

<b>APPLICATION NO:</b>	<b>P0065.12</b>	
<b>WARD :</b>	Upminster	<b>Date Received:</b> 20th January 2012 <b>Expiry Date:</b> 16th March 2012
<b>ADDRESS:</b>	Leprechaun Gerpins Lane Upminster	
<b>PROPOSAL:</b>	Retention of building for use for rearing / breeding of ducks, geese and other fowl- for production of eggs, hatchlings and stock Additional Statement Received 31.05.2012	
<b>DRAWING NO(S):</b>	OS Map H041-01a H041-04 H041-05	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report given at the end of the report.	

## **CALL-IN**

This application was called in by Councillor Linda van den Hende as she does not wish for the application to be determined under delegated powers as it seems complex.

## **SITE DESCRIPTION**

The application site, which is basically open and flat, is located in the Green Belt on the southern side of Gerpins Lane between Upminster and Rainham.

To the west of the site lies Havering Council's waste recycling centre; to the east are substantial plots of residential properties fronting the western side of Aveley Road; to the north is recently planted woodland forming part of Thames Chase Community Forest and to the south is open undeveloped land.

The site is substantially undeveloped but for a bungalow - in which the applicant and her family have lived since 2008 - and the building to which the current application relates.

There are in addition two shipping containers that are being used on a temporary basis for the storage of the personal effects of the applicant and her family.

## **DESCRIPTION OF PROPOSAL**

This proposal is for retrospective permission for the retention of a new building erected to the western part of the site. The building was initially erected as a stable block but is now intended to be used for the breeding, incubation and the rearing of ducks, geese and other fowl.

The new building measures 32.5m in length and 8m in width. The building is finished with a hipped roof 2.4m in height to eaves and 4m in height to the ridge.

Internally the building is divided into smaller units to be used for breeding, incubation and the rearing of stock with in addition ancillary storage areas.

## **RELEVANT HISTORY**

- E0003.12 - Certificate of lawfulness for an existing bungalow on agricultural small holding  
PP not required      07-12-2012
- P0064.12 - Use of lake for recreational angling. Retention and modification of 3 no. existing  
mobile homes adjacent to fishing lake to provide ancillary accommodation for  
angling parties  
Refuse                      16-03-2012
- P0063.12 - Application to provide curtilage/garden for bungalow, which is the subject of  
Certificate of Lawfulness E0003.12.  
Apprv with cons      07-12-2012
- E0002.11 - Certificate of Lawfulness for existing use of land as residential curtilage  
  
Awaiting Decision

### **CONSULTATIONS/REPRESENTATIONS**

The application has been advertised on site and in the local press. Neighbour notification letters have also been sent to 15 neighbouring properties. One letter of support was received.

Environmental Health Services raised no objection to the proposal provided that a noise and odour condition is added in the event of an approval.

### **RELEVANT POLICIES**

#### LDF

- CP14 - Green Belt
- DC45 - Appropriate Development in the Green Belt
- DC47 - Agriculture
- DC61 - Urban Design

#### OTHER

- LONDON PLAN - 7.16 - Green Belt
- LONDON PLAN - 8.3 - Community infrastructure Levy
- NPPF - National Planning Policy Framework

### **MAYORAL CIL IMPLICATIONS**

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 internal gross floor area created which amounts to 260m<sup>2</sup> and equates to a Mayoral CIL payment of £5200.

### **STAFF COMMENTS**

The issues arising from this application are the principle of development within the Green Belt, the impact of the development on the character and openness of the Green Belt generally, amenity and parking and highway issues.

### **BACKGROUND**

The subject building was erected in 2010. The applicant has advised that the building was thought to be permitted development, connected with the existing bungalow on the site. It however became apparent that the foundations of the bungalow were put in outside the time limits for commencement of work under the applicable permission and the subsequent approval of reserved matters.

This meant that the bungalow did not have the benefit of planning permission and therefore did not enjoy normal permitted development rights. The significance of this was that the subject building could not be constructed under permitted development.

At the time of construction the intention was to provide a stable for the family's horses and the provision of a certain amount of accommodation for their growing flock of ducks and geese, with a view to developing this latter use as a business in the future.

The applicant has advised that, given the building on site cannot be considered to be permitted development, future proposals to establish a business rearing and breeding of ducks, geese and other fowl, have been brought forward. The need for the building has also become more urgent as the existing stock is being decimated by fox-kill.

The dwelling has subsequently received a Certificate of Lawfulness for an established use with a limited residential curtilage. The subject building is not located within the area defined as residential curtilage and requires planning permission.

### **PRINCIPLE OF DEVELOPMENT**

The National Planning Policy Framework provides that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF states that the construction of new buildings is inappropriate in the Green Belt but there are exceptions to this, including where they are required for agricultural purposes. Policy DC45 of the LDF states that permission for new development will only be granted where it is for specific purposes, including agriculture and forestry.

The building in question has already been constructed. The building was not constructed for agricultural purposes and Staff therefore consider that it comprises inappropriate development, in principle, within the Green Belt. Furthermore, although the applicant has stated an intention to convert the building to an agricultural use, at the time of this application such an agricultural use has not been established on the site. Staff therefore take the view that the retention of this building, which was constructed as a stable block, constitutes inappropriate development in the Green Belt.

It is noted that the development occupies a similar position to a smaller building that existed on the site. Although the NPPF provides that the replacement of a building can be appropriate in the Green Belt, this is subject to it being in the same use and not materially larger than the one it replaces. Staff do not consider either to apply in this case and are of the view that the fact this replaces a previously existing building does not render the proposal appropriate development in principle.

Inappropriate development within the Green Belt should not be approved except in very special circumstances. The case for very special circumstances is addressed later in this report.

### **GREEN BELT IMPLICATIONS**

The subject building is situated approximately 26 metres from Gerpins Lane and would have a larger footprint (260m<sup>2</sup>) than the building (147m<sup>2</sup>) it replaced, a 78% increase. There is no planning history relating to the previous building but which aerial photos indicate to date back at least 20 years. The increase in footprint comes largely from the increase in the width of the building and a change in height. It should be noted that the original structure had a flat roof (approximately 2.5m in height) and the current building is finished with a hipped roof (4m in height).

The subject building is judged to represent a material increase in the footprint, scale and bulk of the building on the site. The building is of substantial scale, having an overall length of some 30m and a substantial 4m ridge height. Whilst, to some extent, the building is screened from views from the east due to hedging and trees, it is more widely visible in Gerpins Lane from the west of the site, where there are more gaps in the boundary treatment. Land levels are also slightly higher on the site than on the road giving the building a more elevated position and consequently a greater impact on the landscape. Consequently it is judged to cause harm to the openness of the Green Belt and detracts from the character of the surrounding area.

Although Staff consider the building to cause unacceptable harm to the openness of the Green Belt and the surrounding area, Members may reach a different conclusion on the impact on the openness of the Green Belt and the extent to which it affects wider views outside of the site. There is some limited scope for mitigation through the ability of the owner to remove existing rubble and containers from the site to the south of the structure, which could improve the appearance of this part of the Green Belt.

Staff consider the scale, bulk and mass of the building, its elevated position and degree of visibility within the wider area is harmful to the openness of the Green Belt and detracts from the character of the surrounding area to the extent that justifies refusal.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The subject building has replaced an existing building. Although it is bigger in size and height staff it is set back approximately 26m from the road and is partially screened by vegetation. The external appearance of the building appears akin to a stable building, which is not uncharacteristic of a rural location. Therefore, although Staff consider that there will be material harm to the openness of the Green Belt, the nature of the building is such that character of Gerpins Lane is not materially affected.

#### **IMPACT ON AMENITY**

The subject building is well removed from any residential property. The nearest residential properties are those fronting Aveley Road to the east, some 205m away. Combined with the significant dense and mature vegetation that screens these properties from view, Staff do not consider the subject building to have an adverse impact on neighbouring amenity.

If permission were granted, conditions will be added requesting a scheme for the control of noise and odour to further mitigate any potential impact to residential amenity.

#### **HIGHWAY/PARKING**

It is not considered that there would be any significant increase in traffic as a result of the proposal. The Highways Authority has raised no objection to the existing and proposed works to be carried out. The proposal is therefore acceptable in highway terms.

#### **OTHER ISSUES**

Very Special Circumstances

A specific case for very special circumstances has not been submitted. However, the factors in support of the applicants case are that:

-At the time that the subject building was erected in 2010, it was the applicants reasonable belief that the building was being constructed under permitted development.

- Although the building was originally intended as a stable, the applicant already keeps and breeds, duck, geese and fowl on the site, and has intended to develop this as an agricultural business in the future. These plans are now being brought forward earlier than originally planned in order to make use of the building. The need for the building has become more urgent as the existing stock is being decimated by fox-kill.

Staff do not consider these constitute the very special circumstances needed to justify inappropriate development within the Green Belt. The structure has not been built as permitted development, despite the applicants original intention that this should be the case. Furthermore, the building in question was not purpose built for any agricultural purpose and, as a result, is arguably much larger than that which would normally be associated with the breeding and rearing of ducks, geese and other fowl. The size and bulk of the building that has been constructed has not been demonstrated to be necessary to support the proposed enterprise and has resulted in development of a size and bulk that is judged to be detrimental to the openness of the Green Belt.

Taking all of these factors into account, Staff consider that very special circumstances have not been demonstrated which overcome the in principle harm arising from inappropriate development and the physical harm to the openness of the Green Belt.

### **KEY ISSUES/CONCLUSIONS**

It is concluded that the proposal constitute inappropriate development in principle in the Green Belt. Furthermore, the scale, bulk and mass of the building is detrimental to the openness of the Green Belt. Staff do not consider that very special circumstances exist to justify the proposal and refusal is recommended.

### **RECOMMENDATION**

It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

#### **1. Reason for refusal - Metropolitan Green Belt**

The site is within the area identified in the Core Strategy and Development Control Submission Development Plan Document Policy Plan as Metropolitan Green Belt. The Core Strategy and Development Control Submission Development Plan Document Policy and Government Guidance as set out in the National Planning Policy Framework states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up areas in the most exceptional circumstances. The special circumstances case submitted is not considered to amount to the very special circumstances needed to warrant a departure from this policy and the proposal is therefore contrary to the National Planning Policy Framework and Policy DC45 of the LDF Core Strategy and Development Control Policies Development Plan Document.

#### **2. REFUSAL - Non Standard**

The proposed building would, by reason of its size, massing and siting appear unacceptably large and prominent within the landscape, resulting in material harm to the openness of the Metropolitan Green Belt. The proposal is therefore contrary to the provisions of the National Planning Policy Framework.

**1 Refusal - No negotiation**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.

**2 Refusal and CIL (enter amount)**

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £5200. Further details with regard to CIL are available from the Council's website.

<b>APPLICATION NO:</b>	<b>P0196.14</b>	
<b>WARD :</b>	Harold Wood	<b>Date Received:</b> 13th February 2014 <b>Expiry Date:</b> 15th May 2014
<b>ADDRESS:</b>	Elite Panelcraft 65 Gubbins Lane Romford	
<b>PROPOSAL:</b>	Demolition of existing buildings and erection of a two storey development with ground floor to provide 352 m2 retail (A1 use) floorspace, 9 residential units(C3 use) at first and second floors and associated car parking and landscaping.	
<b>DRAWING NO(S):</b>	4956(P)100 Rev A 4956(P)10 Rev A 4956(P)101 Rev B 4956(P)102 Rev B 4956(P)103 Rev B 4956(P)104 Rev E 4956(P)105 Rev E 4956(P)106 Rev 0 4956(P)202 Rev C	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report given at the end of the report.	

## **SITE DESCRIPTION**

The site, which is approximately 0.1ha in area, comprises land currently in use as a vehicle repair and MOT facility, with a garage building located towards the centre of the site and much of the remaining land area being used for vehicle parking and access.

The site's southern boundary adjoins the Harold Wood Hospital Site Specific Allocation area, which has been redeveloped as a large scale residential development. The site's western boundary adjoins land that was formerly owned by the applicant, and, along with the application site, was the subject of a previously approved residential development (P0585.12). This third party area of land, which is occupied by a workshop building, does not form part of the currently proposed development, except to the extent that another existing building, partly located on it, would be demolished as part of the proposal. Beyond the aforementioned land, planning permission P0702.08 indicates that a building up to four storeys in height is likely to be developed beyond the site's western boundary, in association with the hospital redevelopment, and that open space and an access road will be located alongside the southern boundary.

The eastern boundary lies adjacent to the public highway, which at that point includes a bus stop, whilst the northern boundary abuts existing residential properties fronting onto Gubbins Lane, which comprise two storey, pitch-roofed dwellings. The site is located in close proximity to the Harold Wood Major Local Centre, the Oak Road Minor Local Centre, and Harold Wood railway station.

The application site, and the land immediately to the west, benefit from a planning consent for the development of 16 residential units in two blocks (reference P0585.12). A three to four storey block of 10 flats would be located alongside Gubbins Lane, and a second, two-storey block would be located to the rear, comprising four flats and two houses.

## **DESCRIPTION OF PROPOSAL**

This planning application proposes the demolition of two existing buildings and their replacement with a block comprising a retail unit at ground floor level, with two floors of residential accommodation above, amounting to nine flats. The proposal would be accompanied by a parking area, private amenity spaces for the flats, a refuse store, and cycle storage. Vehicular access would be through the existing access onto Gubbins Lane.

The proposed block would be located at the southern end of the site, with the northern side providing the parking area for both residents and users of the retail stores. Nine residential parking spaces would be located alongside the site's northern boundary, each of which would include a bollard to prevent unauthorised parking. Twelve retail parking spaces would be provided, with two located alongside the site's northern boundary, and ten to be located alongside the retail store, separated from it by a pedestrian access path connecting the site to Gubbins Lane.

Pedestrian access to the retail store would be through the building's northern elevation, whilst pedestrian access to the residential units would be through the eastern elevation. The building's eastern elevation would be set back from the public highway by approximately 3.5m with landscaping to be provided in between. The proposed residential bin store and bike store would be accessed from the building's eastern elevation, in which the two would be set.

The proposed retail unit would have a floor area of 330sqm. The nine residential units, which are between approximately 74sqm and 94sqm in area (including private amenity spaces), would comprise nine 2-bed flats. The main elevations of the block would face in a north-south direction, and each flat would be accompanied by a private balcony. The proposal would not include any communal amenity spaces for the proposed dwellings. The proposal would be clad in a mixture of brick, render, and glazing.

The land located to the west of the site, which the submitted information states is now in separate ownership, does not form part of the proposal under consideration.

## **RELEVANT HISTORY**

The previous planning decisions of most relevance to this application are as follows:

P0585.12 - 16 no. new build residential flats and houses as; 1 bedroom, 2 bedroom and 3 bedroom units in 2 blocks from 2 to 4 storeys in height with car parking bays and associated communal landscaped areas and private gardens - Approved.

P1446.10 - Redevelopment of commercial workshop/body shop for residential use, erection of 24 apartments (Demolition of existing builders yard) - Refused on the following grounds:

"1. The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC2, DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

2. The proposal represents an overdevelopment of the site which is unable to provide an acceptable level of off-street parking without resulting in deficient amenity space provision. To provide adequate amenity space the resultant shortfall in parking would give rise to unacceptable overspill onto the public highway to the detriment of highway safety. The development is therefore contrary to Policies DC33 and DC61 of the LDF Development Control Policies DPD.



3. In the absence of a Section 106 Legal Agreement, the applicant fails to demonstrate how the impact of the development on Education provision will be provided for. In this respect, the proposal would be contrary to Policies DC29 and DC72 of the LDF."

This decision was appealed by the applicant (Reference: APP/B5480/A/11/2150765) but the appeal was dismissed in August 2011 on the grounds that some of the units would have inadequate amenity space and that the scheme would make inadequate provision for car parking.

P0233.09 - Redevelopment of commercial workshop/bodyshop for residential use, erection of 27 apartments (Demolition of Existing Buildings) - Refused on the following grounds:

"1. The proposed development would, by reason of its position, bulk and mass, appear as a visually intrusive feature in the streetscene, harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document.

2. The proposed development would, by reason of its position and proximity to an approved adjoining scheme under application ref. P1232.06, cause overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of adjacent future occupiers and prejudice the living conditions of prospective occupiers of the proposed development, contrary to Policy DC61 of the LDF Development Control Policies DPD.

3. The proposed development would, by reason of the inadequate provision of amenity space, result in a cramped over-development of the site to the detriment of future occupiers and the character of the surrounding area contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document and the SPG on Residential Amenity Space.

4. In failing to deliver a high quality of design through the deficiencies described in reasons 1 and 2 above, the proposal fails to justify such high density of development, contrary to Policies CP2 and DC2 of the LDF Core Strategy and Development Control Policies Development Plan Documents.

5. The proposed development would, by reason of the inadequate servicing of the site and lack of details of a new bus stop, result in unacceptable loading, unloading and turning of vehicles at the site and render the bus stop inaccessible to the general public, causing an impact on the adjoining roads to the detriment of highway safety and residential amenity and contrary to Policies DC32, DC36 and DC61 of the LDF Development Control Policies DPD.

6. The scheme does not give particulars with regards to an energy demand assessment or details of the energy efficiency design measures and renewable energy technology to be incorporated into the development. It has therefore not been sufficiently demonstrated how the scheme could achieve the required displacement of at least 20% of carbon dioxide emissions through on site renewable energy measures and energy efficient technology and is contrary to Policy DC50 of the LDF Development Control Development Plan Policy and Policies 4A.4 and 4A.7 of the London Plan.

7. Insufficient justification has been provided for the lack of provision of affordable housing. In this respect, the proposal would be contrary to Policies 3A.9 and 3A.11 of the London Plan and Policy DC6 of the LDF.

8. Insufficient justification has been provided for the lack of provision of an educational contribution. In this respect, the proposal would be contrary to Policies DC29 and DC72 of the LDF."

This decision was appealed by the applicant (Reference: APP/B5480/A/09/2112021) but the appeal was dismissed in February 2010 on the grounds that the proposal would result in an over development of the site, allowing insufficient amenity space for all of the residents, and insufficient access arrangements. It was also considered that the proposal would have an unacceptable impact on the street scene and that there was insufficient justification for the absence of affordable housing units.

The following is also of relevance as it relates to the neighbouring, former hospital site.

P0702.08 - Outline application for the redevelopment of the site to provide 810 dwellings including submission of full details in relation to the retention, with alterations, of the Grange listed building within the site to provide 11 flats and for a two storey building adjacent to the Grange to provide 4 flats - Approved.

### **CONSULTATIONS/REPRESENTATIONS**

One of the buildings to be demolished as part of the proposal straddles the site's western boundary and is partially located on land outside of the applicant's ownership. The owner of the land affected has been consulted about the proposal and submitted representations stating that they have no objections to the proposal.

Neighbour notification letters have been sent to 54 local addresses. 25 representations have been received objecting to the proposal. Objections to the scheme are raised on the following grounds. It is stated that the proposal would:

- Result in significant noise and other disruption to local residents;
- Result in additional traffic congestion in the area;
- Result in overlooking of neighbouring properties;
- Not be in keeping with the character of the area, in terms of its height and design;
- Not provide sufficient parking spaces for future occupiers or shoppers;
- Provide a retail unit, which is not needed and would harm existing retail units;
- Result in an over development of the site;
- Have insufficient access arrangements;
- Cause dust nuisance;
- Be harmful to pedestrian safety.

Concerns about the proposal have also been raised by former Councillors Lesley Kelly and Pam Light, on the grounds of traffic impact and highway safety, the potential effects on local businesses, and provision of vehicle parking.

Comments have also been received from the following:

The Environment Agency  
No objections.

Designing Out Crime Officer  
No objections; condition and informative recommended.

Environmental Health (Noise)  
No objections; conditions recommended in relation to limitations on noise transfer and construction times.

Environmental Health (Contaminated Land)  
No objections; condition recommended.

Highway Authority  
Objections raised in relation to highway safety.

## **RELEVANT POLICIES**

National Planning Policy

National Planning Policy Framework ("the NPPF")

Regional Planning Policy

Following its recent adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 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), 4.7 (Retail and Town Centre Development), 4.8 (Retail), 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), 6.14 (freight), 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).

Local Planning Policy

Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC50, DC51, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document ("the LDF") are material considerations.

In addition, the Residential Design Supplementary Planning Document ("the SPD"), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and Draft Planning Obligations SPD are also material considerations in this case.

## **MAYORAL CIL IMPLICATIONS**

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The chargeable floorspace of the development once the demolition works are taken into account is approximately 352sqm, which equates to a Mayoral CIL payment of £7,040.

## **STAFF COMMENTS**

The issues arising from this application are the principle of development, design and amenity considerations, environmental impact, highway and parking issues, affordable housing, community infrastructure, and other considerations.

## **PRINCIPLE OF DEVELOPMENT**

Policy CP1 of the LDF states that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. To the extent that the application proposes the erection of new housing on unallocated land, the proposal is considered to be acceptable in principle.

Policy DC15 of the LDF relates to retail development and the way in which it should be assessed, however, it is silent in relation to the status of Major Local Centres, such as Harold Wood, which the proposal would be located in close proximity to. However, the guidance contained in the London Plan does include local centres, such as that located at Harold Wood, in its definition of town centres. The proposal would be located approximately 55m from the Harold Wood Major Local Centre, and is therefore considered to be an edge-of-centre site.

Policy 4.7 of the London Plan states that edge-of-centre proposals should be the subject of an impact assessment, however, no threshold is stated for when this is required. The proposed retail space is below the 2500sqm threshold referred to in the NPPF as requiring a retail impact assessment when one is not stipulated in an up to date local plan. The proposal does need to be subject to the sequential test, which favours the location of retail development in town centres first, then in edge of centre locations, and then in out of centre locations where it can be demonstrated that appropriate capacity is not available in the preferred locations.

The submitted retail impact assessment and sequential test concludes that the development of a modest, convenient retail outlet in an edge of centre location in close proximity to a railway station and a major new residential development would not be harmful to the town centre, whether defined by the District Local Centre 1.4 miles away at Harold Hill, or the Major Local Centre located 55m away at Harold Wood. The proposal is for convenience shopping in the local area, and an assessment of the existing retail premises at both Harold Wood and Harold Hill, concludes that insufficient space is available for the development of a retail store of the size proposed.

Given the potential additional demand for local convenience retail provision in the local area, arising from the significant provision of new housing development, and considering the size of the proposed retail unit, which would be at the smaller end of the scale, it is considered unlikely that the proposal would result in significant harm to the nearest existing retail centres. The site is well within the 300m radius used to define edge-of-centre sites, and the proposal would be well connected to the Harold Wood retail centre by foot. The scope of the submitted sequential test is considered to be sound. Given the foregoing considerations, and that a shortage of suitably sized local retail premises has been identified, officers consider that, on balance, the proposed retail unit is acceptable in principle.

## **DENSITY/SITE LAYOUT**

Policy DC2 of the LDF stipulates the appropriate residential densities in given areas of the borough. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The SPD contains guidance in relation to the design of residential development.

The application site covers an area of approximately 0.1 hectares and proposes 9 units, giving a development density of approximately 90 units per hectare. Whilst this is above the density range of 50-80 units per hectare set out in Policy DC2, the close proximity of the proposal to Harold Wood railway station and the Harold Wood Major Local Centre is such that it is considered that the site's location could support the proposed density of residential development. Moreover, the previously approved scheme, which would have had the equivalent of 100 dwellings per hectare, was considered to be acceptable.

The proposal under consideration differs from that previously approved in that it would include a smaller area of land, and the proposed development would be orientated in an east-west direction, rather than the north-south orientations proposed for the two previously approved

blocks. Nevertheless, it is considered that the two developments bear comparison in relation to their densities. Both the current scheme and the previously approved flatted block would be set back from the public highway by a similar distance, although the one currently under consideration would be located further away from the existing residential properties to the north.

The proposal would not include any communal amenity space specifically for the benefit of future occupiers, however, each of the proposed flats would exceed the minimum space standards required by the London Plan, and would include private amenity spaces in the form of balconies. Each of the flats would include one parking space, whilst the proposed retail unit would benefit from twelve parking spaces. The proposed provision of vehicle parking and residential amenity space is considered to be acceptable.

The land to the west of the site would continue to be occupied by a single storey workshop building, separated from the proposal by a vehicular access area. This building would be accessed through the site. It is considered that in terms of site layout, both this existing building and the proposal could be located in close proximity to one another without any significant harm arising.

It is considered that the site could accommodate the proposed development without amounting to an over development of the site. The proposed three storey development would be one floor lower than the highest part of the previously approved scheme, and when all of the elements are considered, would not result in a significantly more dense overall development. In terms of the proposal's density and site layout, it is considered to be in accordance with Policies DC2 and DC61 of the LDF.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The site is located in a broadly residential area comprising a range of house types, with traditional, two storey, pitched roof dwellings and some larger scale flatted development. The neighbouring site to the west and south is currently being developed for residential purposes, and will eventually include a variety of houses and flatted development. The application site is considered to be in an unsightly condition, and the proposal would improve its appearance.

The proposed block would have a modern, flat-roofed appearance, and would include a variety of cladding materials. In terms of its general appearance, the proposal is considered to be comparable to the modern, flat roofed block of flats that was previously approved at the site, notwithstanding that the proposal would be orientated differently within the site, and would include a retail unit at ground floor level. The proposal would have a maximum height to the top of its service core, of approximately 12.5m, and would be three storeys in height, although most of the building would have a height of around 11m. The previously approved flatted development would have a maximum height of around 13m, although the building would generally be between 9.5m and 12m in height.

The scale and massing of the proposal blocks is considered to be broadly in keeping with the character of the wider area, particularly given the emerging residential development at the former Harold Wood hospital site, and considering the development previously approved at the site. It is recommended that planning conditions be imposed requiring the submission of details relating to the proposed use of cladding materials and landscaping within the site.

Given the nature of the proposal, including its appearance, layout, scale, massing and design in relation to the surrounding area and within the proposed development itself; it is considered that the proposal would have an acceptable impact on the character of the area, and that it would

therefore be in accordance with Policy DC61 of the LDF and Policy 7.4 of the London Plan.

### **IMPACT ON AMENITY**

Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.

Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conform to minimum internal space standards set out in the plan. In this instance the proposed dwellings would each exceed the stipulated minimum standards and officers therefore consider that the proposal would provide an acceptable standard of living accommodation for future occupiers.

In terms of the site layout, all of the proposed dwellings would have adequate access to sunlight and daylight. In relation to amenity space provision, the Council's Residential Design SPD does not prescribe amenity space standards but rather seeks to ensure that amenity space is provided in a high quality, functional and well designed manner. Amenity space should also be private and not unreasonably overshadowed. The proposed development would provide private balconies for the proposed apartments. All of the dwellings are considered to be provided with acceptable amenity space provision, which accords with the aims of the SPD.

The Council's Environmental Health officers have raised no objections to the proposal; conditions are recommended seeking to control noise levels, which can be imposed should planning permission be granted.

In terms of how they relate to one another and the retail unit, it is considered that the proposed dwellings would not result in any unacceptable levels of overlooking, overshadowing, or outlook. It is considered that the proposed development would provide an adequate level of amenity for the future occupiers of the development.

In relation to the impact the proposal would have on existing, neighbouring occupiers then particular attention needs to be paid to the impacts on residents along Gubbins Lane, which are the nearest existing neighbouring properties to the site. Consideration also needs to be given to the impacts between the proposal and the approved residential development at the neighbouring, former hospital site.

The eastern elevation of the proposal would be located approximately 24m from the neighbouring dwellings located on the opposite side of Gubbins Lane. Given the nature of the proposal, including its overall scale, it is considered that its siting would not result in any significant adverse impacts on the amenities of the occupiers of these properties, in terms of overlooking, overshadowing, or outlook.

The nearest neighbouring property would be No.67 Gubbins Lane, which is located immediately to the north of the site. The proposed access and car park would run between the proposed block and this dwelling. Given that the access to the existing business is located in the same position and that the less intensively used residential parking spaces would mainly be located alongside this property, it is considered that the proposal would not result in any significant noise impacts on the amenities of this property's occupiers, subject to the use of conditions controlling

the opening hours of the retail unit, and the installation of acoustic fencing along the site's northern boundary.

Given the siting of the proposed building in relation to No.67 and its height, it is considered that there would not be any significant adverse impacts in terms of the outlook and access to daylight of the occupiers of No.67. In terms of overlooking, the proposal would include windows and balconies at second and third floor level within its northern elevation that would face towards No.67 and permit a degree of overlooking towards its rear curtilage. With a separation distance of approximately 17m between the proposed flats and the rear garden of No.67, it is considered that a significant degree of overlooking, and a significant perception of overlooking on the part of No.67's occupiers, could arise. However, the submitted information indicates that these impacts can be overcome through the use of eye-level, angled screens to the proposed balconies and the use of oriel windows to the main living areas that would either prevent, or significantly reduce, any potential overlooking to the neighbouring property and address the possible perception of overlooking. It is recommended that a condition be imposed, should planning permission be granted, requiring the approval of details to prevent overlooking to this neighbouring property, in relation to the proposed balconies and other openings along the proposal's northern elevation.

Consideration also needs to be given to the relationship that the proposal would have with the proposed development at the neighbouring, former hospital site. Outline planning permission has been granted for residential development at the neighbouring site, with reserved matters approval being granted in different areas of that site. The phase nearest to the site under consideration does not yet benefit from reserved matters consent and it is anticipated that this will not be sought until 2015. The outline consent that has been granted indicates that an apartment block, up to four storeys in height, would be constructed approximately 21m to the west of the building proposed in the application under consideration. However, the outline consent that has been granted only relates to the access arrangements; the anticipated reserved matters application would therefore provide scope for the scale, design, and layout of that proposal to be adapted to the prevailing conditions existing at that time. Given that the future design of the neighbouring apartment block can be adapted to prevent any significant adverse impacts between that development and the proposal, the proposed development is considered to be acceptable in terms of the relationship it would have with the neighbouring site.

The land to the west of the site would continue to be occupied by a single storey workshop building, separated from the proposal by a vehicular access area. This building would be accessed through the site. It is considered that in terms of amenity, both this existing building and the proposal could be located in close proximity to one another without any significant harm arising.

Officers consider that in terms of the standard of accommodation and amenity space to be provided, and the amenity of existing neighbouring occupiers, and the amenity of the future occupiers of the development, that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.

## **HIGHWAY/PARKING**

The application proposes 21 car parking spaces: nine for the proposed residential units, and 12 for the proposed retail unit, two of which would be for disabled users. The proposed car parking provision would therefore equate to 1 space per dwelling. Cycle storage would also be provided at a rate of more than one space per dwelling.

The site has a PTAL rating of 3-4, which translates to a moderate level of public transport accessibility, however, the proposal is located in close proximity to Harold Wood railway station and is located immediately adjacent to a bus stop.

The Council's highways officers have raised objections to the proposal on the grounds that the anticipated increase in vehicular movements associated with a residential and retail use combined, would result in an unacceptable impact on highway safety at a site access that crosses a frequently used footpath and is in close proximity to a bus stop with a high frequency of services. These concerns are compounded by the potential continued use and/or development of the land immediately to the west of the site, which the submitted information suggests will either be retained as it is, occupied by a workshop building, or may be re-developed in future for some other purpose. The Highway Authority has indicated that the concerns raised might be overcome by the removal of the parking spaces associated with the proposed retail unit, which would reduce the number of traffic movements through the site's access, or through the creation of an additional access point through the site's western boundary. However, the application does not propose either of these arrangements.

Concerns are also raised in relation to overspill parking into the public highway given then limited parking restrictions in the local area. However, Highways officers are satisfied that this issue could be overcome through the use of a planning obligation and/or changes to the management of the public highway.

It is considered that the proposal would result in a significant adverse impact on highway safety, and that it would therefore be contrary to Policy DC32 of the LDF.

#### **OTHER ISSUES**

The Council's Environmental Health officers were consulted about the application with no objections being raised. Conditions have been recommended in relation to land contamination, sound attenuation, and limitations to construction times. It is recommended that these be employed should planning permission be granted.

#### **SECURED BY DESIGN**

Havering's Crime Prevention Design Advisor has recommended a condition requiring the submission of details relating to the way in which "Secured by Design" standards will be achieved, accompanied by an informative. In the interests of designing out crime, this condition and informative can be imposed should planning permission be granted.

#### **SECTION 106**

This planning application is subject to the Council's tariff under the draft Planning Obligations SPD. The proposal would give rise to a contribution of £56,000 towards infrastructure costs. However, in the absence of a completed legal agreement to secure this financial contribution, the proposal is considered to be contrary to Policy DC72 of the LDF, and the guidance contained in the Planning Obligations SPD.

#### **KEY ISSUES/CONCLUSIONS**

Given the anticipated adverse impacts that the proposal would have on highway safety and amenity, and in the absence of a completed legal agreement to secure the required infrastructure contributions, officers recommend that planning permission should not be granted in this case.



The proposal is considered to be unacceptable having had regard to Policies Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC51, DC53, DC55, DC61, DC63, and DC72 of the LDF and all other material considerations.

## **RECOMMENDATION**

It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

### **1. Refusal non standard Condition**

The anticipated increase in vehicular movements associated with a residential and retail use combined, particularly when considered alongside the use of an adjoining site, all of which would make use of an access point that crosses a pedestrian footway and is in close proximity to a heavily used bus stop, would result in an unacceptable impact on highway safety. The proposal is therefore contrary to Policy DC32 of the Development Control Policies DPD.

### **2. Refusal non standard condition**

In the absence of a completed legal agreement to secure the required infrastructure contributions, the proposal is considered to be contrary to the Planning Obligations SPD and Policy DC72 of the Development Control Policies DPD.

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### **1 Refusal - Amendments requested not made**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements were required to make the proposal acceptable and suitable amendments were suggested during the course of the application, in accordance with para 186-187 of the National Planning Policy Framework 2012. The applicant declined to make the suggested revisions.

### **2 Refusal and CIL (enter amount)**

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £7,040. Further details with regard to CIL are available from the Council's website.

<b>APPLICATION NO:</b>	<b>P0568.14</b>	
<b>WARD :</b>	Rainham & Wennington	<b>Date Received:</b> 24th April 2014 <b>Expiry Date:</b> 24th July 2014
<b>ADDRESS:</b>	Ingrebourne Links Golf Course New Road Wennington Rainham	
<b>PROPOSAL:</b>	Variation of condition 1 (timescale) of P0084.12	
<b>DRAWING NO(S):</b>	0128/TS/1a	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

### **SITE DESCRIPTION**

The application site comprises land located to the east of the A1306 (New Road), Rainham, on which a golf course, driving range, and associated club house, car parking, and ancillary facilities are currently being constructed. The construction works involve the importation of inert material, which is brought in by road, deposited and stockpiled at the western end of the site. The application under consideration only concerns this material reception area, which represents a very small part of the overall golf course development approved under planning permission P0319.09.

The site is located in the Green Belt and on land designated as Thames Chase Community Forest.

### **DESCRIPTION OF PROPOSAL**

This planning application proposes an extension of time for the temporary material storage area approved as part of planning application P0084.12. The site is located on land that benefits from planning permission for the development of a golf course, which is currently under way and anticipated to be completed by the Autumn of 2015. The location of the site is in an area of the wider golf course development that is already being employed as a material reception, storage and reception area. The application under consideration would allow for the continued delivery and storage of material outside of the hours already approved for the wider golf course development. On completion of the golf course development, the site would be restored in accordance with planning permission P0319.09.

The golf course development project is partly reliant on the inert material being excavated as part of the Crossrail project. The Crossrail project currently has a surplus volume of material needing to be disposed of with a lack of land on which to store it in central London. Given the central London location of much of the Cross Rail tunneling works, the export of material will most likely take place throughout the night.

Condition 8 of planning permission P0319.09 limits works in the area under consideration, including the delivery of material, to the hours of 0700-1800 Monday to Friday, and 0700-1300 Saturday. Planning permission P0084.12 subsequently granted a temporary consent for the importation of material on a 24 hour, 7 days per week basis. This permission expired in April 2014 and the application under consideration has been submitted the works approved under the permission P0084.12 to the end of September 2014, when it is anticipated that the volume of Crossrail material available will be greatly reduced.

As before, the proposal is only for the delivery and storage of inert material. No other operations, including the processing and working of the material delivered, would occur outside of the hours already approved as part of planning permission P0319.09.

### **RELEVANT HISTORY**

P0084.12 - Temporary change of use for a material storage area - Approved (10th April, 2012).

P0319.09 - Construction of a 'links' style golf course, club house, car parking and ancilliary facilities using treated indigenous and imported materials - Approved (25th May 2010).

### **CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to 27 neighbouring properties; a site notice was placed in the vicinity of the site; and advertisements have been placed in the local press. One representation has been received, objecting to the proposal on the grounds of noise, light intrusion, and mud on the road.

Comments have been received from the following consultees:

Highways - No objections.

Environmental Health - No objections.

### **RELEVANT POLICIES**

The following policies of the LDF Core Strategy and Development Control Policies DPD ("the LDF") are of relevance:

DC22 - Thames Chase Community Forest

DC33 - Car Parking

DC45 - Appropriate Development in the Green Belt

DC55 - Noise

DC61 - Urban Design

National Planning Guidance

National Planning Policy Framework.

### **STAFF COMMENTS**

The main issues in this case are considered to be the principle of development, the impact upon the character of the area, impact upon neighbouring occupiers, and highway considerations.

### **PRINCIPLE OF DEVELOPMENT**

The site is located on land designated as Thames Chase Community Forest. Policy DC22 of the LDF states that opportunities for informal recreation in the countryside will be increased by various means. The site already benefits from planning permission for the development of a golf course, which is in the process of being completed. It is considered that the proposal would not be contrary to Policy DC22.

The proposed development would take place within the Green Belt. Policy DC45 of the LDF states that planning permission will only be granted for development if it is for given purposes, including outdoor recreation. The proposed use of land as a temporary material reception and

storage area, associated with the development of a golf course, is considered to be in accordance with Policy DC45.

In terms of the guidance contained in NPPF, inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In terms of Green Belt policy, the application proposes the change of use of land. The guidance contained in the NPPF does not include material changes of use in the categories of appropriate Green Belt development and the proposal is therefore considered to constitute inappropriate development in principle in the Green Belt. However, it is considered that the proposal, which would be for a temporary extension to a planning permission granted previously, and which would support the completion of the wider golf course development on schedule, benefits from very special circumstances, which outweigh the identified harm to the Green Belt. No other significant harm is identified in relation to the proposal.

### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The site is located within the Green Belt.

Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The proposal would result in the delivery and storage of inert material at the site, on land located within an approved golf course development that is already being employed as a material reception, storage, and processing area. The proposal would continue to allow for the delivery of inert material outside of the hours already approved by the wider golf course planning permission, which was previously agreed under P0084.12. The controls associated with the golf course planning permission, in which the site is located, would continue to apply. The only significant change in terms of the visual impact, over and above what the existing development gives rise to, would be that vehicles could be observed entering and leaving the site at times of the day that are currently permitted by the extant golf course consent.

The site under consideration would be restored in accordance with planning permission P0319.09. It is recommended that a condition be imposed, should planning permission be granted, stipulating that the site be restored in accordance with the plans approved under planning permission P0319.09. In the interests of visual amenity and the timely completion of the golf course development, it is also recommended that the provisions of conditions 13 (limiting the importation of material to that required for the construction of the gold course), 15 (limiting the storage of imported material to the area approved), and 25 (preventing the installation of flood lighting without the prior approval of the Council) of planning permission P0319.09 be employed in this case. These conditions were all imposed on the earlier consent, P0084.12, such that the position is not materially changed in this respect.

It is considered that the proposal would not result in any significant adverse visual impacts and that it would therefore be in accordance with Policy DC61 of the LDF.

### **IMPACT ON AMENITY**

Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

The site has been advertised and neighbours notified of the proposed development. The nearest noise sensitive properties are Wennington Hall Cottages, which are located approximately 310m to the south west of the site entrance and on the other side of the A1306. These properties are located approximately 460m from the material reception and storage area in which material would be deposited during the night. Another residential property, known as The Willows, and the Travel Inn hotel, are located approximately 430m to the south of the vehicular access through which inert material would be imported, and around 500m from the area that the material would be deposited within. The objection received is from the occupier of the Willows.

It is considered that the location of the proposed reception and storage area is such that there would not be any significant adverse impacts on the amenity of local residents. The same conditions will be re-applied as previously, stipulating that material shall only be deposited and stored, and that no processing or other activities shall take place during the proposed hours of operation and preventing the installation of floodlighting.

A further condition should require that the 24/7 importation of material cease on or before 30th September 2014.

The proposed extension of the period during which material may be delivered to the site would result in an increase in heavy goods vehicle movements during the evenings and early morning hours, which could have an adverse noise impact on the occupiers of properties located alongside the public highway. The anticipated number of deliveries during the period from 7pm and 7am would be in the region of 30 or 40, or 60-80 vehicle movements, the equivalent of 2-4 deliveries (4-8 movements) per hour on average. As with the last application (P0084.12), it is considered that the proposed vehicle movements would not have any significant adverse impacts on the amenities of neighbouring occupiers providing a condition is imposed requiring that vehicles visiting the site during the night, only access the site from the direction of the Wennington junction of the A13, and leave the site in the direction of that junction. This will mean that HGV traffic can avoid the more densely populated areas to the north and north west of the site, particularly where traffic lights and junctions would require HGVs to stop near to residential properties.

Subject to the use of the afore mentioned conditions, it is considered that the the proposal would therefore be in accordance with Policy DC61 of the LDF.

## **HIGHWAY/PARKING**

The Highway Authority has raised no objections to the proposal.

Should planning permission be granted, it is recommended that conditions 10 (wheel wash) and 26 (Travel Plan) relating to planning permission P0319.09 be imposed in this case to ensure that vehicles visiting the site continue to utilise the wheel wash facilities installed on site and to ensure that the provisions of the Travel Plan approved as part of the wider golf course development continue to be adhered to. This is as per the previous approval P0084.12.

Subject to the use of the afore mentioned conditions, it is considered that the proposal would not result in any significant adverse impacts on highway safety and amenity.

## **KEY ISSUES/CONCLUSIONS**

The proposed development is considered to be acceptable having had regard to Policies DC22, DC33, DC45, DC55, and DC61 of the LDF, and all other material considerations.

## **RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

**1. Non standard condition**

The development hereby approved shall cease by 30th September, 2014. The site shall thereafter be restored in accordance with the phasing and details approved as part of planning permission P0319.09.

Reason:

In the interests of visual and local amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**2. Non standard condition**

Only inert material required for the restoration / construction of the golf course landform, approved by planning permission P0319.09, shall be brought onto the site. No material shall be removed from the site.

Reason:

To ensure that the minimum amount of soil making material is brought into the site to ensure the site is restored in the minimum amount of time available and that minimum harm to the amenities of the area is caused in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**3. Non standard condition**

Storage of material shall only take place within the area edged red on the plan referenced 0128/TS/1a.

Reason:

In the interests of visual amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**4. Non standard condition**

No floodlighting shall be provided on any part of the application site without the prior written approval of the Local Planning Authority.

Reason:

In the interests of the character and appearance of the site which forms part of the Metropolitan Green Belt and of amenity, in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**5. Non standard condition**

The approved development shall be undertaken in accordance with the Travel Plan approved under condition 26 of planning permission P0319.09.

Reason: To bring about a reduction in vehicle journeys.

**6. Non standard condition**

**6. Non standard condition**

The wheel scrubbing/wash down facilities approved and installed in accordance with condition 10 of planning permission P0319.09 shall be employed by all heavy goods vehicles leaving the site, to prevent mud being deposited onto the public highway.

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, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

**7. Non standard condition**

This planning permission only grants approval for the deposition and storage of inert material. No other operations shall occur.

Reason:

In the interests of local amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**8. Non standard condition**

Stockpiled material at the site shall not be stored at heights greater than 4m, measured from ground level.

Reason:

In the interests of visual amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**9. Non Standard Condition**

Heavy goods vehicles entering and leaving the site to deposit material between the hours 1800 and 0700 Mondays to Fridays, 1300-0800 on Saturdays, and at all times on Sundays, Bank and Public holidays, shall only approach and leave the site according to the following routing arrangements:

a) Heavy goods vehicles shall only approach the site, along the A1306, from the direction of the Wennington junction between the A1306 and the A13, which is located to the south of the site. Heavy goods vehicles shall only enter the site from the public highway by a right-hand turn.

b) Heavy goods vehicles shall only depart from the site, along the A1306, by approaching Wennington junction between the A1306 and the A13, which is located to the south of the site. Heavy goods vehicles shall only enter the public highway from the site by a left-hand turn.

Reason:

In order to prevent heavy goods traffic significantly diminishing the amenity of residential occupiers located in close proximity to the public highway, and in accordance with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

**10. SC32 (Accordance with plans)**

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (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.

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**INFORMATIVES**

**1 Fee Informative**

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

**2 Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.



<b>APPLICATION NO:</b>	<b>P0648.14</b>	
<b>WARD :</b>	Hylands	<b>Date Received:</b> 8th May 2014 <b>Expiry Date:</b> 3rd July 2014
<b>ADDRESS:</b>	Tesco Stores Ltd 300 Hornchurch Road Hornchurch	
<b>PROPOSAL:</b>	Variation of condition 8 of L/HAV/1719/83 (as amended by Ref: P0195.97) to extend store opening hours from 8:00- 22:00 Monday to Saturday and 10:00 - 16:00 on Sunday to 24 hours Monday to Saturday and 10:00 and 16:00 on Sunday.	
<b>DRAWING NO(S):</b>	Ordnance survey map	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

### **CALL-IN**

The application has been called in to committee by Councillor Ganly on the grounds of unacceptable disturbance to neighbouring residents.

### **SITE DESCRIPTION**

The application site comprises of a supermarket building and its curtilage to the north side of Hornchurch Road. To the north-west of the site is a retail warehouse store. There is an existing petrol filling station within the site, adjacent to its northern boundary. To the west lie retail premises to the west and residential dwellings towards the east of the site and opposite, on the south side of Hornchurch Road. The nearest residential properties are located between 30 and 45 metres away from the supermarket.

Planning permission has recently been granted for residential development on the site of the former Dukes Hall community centre (planning reference P0490.13). These units are currently under construction.

### **DESCRIPTION OF PROPOSAL**

The application seeks consent for variation of condition 8 of L/HAV/1719/83 (as amended by Reference P0195.97) to extend store opening hours from 8:00 - 22:00 Monday to Saturday and 10:00 - 16:00 on Sunday to 24 hours Monday to Saturday and 10:00 and 16:00 on Sunday.

### **RELEVANT HISTORY**

There is extensive history, the most recent and relevant is as follows:

P0199.14 - Variation of condition 4 of planning permission P0957.13 to allow construction/deliveries in relation to the permission to operate between 16:00pm to 00:00am on Sundays - Approved.

P0195.97 - Variation of condition 8 of planning permission L/HAV/1719/83 (as amended by consents P0332.92, P0617.93 and P0788.96) to extend store trading hours to 08:00 - 22:00 Monday to Saturday and 10:00 - 16:00 on Sundays - Approved.

## **CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 190 local addresses. Nine letters of objection were received with detailed comments that have been summarised as follows:

- The opening hours are not suitable for the centre of a residential area.
- It is alleged that when the store was originally built, it was on the proviso that it would not be open 24 hours 7 days a week.
- There are two other Tesco stores at Gallows Corner and Rainham which are open 24 hours.
- There will be another supermarket in the vicinity situated away from residential areas that will offer 24 hour shopping facilities, so Tesco's extension of normal shopping hours will not be needed.
- Noise.
- Smells.
- Traffic.
- Light pollution.
- Disturbance.
- Impact on neighbouring amenity.
- The proximity of the supermarket to existing and newly built residential properties.
- A new refit of the store resulted in disruption to local residents.
- Anti-social behaviour.
- Crime.
- Privacy.
- Servicing/deliveries.
- Rubbish.
- Abandoned trolleys.
- Parking, rubbish and other issues regarding the car park adjacent to Blockbusters and Burger King.
- An application for 24 hour opening has been refused permission before.
- Concerns that some neighbouring properties were not consulted.

In response to the above comments, each planning application is determined on its individual planning merits. Noise and disturbance can be addressed by an appropriate planning condition 3. The Council has a duty to consult neighbouring residents that directly abut the application site. The Council uses its discretion to undertake a wider consultation when necessary. In this instance, 190 neighbouring properties were consulted. Comments regarding a recent refit of the supermarket are not material planning considerations. Comments regarding the car park adjacent to Blockbusters and Burger King do not form part of the application site and as such, are not material planning considerations. This application seeks a variation to the store's opening hours, not delivery hours. The remaining issues are covered in the following sections of this report.

## **RELEVANT POLICIES**

Policies DC55 and DC61 of the Local Development Framework Development Control Policies Development Plan Document.

## **MAYORAL CIL IMPLICATIONS**

The proposal is not liable for Mayoral CIL.

## **STAFF COMMENTS**

The issues arising from this application are the impact of the proposal on residential amenity and any highway and parking issues.

## **IMPACT ON AMENITY**

With regard to the impact upon neighbouring properties consideration must be given to potential implications in terms of the extension of opening hours and noise and disturbance.

It is noted that there is a retail store to the north-west of the site and the existing Tesco petrol station to the north. As such there is a certain level of commercial activity in the vicinity of the site and associated noise is to be expected. The site already exhibits a commercial character and consideration must be given as to whether the increase in trading hours would create levels of noise and disturbance which are materially different or greater than is presently the case. The store is presently open from 08.00 to 22.00 hours Monday to Saturday. Sunday trading hours would not be altered.

It is considered that the impact of the increased opening hours would be spread across a relatively large site and given the separation distances from neighbouring properties the increased opening hours would not create conditions that would be unduly harmful to residential amenity.

The supermarket is located between approximately 30 and 45 metres from the nearest residential properties on the former Dukes Hall site in Maygreen Crescent, which would help to mitigate the impact of the proposal. It is noted that these residential properties are currently under construction, so any future occupiers of these units would be aware of the relationship with the Tesco store and the opening hours of the supermarket. There is a substantial separation distance between the rear facade of the supermarket and the flats in Maygreen Crescent, which would help to mitigate the impact of the proposal.

The main customer parking area is located to the western side of the supermarket, whilst the residential properties within Maygreen Crescent are located to the east. The proposal does not seek to alter the delivery hours to the store or the hours of operation of the petrol filling station. It is judged that the levels of activity associated with the extended hours of operation of the supermarket would be concentrated primarily around the western side of the building, where the main parking areas and the store entrance is located. This to some extent would provide a degree of separation from the main areas of external activity and the residential properties to the east, such that material harm to the amenity of residents to the east of the site would not occur.

From the site visit it was observed that Hornchurch Road is a heavily trafficked road with relatively high ambient noise levels. Given the nature of this road, there is no reason to believe that these observations are unusual. It is reasonable to assume, given the location of the application site that the ambient noise level would remain reasonably high in the evenings. It is considered that residential properties to the south of the application site would not be adversely affected by the proposal as they are located on the opposite side of Hornchurch Road and sufficiently well separated from the application site.

In terms of the likely impacts on local and residential amenity, it is considered that the proposal would be in accordance with Policy DC61 of the LDF.

## **HIGHWAY/PARKING**

It is considered that the proposal would not create any parking or highway issues, as there is sufficient car parking provision on site. The Highways Authority has no objection to the proposal.

## **KEY ISSUES/CONCLUSIONS**

It is considered that the extension of opening hours would not result in material harm to residential amenity and nor would it create any highway or parking issues. Approval is

recommended.

## **RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

### **1. SC27 (Hours of use) ENTER DETAILS**

The premises shall not be used for the purposes hereby permitted other than between the hours of 06:00 Monday through to 23:59 on Saturdays and between 10:00 and 16:00 on Sundays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

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## **INFORMATIVES**

### **1 Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

### **2 Fee Informative**

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

<b>APPLICATION NO:</b>	<b>P0780.14</b>	
<b>WARD :</b>	Brooklands	<b>Date Received:</b> 5th June 2014 <b>Expiry Date:</b> 31st July 2014
<b>ADDRESS:</b>	YMCA Rush Green Road Romford	
<b>PROPOSAL:</b>	A temporary single storey education building in the west corner of the site to accommodate a primary school for 3 forms of entry. The building will comprise three classrooms as well as ancillary facilities. A single storey administration staff room. There will also be replacement hardstanding play area and new fences with gates.	
<b>DRAWING NO(S):</b>	6APFSXXX/PL/TEMP/020 Rev 0 6APFSXXX/PL/TEMP/030 Rev 0 6APFSXXX/PL/TEMP/025 Rev 0	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

## **SITE DESCRIPTION**

The application site is an irregular shaped parcel of land measuring approximately 0.1ha in area. The site comprises an area of open harstanding within the curtilage of the YMCA complex, located off Rush Green Road. The site's northern boundary adjoins the rear gardens of residential properties located on the southern side of Rush Green Road. The southern boundary adjoins the rear gardens of residential properties located along Gorseway. The western boundary abuts open land located between the residential properties of Rush Green Road and Gorseway. The eastern boundary lies adjacent to an area of hardstanding associated with the YMCA complex, beyond which is the associated multi storey building.

## **DESCRIPTION OF PROPOSAL**

This planning application proposes the erection of two temporary buildings to provide accommodation for a primary school. The Oasis Academy is awaiting the construction of its proposed permanent facility at the Oldchurch site in Romford, and requires a temporary arrangement in the mean time. It is intended that the proposed, temporary facility would be open in time for the September 2014 intake and would be required for two years.

The proposal was originally for a temporary school accommodating upto 90 pupils during its first year, and upto 180 pupils during its second year, making use of a two storey teaching block. Following advice from officers, the applicants have amended the application such that any increases in the school's capacity above 90 pupils in its second year should be the subject of a separate application. The applicant has also been made aware that a two storey building in the proposed location may not be acceptable. The applicant has stated that any future application to expand capacity could be based on a single storey building.

The temporary school would accommodate upto 90 4-11 year olds in its first year. It is anticipated that planning permission will be sought at a later date to allow for an expansion of the temporary facilities and the enrolment of a further 90 pupils in its second year, with 10 staff in the first year, followed by a further 6 in the second year. However, as far as the current application is concerned, the proposal is for the creation of a temporary school, required for a

two year period, to accommodate upto 90 pupils with 10 staff.

Both of the proposed temporary buildings would be modular structures: one would be a single storey building located close to the southern boundary and would provide office accommodation; the other would be a flat roofed, single storey building located alongside the northern site boundary, containing classrooms and other pupil facilities for three forms of entry. The office building would be approximately 90sqm in area and would have a maximum height of around 3.2m, whilst the teaching block would be around 300sqm and would have a height of around 3.5m.

A covered play area would be located to the south of the proposed teaching block; whilst an outdoor play area would be located alongside the southern boundary. Both play areas would be located on replacement hardstanding. The site's perimeter would be secured by a 2150mm high chain link fence.

No additional hard or soft landscaping is proposed. The proposal would include six parking spaces for staff and visitors, including one disabled space. Bicycle parking would also be provided.

#### **RELEVANT HISTORY**

There are no previous planning decisions at the site of particular relevance to this proposal.

#### **CONSULTATIONS/REPRESENTATIONS**

As discussed earlier in this report, the initial proposal for a two storey teaching block, accommodating upto 180 pupils, has been revised. The proposal is now for a single storey teaching block accommodating and the school would accommodate upto 90 pupils.

Notification letters were sent to 84 neighbouring properties with 12 objection letters being received along with a petition, containing 39 signatures, objecting to the proposal. The objection letters include one from two Councillors (an Eastbrook Ward Member and Cabinet Member for Regeneration) from the London Borough of Barking and Dagenham. Objections raised are on the following grounds:

- a) There is insufficient capacity in the local highway network for more traffic;
- b) The proposal would provide insufficient parking spaces;
- c) The increase in traffic will reduce highway safety;
- d) There is intense traffic congestion during the mornings and afternoons;
- e) There will be an increase in noise, particularly in relation to the proposed outdoor play area;
- f) The site is too small to accommodate the proposed development;
- g) A single storey extension would be preferred;
- h) The proposal would result in the loss of light and overlooking impacts;
- i) The need for an expanded school in this location has not been demonstrated;
- j) The proposal would be contrary to planning policies;
- k) Sewage infrastructure may not be sufficient to accommodate the proposal;
- l) The proposal may not be in accordance with policies relating to security, local character, and amenity;
- m) There are more suitable sites elsewhere.

Responses have been received from the following statutory and internal consultees:

Environmental Health (contaminated land) - No objections.

Environmental Health (noise) - Comments awaited.

Highway Authority - No objections; informative recommended.

Crime Prevention Design Advisor - Comments awaited.

Education - No objections.

Thames Water - Comments awaited.

## **RELEVANT POLICIES**

The following policies of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document ("the LDF") are material in this case:

CP10 (Sustainable Transport)  
CP17 (Design)  
DC29 (Educational Premises)  
DC32 (The Road Network)  
DC33 (Car parking)  
DC55 (Noise)  
DC61 (Urban Design)  
DC63 (Secure by Design)

The following policies of the London Plan are of relevance:

Policy 3.18 (Education Facilities)

National Planning Policy Framework is also a material consideration.

## **MAYORAL CIL IMPLICATIONS**

The proposed education facility would not give rise to a contribution under the Mayoral CIL Regulations.

## **STAFF COMMENTS**

This proposal is put before Members owing to the sensitivity of the proposal. The main issues to be considered in this case are the principle of development, design/street scene issues, amenity implications, highways issues, designing out crime, and other considerations.

Members are being asked to make a judgement about the proposal, which has clear benefits, but may also result in some harm. There is an identified need for additional primary school places within the borough, however, the proposal, whilst being temporary, would be located in close proximity to neighbouring properties resulting in potential noise impacts.

## **PRINCIPLE OF DEVELOPMENT**

Policy 3.18 of the London Plan states that:

"Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing facilities or change of use to educational purposes. Those which address the current projected shortage of primary school places will be particularly encouraged."

Policy DC29 seeks to ensure that the provision of primary and secondary education facilities is sufficient in quantity and quality to meet the needs of residents. The need for increased school places will normally be met by seeking opportunities within existing sites.

The submitted information states that the proposal is required for a temporary period whilst the school awaits the construction of its permanent facility at the former Oldchurch Hospital site.

The Council's Education officers have commented as follows:

"As a result of a rise in the birth rate and more people moving into the borough, Havering is experiencing a demand for primary school places that in some part of the borough outstrips demand. The school organisation team support this planning application as it will help provide much needed school places in an area of high demand, helping the Council meet its legal duty to ensure that there are enough school places available for children who live in the borough."

Given the existing use of the site as a car park, and the objectives of the above mentioned policies, this proposed temporary development, which would assist with the expansion of primary school provision, is considered to be acceptable in principle.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

Policy DC61 seeks to ensure that new developments/alterations are satisfactorily located and are of a high standard of design and layout. Furthermore, it seeks that the appearance of new developments/alterations is compatible with the character of the surrounding area, and does not prejudice the environment of the occupiers and adjacent properties.

The proposed temporary buildings would be single storey in height and, with the exception of neighbouring residential properties, from which the proposal would be partially visible beyond the site boundary, the proposed buildings would not generally be visible within the surrounding area. The surrounding area is characterised by a range of building types, including pitch roofed, two storey dwellings and the YMCA complex, which includes a tower block. Given the proposal's temporary nature, and the siting, scale, and design of the proposed buildings, along with the varied character of the surrounding area, it is considered that the proposed development would not give rise to any significant adverse visual impacts. In this regard, the proposal is considered to be in accordance with Policy DC61 of the LDF Development Control Policies Development Plan Document.

#### **IMPACT ON AMENITY**

Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

The site is located alongside the rear gardens of a number of residential properties, and approximately 30m from the dwellings themselves.

Given the single storey nature of the proposed buildings and their siting in relation to neighbouring properties, it is considered that the proposal would not result in any significant adverse impacts in relation to overlooking, loss of light, or outlook.

The proposed temporary use would generate noise during school hours, particularly when children are playing in the outdoor area, and given the temporary nature of the proposal, it is not considered reasonable to require any significant investment in acoustic screens around the site. Comments are still awaited from the Council's noise officer and Members will be advised of



these during the committee meeting. The advice in this report may therefore be subject to change, however, whilst the Environmental Health comments are awaited, planning officers would comment as follows.

Whilst the proposal would generate noise, this needs to be considered in relation to the fact that the site can currently be used as a car park. Moreover, the proposal would be for a temporary period, and the noise that does arise would only occur during term times, and during certain periods of the day. The proposed operating hours are 0730 - 1930 Monday to Friday, however, the applicant has indicated that the school opening hours are likely to be between 0845 and 1520 (to be agreed). The amount of time that groups of children will be located in the outdoor areas would therefore represent a relatively small portion of the day.

In light of these considerations, but subject to advice from Environmental Health, officers consider, on balance, that the noise arising from the proposal would not result in significant harm to the amenities of neighbouring occupiers. However, this is subject to the use of conditions limiting the life of the development to the two years applied for, and limiting the approved operating hours.

Subject to no adverse comments being received from Environmental Health officers, and subject to the afore mentioned conditions, it is considered that the proposal would be in accordance with Policy DC61 of the LDF in relation to amenity considerations.

#### **HIGHWAY/PARKING**

The application site would contain a total of 7 car parking spaces, but the wider YMCA site would be available for use by vehicles associated with the proposed school. The submitted information states that the wider YMCA site has 99 marked car parking spaces and 6 minibus spaces, along with a significant area of unmarked parking spaces, of which the application site would occupy a portion. It is estimated that the unmarked areas could accommodate around 61 cars. The proposal would result in the loss of around 44 of these spaces, leaving a total of 122 spaces within the wider site, where the submitted transport assessment indicates that during the proposed school hours (circa 0845 to 1520), the maximum observed demand is currently for 63 spaces.

The school propose a pick up and drop off area within the YMCA site that would accommodate upto 28 vehicles, although the use of cars is to be discouraged by means of a Travel Plan including measures such as a shuttle bus between Romford Town Centre and the site. The area of the wider site being considered for the pick up and drop area is an unused sports court off the south eastern side of the YMCA building and it is therefore stated that it would not result in any loss of car parking spaces. Based on the originally submitted proposal for a school accommodating upto 180 pupils in its second year, it is estimated that the vehicular traffic associated with the school would result in a 3.1% increase in two-way traffic flow along Rush Green Road during the weekday morning and evening peak times.

The Highway Authority has been consulted about the proposal and has raised no objections subject to the use of an informative, should planning permission be granted, advising the school operator of an appropriate location to pick up and drop off children as part of its proposed bus service.

The proposed number of off-street parking spaces is considered sufficient to serve the development, particularly when the wider YMCA site is considered, as is the surrounding road infrastructure. It is anticipated that pupils will be transported to the site by a range of means,

including by foot, public transport, bicycle and by road.

Should planning permission be granted, it is recommended that conditions be employed requiring the approval of a Travel Plan, detailing the proposed means of encouraging sustainable means of transport to the site, and the approval of details relating to bicycle storage at the site.

Whilst the proposal is likely to result in modest, periodic increases in local traffic congestion, given that no objections have been raised by the Highway Authority, and given that the increased highway impact would generally only occur at specific periods of time, the impact of the proposal, in terms of highway safety and access arrangements, is considered to be acceptable, subject to the use of the afore mentioned conditions.

### **OTHER ISSUES**

Objections have been received stating that there are problems with the sewage infrastructure in the local area. Thames Water have been consulted about the proposal, although comments have not been received at the time of writing. Members will be given an update about any comments received during the committee meeting, although the issue of sewage capacity and whether the proposed development could be accommodated is a matter for the relevant statutory undertaker. The submitted information states that the proposal would be served by mains sewers.

### **SECURED BY DESIGN**

The Metropolitan Police have been consulted about the proposal, however, comments are still awaited. Members will be given an update when the application is presented to the committee.

### **KEY ISSUES/CONCLUSIONS**

There is an identified need for additional primary school places in the borough, as described by the Council's Education department and London Plan policy. However, the demand for the proposal needs to be weighed against the other material considerations. Officers consider that the proposal will give rise to noise in the locality, however, given the temporary nature of the proposal, and that the noise described will only occur during term times, and during limited periods of the day, it is considered on balance that the identified harm would not be sufficient to outweigh the benefits of the proposal.

Subject to there being no significant adverse comments from consultees following the committee's resolution, and subject to the recommended conditions, officers consider the proposal to be acceptable having considered Policies CP10, CP17, DC18, DC29, DC32, DC33, DC55, DC58, DC61, and DC63 of the LDF and all other material considerations, and therefore recommend that the application be approved.

### **RECOMMENDATION**

It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

#### **1. SC4 (Time limit) 3yrs**

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

**2. Non Standard Condition 32**

The use hereby approved shall cease, and all buildings associated with the development shall be removed, on or before August 31st 2016.

Reason:-

In the interests of amenity and in accordance with Development Control Policies Development Plan Document Policy DC61.

**3. SC32 (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.

**4. SC58 (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 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 Development Control Policies Development Plan Document Policy DC61.

**5. SC59 (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 shall be provided and permanently retained thereafter.

Reason:-

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

**6. SC65 (Contaminated land condition No. 2) (Pre Commencement)**

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) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

**7. Non Standard Condition 31**

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason:-

To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

**8. Non Standard Condition 33**

No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

**9. Non Standard Condition 34**

The development shall not be occupied unless a Travel Plan for the school has been submitted to and agreed in writing by the Local Planning Authority. The plan shall include measures to reduce private vehicular trips and proposals for monitoring progress, including a timetable for its implementation and review. The agreed Travel Plan shall remain in force permanently and implemented in accordance with the agreed details.

Reason: To help bring about a reduction in private car journeys and to minimise the potential for increased on street parking in the area.

**10. Non Standard Condition 35**

Prior to the first occupation of the development, details of the proposed school operating hours shall be submitted to and approved in writing by the local planning authority. Specific reference shall be made to the days and times during which school children will be present at the site. The development shall thereafter be operated in accordance with the approved details.

Reason:-

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

## **INFORMATIVES**

### **1 Fee Informative** INFORMATIVES

1) The applicant is advised that any proposed bus service to be operated by the school should seek the permission of Transport for London before making use of any formal bus stops. The Council's highways officers can advise about potential, suitable pick-up and drop-off points.

2) A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

### **2 Approval following revision**

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.