



REGULATORY SERVICES COMMITTEE

4 September 2014

REPORT

Subject Heading:

P0819.14 Land Adjacent to Hilldene Avenue, Hilldene Close and Bridgewater Road, Harold Hill, Romford.

Demolish filling station console building and canopy, remove hardstandings and erect 12no. two-storey semi-detached and terraced dwellings and 9no. self-contained flats in a three-storey apartment block, construct bin and cycle stores, lay out parking and amenity areas and form new vehicular accesses onto Hilldene Close, Hilldene Avenue and Bridgewater Road.

Revised Plans received 09/07/2014

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Policy context:

Local Development Framework
Development Control Policies
Development Plan Document

National Planning Policy Framework

London Plan

Financial summary:

Not applicable

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

Ensuring a clean, safe and green borough	[x]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[x]
Value and enhance the life of our residents	[x]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

The application is for the redevelopment of this site to create 21 units, comprising 12 houses and 9 flats. Planning permission was granted in 2013 for the redevelopment of the site as part of a much larger scheme for 100 dwellings over three phases. The first phase is currently under construction and provides for 58 affordable units. This application proposes a revised layout for phase 2 of the development for the same number of market units. The proposal involves development on land that is currently in use as a car wash and also involves public highway. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The proposal is therefore judged to be acceptable and, subject to the prior completion of a S106 legal agreement and conditions, it is recommended that planning permission is granted.

RECOMMENDATIONS

That members note there is a Mayoral CIL payment of £27,090.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £126,000 to be paid prior to commencement of development to be used towards infrastructure costs in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.

- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

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

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

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

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

3. *Car parking* - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

4. *Materials* - The development hereby permitted shall not be commenced until samples of all materials to be used in the external construction of the buildings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

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

5. *Landscaping* - The development hereby permitted shall not be commenced until a detailed scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

7. *Cycle storage* - Prior to completion of the development 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 and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. *Boundary treatment* - The development hereby permitted shall not be commenced until details of proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be installed prior to occupation of that phase of the development and retained thereafter in accordance with the approved plans.

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

9. *Secured by Design* - The development hereby permitted shall not be commenced until details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 and DC63 of the LDF Development Control Policies Development Plan Document.

10. *External lighting* - The development hereby permitted shall not be commenced until a scheme for the lighting of external areas of the development, including any access roads, has been submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter.

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

11. *Biodiversity* - The development hereby permitted shall not be commenced until details have been submitted showing how the development will comply with the recommendations set out in Section 6.2 of the submitted site Ecological Assessment, carried out by MLM Environmental dated 18th October 2012. The development shall then be carried out in accordance with the approved details.

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

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

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

13. *Wheel washing* - The development hereby permitted shall not be commenced until details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during the construction works has been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

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

14. *Construction methodology* - The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on that phase on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

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

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

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

15. *Land contamination* - The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

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

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

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

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

16. *Archaeology* - A) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved in writing by the Local Planning Authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part A).

C) Each phase of the Development shall not be occupied until the site investigation and post investigation assessment has been completed for that phase in accordance with the programme set out in the Written Scheme of Investigation approved under Part A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic building recording) in accordance with the recommendations given by the Borough and in the NPPF.

17. *Sustainability* – The development hereby permitted shall not be occupied until the developer has provided a copy of the Interim Code Certificate confirming that the development design of the relevant phase achieves a minimum Code for Sustainable Homes Level 4 rating. The development shall be carried out in full accordance with the agreed Sustainability Statement. Within 6 months of the final occupation of any residential unit within the relevant phase the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

18. *Renewable energy* - The renewable energy system for the development shall be installed in accordance with details previously submitted to and agreed in writing by the Local Planning Authority and shall be made operational prior to the residential occupation of the development. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

19. *No additional flank windows* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

20. *Removal of permitted development rights* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted development) (Amendment)(no. 2)(England) Order 2008(or any order revoking and re-enacting that Order with or without modification), no development shall take place under Classes A, B, C or E, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

21. *Stopping up of Highway* – Prior to the commencement of the development hereby permitted an application to stop up that part of the application site which comprises adopted highway shall be submitted to the Council as Highway Authority and no development pursuant to this planning permission shall be carried out on that part of the application site which comprises adopted highway until and unless a stopping up order is confirmed by the Council as Highway Authority or the Secretary of State (on appeal) as appropriate.

Reason: To ensure that the impact of the proposed development in respect of public highway has been fully considered prior to any development commencing.

22 Footway Provision - Prior to commencement of development the owner/developer shall complete a Section 38 agreement under the Highways Act 1980 with the Council as Highway Authority, dedicating as footway the area in the location set out in drawing reference PG-100 Revision C along the western side of Hildene Close and that prior to first occupation of the development the owner/developer shall construct the footway to adoptable standard of a minimum of 2 metres from face of kerb to back of footway and maintain it to an adoptable standard throughout the period of construction of the Development.

Reason: In the interests of highway safety and to maintain pedestrian access along Hilldene Close in accordance with policies DC32 and DC34 of the LDF Development Control Policies Development Plan document.

23. Pedestrian visibility splays – Pedestrian visibility splays shall be provided on either side of the access onto Hilldene Close of 2.1 by 2.1 metre back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason: In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

INFORMATIVES

1. *Secured by Design* - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

2. *Changes to the public highway* - The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. If a new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the relevant approval process. Unauthorised work on the highway is an offence.

3. *Highway legislation* - The granting of planning permission does not discharge the requirements of the New Roads and Street Works Act 1991 or the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.

4. *Temporary use of the highway* - If any construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.

5. *Highways stopping up process* - Before any works take place on the area which is currently public highway, it should be stopped up under S247 of the Town & Country Planning Act 1990. The developer should allow time for the process to be completed within its programme as there are statutory notices required.

6. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with paragraphs 186-187 of NPPF.

7. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site, which is broadly rectangular in shape, amounts to 0.254 hectare. The site falls gently from north to south. It lies to the north of Hilldene Avenue and to the west of Hilldene Close. It is bounded by Bridgewater Road to the north. The site was formerly occupied by a petrol filling station and is now occupied by a car wash that utilises the canopy and hardstanding area. There are other buildings from the former use on the northern part of site. There are two access points from Hilldene Avenue.
- 1.2 Outside of the fenced boundary of the carwash site along Hilldene Close is public highway comprising a greensward and pavement. There is scrub/hedge vegetation along parts of the boundary and a number of immature trees within the greensward. To the north of the site along Bridgewater Close new residential development is being constructed comprising terraced housing and flats in two and three storey blocks.
- 1.3 To the north, west and east of the development site the locality is primarily residential, principally comprising two storey terraced housing. However, there

are some exceptions, including a church on the adjoining land to the west and the existing Harold Hill Library and other community buildings on the east side of Hilldene Close. To the south of the site, on the opposite side of Hilldene Avenue, are commercial properties, which form part of the Harold Hill Minor District Centre.

2. Description of proposal

- 2.1 This is a full application for the redevelopment of the site following the demolition of all existing buildings and structures. The development comprises 21 new dwelling units: 12 houses and nine flats. The flats would be in a single block of 5x two-bed flats and 4x one-bed flats. Two house types are proposed: 4x three-bed and 8x two bed.
- 2.2 The development would follow the form of the approved layout permitted under P1276.12, with a perimeter block of buildings containing courtyard car parking. Vehicular access to the courtyard would be taken from Hilldene Close with the existing access points from Hilldene Avenue being closed off. The number of dwellings would be the same as approved in 2013, although the mix has been changed, increasing the number of houses.
- 2.3 A terrace of seven houses is proposed along Bridgwater Road with the end units, which would be three-bed, being deeper in plan and having a higher ridge height. Each of these dwellings would have off-street parking. A three-storey building containing nine flats is proposed on the corner of Hilldene Avenue and Hilldene Close. This is similar to the approved scheme, although that building had eleven flats and extended further along the Hilldene Avenue frontage. The building would include bin stores with amenity areas and secure cycle storage behind. There would be five further houses, two on Hilldene Close between the flats and the houses in Bridgwater Road and three facing onto Hilldene Avenue, adjacent to the church.
- 2.4 The parking court would provide 18 car parking spaces, two of which would be for disabled use. Access would be between the flatted block and the two houses on Hilldene Close. The court would provide parking for the flats at one space per unit and for some of the houses which would have rear access to the parking court. Cycle storage would be provided in the rear garden areas. All the houses would have rear garden areas and the flats would have balconies or terrace facing onto the highway.
- 2.5 The scale of the development would be mainly two-storey with a three storey element on the corner of Hilldene Avenue and Hilldene Close as previously approved. The materials to be used would be from the same palette as approved for phase 1 comprising buff and grey brick under a pitched tiled roofs. The balustrades to the balconies and terrace areas would be in painted steel. Landscaping is proposed along the street frontages.
- 2.6 All of the dwellings would be constructed to lifetime homes standards and to Code for Sustainable Homes Level 4. As part of this high performance building

fabric coupled with photovoltaic cells on some of the roofs would deliver reductions in excess of 25% in carbon emissions.

- 2.7 No wheelchair accessible homes are proposed and reliance is made on the provision in the Hilldene East development which was previously accepted when the 2012 application was approved. The scheme has been designed to meet Secured by Design matters.

3. Relevant History

Q0091.14 - Discharge of Condition 8 of P1276.12 – Part discharged 15-05-2-14

N0021.14 – Non-material amendment to P1276.12 - Amendment to House Type F - Replacement of proposed 1500mm high living room window to glazed external door of same width. Approved 11-03-2014

Q0153.13 - Discharge of Conditions 14, 25 and 27 of P1276.12. Awaiting decision

P1276.12 - Redevelopment of the part-vacant 'Hilldene North' site to provide 100 residential units (58% affordable housing) with ancillary car parking and associated landscaping. Approved 24-01-2013

P1062.11 - Vacant petrol filling station and mechanical car wash, to a hand car wash and valeting service. Approved 30-08-2011.

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the local press as major development and neighbour notification letters have been sent to 115 local addresses. No letters of representation have been received in response.
- 4.2 English Heritage (GLAAS) advise (2012 application) that there is potential for hitherto unknown archaeological remains to be affected by the proposal and request a condition to secure archaeological evaluation and mitigation if permission is granted.
- 4.3 Essex & Suffolk Water raises no objection but require new properties to be connected to their existing network.
- 4.4 Metropolitan Police Designing Out Crime Officer has requested a condition requiring details in relation to the Secured by Design Award Scheme and an informative.
- 4.5 The London Fire and Emergency Planning Authority advises that access for fire brigade vehicles should comply with the relevant sections of the Building Regulations.
- 4.6 Streetcare (Highway Authority) raises no objection subject to amendments and conditions. It is noted that the parking proposed does not meet the policy

requirement of 1.5-2 spaces per dwelling, however, the parking proposed is as previously approved. The proposed new access to Hilldene Close fails to provide adequate visibility splays. A condition is requested to address this.

The development relies on using a large section of public highway on Hilldene Close, including a public footway. A replacement footway, including lighting and drainage) is required to be in place before the existing footway is removed. A condition is requested to address this. A further condition is requested covering agreements required for highway works. Informatives are also requested, including the requirement for a stopping up order prior to any works taking place within the public highway.

- 4.7 Public Protection has requested conditions relating to air quality, contaminated land and noise.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply); CP2 (Sustainable Communities); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 ((Environmental management; CP16 (Biodiversity and Geodiversity); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC7 (Lifetime Homes and Mobility Housing); DC32 (The Road Network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC48 (Flood Risk); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water Supply, Drainage and Quality); DC52 (Air Quality); DC53 (Contaminated Land); DC55 (Noise); DC58 (Biodiversity and Geodiversity); DC59 (Biodiversity in New Developments); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC70 (Archaeology and Ancient Monuments); DC72 (Planning obligations) of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.
- 5.2 In addition, the Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD and Sustainable Design and Construction SPD are also material considerations.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self-sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity)

and access to nature) and 8.2 (planning obligations) of the London Plan are material considerations.

- 5.3 The provisions of the National Planning Policy Framework and the National Planning Policy Guidance are also material considerations.

6. Background

- 6.1 The application site forms part of the Council's *Living Ambitions* estate regeneration programme for Harold Hill and falls within the area of the Hilldene North part of the scheme. The regeneration programme, which was commenced in 2008, aims to transform the quality of life and living environment of Harold Hill residents over a 20 year period. One of the key objectives of the programme is to provide improved local housing. Planning permission for both the Hilldene North site and the nearby Hilldene East site was granted planning permission in 2013 as part of this programme.

- 6.2 The Hilldene North scheme comprises three phases. Phase 1, which lies to the north of Bridgwater Road, comprises entirely affordable dwellings and is currently being constructed by the Notting Hill Housing Trust. There will be 58 units comprising a mix of houses and flats. Phases 2 and 3 of the scheme are entirely market housing with 21 units on each, again a mix of houses and flats. The layout of these phases mirrors each other with three-storey development on the opposite corners of Hilldene Close with Hilldene Avenue. Neither of these two phases has been commenced. The western phase (phase 2) is the current application site and has recently been sold to Countryside Properties. The mix of housing currently approved comprises 6 x two-bed houses; 4 x three-bed houses; 6 x one-bed flats and 5 x two-bed flats.

- 6.3 The current planning permission is subject to a S016 Planning Obligation which provides for:
- i) a phased payment of the infrastructure tariff in accordance with the Planning Obligations SPD;
 - ii) provision of 58 units of affordable housing;
 - iii) a limit of 21 market housing units than can be occupied prior to the affordable units being transferred to a RSL (unless the developer is a RSL) and the units have been completed and are available for shared ownership/letting, and,
 - iv) the provision of a training and recruitment scheme.

- 6.4 Whilst the principle of the development has already been established the application detail in terms of the design and layout needs to be considered on its planning merits as a separate application.

7.0 Staff Comments

- 7.1 The principle of the development of the site for 21 dwellings comprising a mixture of houses and flats has already been accepted through the grant of the 2013 planning permission (P1276.12). Therefore, the issue for members is whether the revised layout is acceptable in terms of the impacts of its design, scale and massing on the character and amenity of the locality, the quality of

the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues, affordable housing and the impact on community infrastructure.

Density and layout

- 7.2 In accordance with Policy DC2 the site is classified as 'rest of borough, as it has a low PTAL value of 1-2 being outside of the defined area on the proposals map. A density range of 30-50 dwellings per hectare is indicated as appropriate outside of the defined PTAL areas. The application site has an area of 0.245 hectare and proposes 21 new dwellings. This equates to a development density of nearly 86 units per hectare, which is above the range specified in Policy DC2. However, density is only one measure of acceptability and there are other relevant considerations. The policy does allow exceptions which include large development sites where development briefs have been prepared that indicate that higher densities would be appropriate.
- 7.3 In this case the development is part of a much larger regeneration programme and the number of units on the site has already been agreed as part of the larger Hilldene North permission. The regeneration programme does allow for higher densities. In these circumstances the proposed number of units is considered acceptable. It is also relevant to take account of the site's close proximity to the Harold Hill Minor District Centre and to other community facilities, so there is good access to local services, including good levels of access to local bus routes.
- 7.4 In terms of housing mix, this is predominantly one and two-bed properties which would meet the needs of the Borough as identified in the Housing Needs Assessment. The mix is not significantly different from that approved under the 2013 permission and is considered to be acceptable.
- 7.5 In respect of site layout, the development would be similar to the scheme already permitted, although it would no longer mirror phase 3 to the east of Hilldene Close. The layout provides for perimeter development in a similar manner with development fronting onto the highway with the majority of the car parking in a courtyard behind. This is also similar to the perimeter development fronting onto other roads elsewhere in the area so would help to maintain the general character of the area.
- 7.6 The layout is reasonably spacious and whilst the development would sit much further forward in the streetscene than existing buildings it would generally respect the existing residential character of the wider area and building lines. In Hilldene Avenue, which is much less residential in character, bringing the development forward in the streetscene is considered appropriate given the wide nature of Hilldene Avenue. Overall the built coverage of the site would be much greater than at present, but given its location on the edge of the established residential area and the wide open landscaped area of Hilldene Avenue it is considered that the overall height and degree of prominence of the proposed buildings would not appear overly dominant or intrusive in the local streetscene.

- 7.7 The majority of trees will be removed from the site. However, the landscaping proposals indicate that this will be compensated for by the planting of trees in the front garden areas, especially in Bridgewater Road. The existing trees along Hilldene Close are immature having been planted relatively recently. One established tree within the site would be retained within the development.
- 7.8 In terms of amenity space provision, each of the dwellings has its own private rear garden area. These vary in size and depth but typically are between 5m and 8m in depth with the smallest garden being 26m². The gardens for the dwellings are well configured, private and useable and are considered not to be materially different from the approved scheme.
- 7.9 The flats have a communal landscaped setting and each of the flats has a decent balcony of at least 1.5m in depth, which also accords with the Residential Design SPD. Additionally, there are communal amenity areas to the rear. Play facilities would be provided elsewhere in the Hilldene North development. The site is also within an 800m radius of Central Park, where the Council is upgrading the play facilities there and where there is a significant area of public open space. The proposal is therefore considered to have adequate provision of access to amenity space and play facilities.
- 7.10 The Borough Crime Prevention Design Advisor has been consulted during the design process and reasonable measures have been incorporated to make the development as safe as possible. It is however recommended that conditions relating to Secured by Design and other community safety measures be imposed if permission is granted.
- 7.11 The development is designed to *Lifetime Homes* standard. There are no wheelchair accessible units within this development, which is contrary to Policy DC7, which requires 10% of units to meet this criterion. However, there are 10 fully adapted wheelchair units to be provided on a nearby site, known as the Hilldene East site, which was considered at the same time as the original application for Hilldene North. Whilst numerically the total number of wheelchair units falls below that required by policy DC7 (17 units across both sites) the level of provision across the two schemes was regarded as acceptable and supported by Housing when permission was granted in 2013 for the larger scheme. It was accepted that the provision of units supplied fully adapted, rather than capable of adaption as allowed for by the policy, and immediately available was superior to the simple policy requirement. This is a material factor in this case given that the same considerations apply and staff consider that it would not be reasonable to require additional provision for the revised phase 2 development. Accordingly the scheme is considered acceptable in principle in this respect.

Design and visual impact

- 7.12 In terms of scale and massing, the site contains an element of three storey housing, although this is limited to the corner of Hilldene Avenue and Hilldene Close. The three storey scale of the development to the Hilldene Close and

Hilldene Avenue frontages of the site is considered to be compatible with local character as the width of the carriageway is wider and is suited to a larger scale of development. Combined with the shopping centre character of Hilldene Avenue and existing four storey development and a more civic feel to this part of the locality, it is considered that the scale and massing of the proposed buildings would not appear intrusive or overbearing. The length of frontage at three-storeys would be less compared with the 2012 proposals. The terrace of three houses on Hilldene Avenue reflects the character and building line of the residential properties to the west, including the Council building adjacent to the church.

- 7.13 There are no objections in principle to the varying scale and bulk of the buildings which would provide visual interest in the streetscene, whilst respecting local character. For the 2012 application the amount of three-storey development along Hilldene Avenue extended much further and had a greater visual impact. For this application the three-storey element would read as a separate corner building. It would differ from that approved for phase 3 but not adversely so providing a greater variety in building design. The issue of the impact of three-storey development was presented to members as being one of judgement which the committee considered to be acceptable. Having regard to these differences between the two schemes, staff remain of the view that the transition in building height does work successfully and is again, on balance, considered acceptable.
- 7.14 Architecturally, the proposed units have adopted a traditional building form. Materials are principally proposed to be a light coloured brick with contrasting grey brick entrance porches and 'slate' roof tiles. This palette of materials is different to the reddish brick which prevails in the locality but it is considered that it would be acceptable and give a modern degree of contrast to the prevailing local housing character. The proposal is considered to have a bold visual impact but with sufficient traditional elements to complement the locality. Staff consider the development need not necessarily fully reflect the height or architecture of surrounding buildings and would have an acceptable visual impact in its own right, especially as it would be replacing a commercial use which could be considered to have an adverse impact on local character. Details of materials are given in the application but it is considered that the submission of samples for approval should be required by condition.

Impact on Amenity

- 7.15 The application site does not share a direct boundary with any residential property. The only adjoining property is a church which is set back from the highway frontage and from the site boundaries. The new dwellings adjoining that site would be two-storey and set back from the common boundary. Staff consider, therefore, that there would be no material adverse impact on the amenities of users of the church or local residents and would comply with LDF Policy DC61.
- 7.16 Within the development the relationship between residential units is generally acceptable. There are some tight relationships, where the flank wall of

proposed dwellings abuts the rear boundary of other dwelling plots (such as the relationship of plots 06/07 with plot 08). Whilst the siting of a two storey flank wall directly on the rear boundary of proposed dwellings is not ideal, some revisions were made at the pre-application stage and some similar relationships were considered acceptable in the 2012 application. In view of these factors staff consider, as a matter of judgement, that the proposed dwellings would still enjoy a reasonable level of amenity, such that the proposals do not give rise to materially unacceptable living conditions such as amount to a material objection to the proposal.

Environmental matters

- 7.17 A land contamination desk top and site investigation study have been carried out (submitted with the 2012 application). However, Public Protection recommended that a condition is imposed to cover further investigations that are considered necessary. A condition is recommended in respect of land contamination issues.
- 7.18 Public Protection has also advised (for the 2012 proposals) that an air quality assessment would be required owing to the number of parking spaces within the development. However, staff considered that this would best be dealt with by a condition requiring the submission of a travel plan aiming to reduce private car use as a more practical means of encouraging a reduction in air pollution. In this case, given the relatively small number of units compared with the wider scheme such a condition is not considered appropriate.
- 7.19 With regard to internal noise in the flatted element this would be addressed through the Building Regulations and no condition is considered necessary.
- 7.20 An energy strategy and sustainability statement has been submitted with the application. The energy strategy indicates that the development will achieve a minimum meet Code for Sustainable Homes Level 4. It is recommended that the aims of these statements be secured by condition.
- 7.21 An ecology assessment was submitted with the 2012 application and is referred to as a supporting document in the current application. There is no indication of the presence of any rare or protected species, including bats on the site. The report does make recommendations relating to the impact of development on nesting birds and opportunities for bio-diversity enhancement. It is therefore recommended that a condition be imposed requiring the development to be carried out in accordance with the requirements and recommendations of the ecological report.
- 7.22 English Heritage (GLAAS) advise that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken. This will accord with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

Parking and Highway Issues

- 7.23 The proposal provides a total of 28 parking spaces which equates to 1.33 spaces per dwelling. Whilst this falls below the LDF parking requirements of 2-1.5 spaces per dwelling this is compatible with the ratio previously approved. Given the previous approval may still be implemented this represents a material planning consideration. Streetcare (Highway Authority) has not objected on this basis but advises that this could lead to overspill parking on the public highway which is a problem in the area. The configuration of the parking and the new access from Hilldene Close is considered acceptable. Eight of the twelve dwellings would have frontage parking and the four three-bed houses would have two spaces each. One of the spaces for Plot 07 and both for Plot 08 are in the parking court. Whilst Plot 08 would have rear access to these spaces, Plot 07 does not. Notwithstanding this, the overall the parking provision and the location of spaces is considered acceptable. The proposals also make provision for cycle parking, which would be secured by condition.
- 7.24 The proposed development would involve the loss of public highway along Hilldene Close. This part of the highway comprises a footpath and greensward adjacent to the carriageway. The development would utilise the footway and part of the greensward. The existing footway would be relocated adjacent to the carriageway. There are no highway objections to the loss of highway, subject to the replacement footpath being constructed and available for use prior to the existing one being lost. This would be addressed by planning condition. The highway would need to be stopped up prior to any development taking place. The existing accesses onto Hilldene Avenue would also need to be closed off.
- 7.25 Whilst no objections are raised the proposed pedestrian visibility splays of the new access onto Hilldene Close are considered to be inadequate. A condition is recommended to require the necessary visibility. The proposal is considered to make suitable provision for the collection of refuse

Affordable Housing

- 7.26 In terms of affordable housing the aim is to achieve 50% across the borough in accordance with Policy DC6. In this case staff consider it appropriate to assess the provision across the whole Hilldene North development as previously considered. This provides 58% of the total of 100 units which would meet the aims of the policy. Phase 1 of the Hilldene North development, where the affordable housing provision was to be made, has already commenced, providing assurance that the affordable housing will be provided. There was no intention to provide affordable units on phase 2 of the Hilldene North provision; as such this application does not result in any change to affordable housing provision overall compared to the existing consent. The total number of units for Hilldene North would not be increased as a result of the current application. The redevelopment of the site would still help to deliver the Council's *Living Ambitions* programme for Hilldene North. In these circumstances no further affordable units are considered appropriate.

8.0 Mayor's Community Infrastructure Levy

8.1 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 charged at £20 per m² based on an internal gross floor area of 1354.5m² less the area of existing buildings in use to be demolished (314 m²). This equates to a Mayoral CIL payment of £27,090.

9.0 S106 Planning obligations

9.1 In accordance with the Planning obligation SPD a financial contribution is chargeable at £6,000 per new dwelling. This gives a total charge of £126,000. This would be secured through a S106 obligation entered into prior to the grant of a planning permission. The redevelopment of the site is already covered by a separate obligation relating to the 2013 permission, which phases the payment. However, the developer would only be required to pay one contribution depending on which scheme is implemented.

9.2 A training and recruitment scheme has already been agreed under the existing S106. This would not be applicable to this proposal, however, given the scale of the development a separate scheme is not considered to be appropriate.

9.3 The restriction on the occupation of market units in the current obligation does not need to be carried forward as this proposal is only for 21 units and the affordable housing element of the overall North Hilldene scheme is already well advanced. Phase 3 (library site) which is also for 21 units, will not be redeveloped until the library has been relocated.

10.0 Conclusions

10.1 The proposed residential development on the site is acceptable in principle. The design, scale and layout of the proposed development is generally considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues. The proposal is considered to be consistent with the aims and objectives of the Harold Hill Ambitions Programme.

10.2 The proposal does not include any affordable housing; however, account has been taken of the provision in the wider Hilldene North development. This provides in excess of the policy requirement. There would also be a contribution to meet infrastructure costs associated with the development in accordance with the Planning Obligations SPD. This would be secured through a S106 Planning obligation. The proposal is therefore judged to be acceptable, subject to the obligation and conditions, and it is recommended that planning permission is granted accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreements; Section 106 and highway agreement and to deal with any application for a stopping up of highway.

Human Resources implications and risks:

None

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and is designed to meet Lifetime Homes criteria. The development accords with the objectives of the Harold Hill Ambitions programme, which seeks to promote equality of opportunity to all residents of the Borough.

BACKGROUND PAPERS

1. Application forms and plans received 6th June 2014; revised plans received 9th July 2014.