary of the site and have private rear gardens around 7m deep. Staff consider that the distance of 7m between the rear elevations of the proposed dwellings and the boundary of the site with the rear gardens of Stephens Close dwellings is sufficient to prevent a material loss of privacy and amenity.

6.5.5 The proposed dwelling on plot 55 lies to the north of the existing dwelling at 24 Stephens Close. The proposed dwelling is positioned side on to the shared boundary, such that the flank wall of this dwelling will be visible from the rear garden of the neighbouring property. Staff consider this relationship to be acceptable, as the flank wall will be set in 1m from the party boundary and lies to the north of the neighbouring dwelling. There are no flank windows to the dwelling on Plot 55 so no overlooking of the neighbour will occur. A condition prohibiting the insertion of flank window



on this and all other dwellings within the development will be imposed to maintain amenity.

6.5.6 To the east of the site there are a number of residential properties in Hitchin Close and Sevenoaks Close, both houses and flats, backing on to the boundary of the application site. A number of the houses within the development are positioned side on to this boundary, so do not create direct overlooking or inter-looking. These dwellings are generally set in around 1m from the site boundary, which is considered sufficient to prevent an overly dominant impact on neighbouring houses. Flank to rear separation distances are in the region of 10-11m and this is considered to create an acceptable relationship. The proposed houses which back on to the eastern boundary of the site, for examples plots 90-92 and 100-102, are set around 8.5m from the boundary with a back to back relationship in the region of 18.5 to 20m. This relationship is considered to be acceptable and to maintain the amenity of adjoining occupiers.

6.5.7 To the north there are no properties close enough to be materially directly affected by the proposals. To the west of the site, lies the development approved under Plot 1, which is currently under construction. It is considered that the design of Plot 2 ensures a suitable relationship with the previously approved development.

6.5.8 In summary, Staff are satisfied that the development has an acceptable relationship with nearby residential property. Particular consideration has been given to the impact on existing properties to the east and south of the site. Whilst Staff acknowledge that there is a closeness between some of the dwellings proposed to the south side of the site and existing neighbouring property, for reasons set out in this report, the relationships are not judged to result in material harm to neighbouring amenity. It is accepted however that this is a matter for Members judgement.

## **6.6 Environmental Issues**

6.6.1 The application site is located in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted with the application and includes measures for sustainable water run off (SUDS). In principle this accords with LDF Policy DC49 and Policies 5.12 and 5.13 of the London Plan. At the time of writing this report the Environment Agency have objected to the proposals as they are not satisfied with the extent of use of SuDs within the development. Members will be updated on the current position at the meeting.

6.6.2 A land contamination desk top and site investigation study have been carried out. A condition is recommended in respect of land contamination issues.

6.6.3 The proposal is not considered to give rise to any significant noise issues subject to conditions required by Environmental Health.

- 6.6.4 An energy strategy and sustainability statement have been submitted with the application. In response to a request for further information received from the GLA in respect of proposed energy savings an updated Sustainable Design, Energy and Construction Statement has been submitted setting out how the development intends to achieve a 25% reduction in carbon emissions as required by the London Plan Policy 5.2. Staff consider the revised statement to be acceptable in principle and recommend a condition to ensure that the final scheme achieves the required level of energy savings. This will accord with Policies DC50 and DC51 of the LDF and Policies 5.2, 5.3 and 5.7 of the London Plan.
- 6.6.5 An Ecological Scoping Survey and Biodiversity Statement has been submitted with the application. A walkover of the site has been undertaken and does not indicate the presence of any rare or protected species, including the presence of bats. The report does make recommendations relating to the impact of development on nesting birds and bats and opportunities for bio-diversity enhancement. It is therefore recommended that a condition be imposed requesting details of how the measures recommended in the report will be achieved.
- 6.6.6 English Heritage (GLAAS) advise that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken. This will accord with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

## **6.7 Parking and Highway Issues**

- 6.7.1 The application proposes a total of 166 parking spaces, which equates to some 1.58 spaces per unit. This is marginally above the range identified in Policy SSA2 (1-1.5 spaces per dwelling) as acceptable. However, in combination with Plot 1, the redevelopment of the site as a whole has a ratio of 1.5 spaces per unit and is policy compliant. The site has a PTAL rating of 1 and Highways have indicated that they would have a preference for the maximum amount of car parking that can be achieved. Of the spaces within the development, the flatted accommodation has one parking space per unit; the remaining dwellings within the development have either one or two parking spaces per unit, creating the overall ratio of 1.58 spaces per dwelling. Staff consider the parking spaces to be acceptably laid out within the site and to be adequate to serve the proposed development. It is noted that TfL seeks a lower parking provision of 140 spaces across the site. However, mindful of the low PTAL rating of the locality Staff consider the level of parking to be justified and acceptable. A travel plan will form part of the development, to be secured through legal agreement and will enable opportunities for more sustainable forms of travel to be implemented.
- 6.7.2 The applicant has confirmed that 195 cycle parking spaces will be provided within the development. Staff consider this to be acceptable in principle and recommend that the provision and retention of suitable cycle parking facilities are secured by condition.

- 6.7.3 In terms of impact on road capacity and junctions Highways have no objections to the proposals. Highways are satisfied with regard to data relating to trip generation and capacity. It should be noted that a new road junction arrangement, including a new roundabout, has been secured through the development of Plot 1 and Highways raise no objection to the proposal on road safety or capacity grounds. Highways advise there is some minor technical adjustment needed of the new road layout within the site but that this would be dealt with under the technical approval process. There is, therefore, no material highway objection to the proposals.
- 6.7.4 A refuse collection strategy has been submitted with the application. The details, as a strategy, are acceptable in principle. However, it is considered that a condition should be imposed seeking details of the design, appearance and capacity of the refuse storage facilities. An additional fire hydrant has been requested by the Fire Brigade and this will be covered by an informative. The Fire Brigade has raised no objection to the proposals in respect of access arrangements.
- 6.7.5 It is noted that TfL have requested clarification with regard to the proposed Electric Vehicle Charging Points (EVCP's) within the development. Their number and location are shown on revised drawings submitted as part of the application. The applicant has confirmed that there are 22 active EVCP's, which meets the current 20% requirement. A further 43% of the spaces are equipped with passive EVCP's, which is in excess of policy requirements. It is suggested that this be secured by condition. The provision should be secured for a minimum 40% of the units, split equally between passive and active provision.
- 6.7.5 11 no. of spaces are shown within the development for disabled users. The level of provision, which equates to 11% of the units is acceptable but should be secured by condition.
- 6.7.6 TfL have requested conditions relating to construction logistics, delivery and servicing of the development. Such requirements are considered to be reasonable and will therefore be secured by appropriate conditions.

## **6.8 Affordable Housing**

- 6.8.1 The proposal results in development for which an affordable housing provision is required in accordance with the National Planning Policy Framework and the London Plan. Policies CP2 and DC6 set out a borough wide target of 50% of all new homes built in the borough to be affordable. The application provides a total of 105 units, of which it is proposed that 16 will be provided as affordable housing (15%). These 16 units will comprise 9 no. two bed apartments, 6 no. one bed apartments and 1 no. two bed house and are proposed to be provided as Shared Equity homes for sale. The units will be provided through the applicants own shared equity model, which operates on the basis that 15% of the property cost will be provided as a loan to the purchaser, initially on an interest free basis (for the first five

years). The applicant indicates that the proposal will address issues of local need and help to counteract the imbalance of social rented housing in this part of the Borough.

6.8.2 The applicant has provided with this application a financial appraisal which in the applicant's view justifies the provision of 15% of the units as affordable housing within the scheme. Staff have commissioned an independent economic viability assessment of the submitted financial appraisal to determine whether the level of affordable housing provision within the development is justified. This assessment notes that the justification is fundamentally based on the purchase price agreed for the land but notes that, in this case, the income received from the sale of the land is to be used by the Council to cross-subsidise new leisure development at Broxhill. Staff are satisfied that the two are linked through the provisions of Policy SSA2. This link between the proposed development on this site and the provision of a new sports and leisure facility on the nearby Broxhill site is explored in more detail in Section 6.2 of this report. It should be noted that the Council is prepared to enter into a legal agreement to ensure that proceeds are used towards the provision of the sports facilities at Broxhill.

6.8.3 The independent appraisal of the financial viability case concludes that the scheme is not capable of supporting additional affordable housing at the purchase price agreed for the site. The proposal is considered to provide an acceptable form of shared ownership housing and Staff acknowledge that the proposal does enable a more balanced socio-economic mix than is traditionally the case in this part of Harold Hill. Whilst this would not achieve the 60:40 split between affordable/social rent and intermediate housing (being all intermediate tenure) Staff accept that this is a reasonable approach within the locality, which is traditionally characterised by high levels of social rented houses. The proposal therefore is justified in seeking to redress that balance and it is therefore considered that the proposal does not conflict with planning policy and is further justified through the viability appraisal submitted with the application.

## **6.9 Infrastructure**

6.9.1 In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £630,000 to be used towards the infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement.

## **7. The Mayor's Community Infrastructure Levy**

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. There are no buildings to be demolished from the site so no deductions from the CIL liability. The applicable fee is therefore based on an internal gross floor area of 10,916m<sup>2</sup> which equates to a Mayoral CIL payment of £218,320.

7.2 It is open to the developer to make an application for social housing relief in respect of those units which are provided as affordable housing.

## **8. Conclusion**

8.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. The design, scale, bulk and massing of the proposed buildings is considered to be acceptable and the detailed scheme to accord with the criteria in Policy SSA2. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.

8.2 The proposal makes provision for 15% of the units to be provided as affordable housing, which falls below that required by Policy DC6 of the LDF and London Plan policies. However, the applicant has submitted a viability assessment to justify the amount of affordable to be provided as required by Policy DC6 and the London Plan. The submitted viability appraisal has been independently assessed and is to justify the proposed amount and model of affordable housing proposed and the amount of Section 106 contributions offered.

8.3 The proposal is therefore judged to be acceptable, subject to conditions and the prior completion of a legal agreement to secure the required financial contributions and provision of affordable housing and a travel plan. Subject to this it is recommended that planning permission is granted.

## **IMPLICATIONS AND RISKS**

### **Financial Implications and risks:**

The application site comprises land which has been disposed of by the Council, although this has no direct impact on the consideration of this application

### **Legal Implications and risks:**

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

### **Human Resource Implications:**

None.

### **Equalities and Social Inclusion Implications:**

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

## **BACKGROUND PAPERS**

1. Application forms, plans and supporting statements received 2 August 2013 and revised plans received 24 October 2013, 7 November 2013 and 28 February 2014.