



# REGULATORY SERVICES COMMITTEE

4 December 2014

# REPORT

**Subject Heading:**

**P1390.14: Thomas England House,  
Waterloo Gardens, Romford**

**Convert the existing ground floor pram  
sheds into 2No flats (1No 2 bed and  
1No 1 bed) including the provision of  
2No new parking spaces (application  
received 14/10/2014**

**Ward**

**Romford Town**

**Report Author and contact details:**

**Suzanne Terry  
Interim Planning Manager 01708  
432755 [suzanne.terry@havering.gov.uk](mailto:suzanne.terry@havering.gov.uk)**

**Policy context:**

**Local Development Framework  
London Plan  
National Planning Policy Framework**

**Financial summary:**

**None**

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

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

## SUMMARY

The proposal is for the conversion of the existing unused lower ground floor of an 11 storey residential block to provide two new flats. The residential block is part of the Waterloo Gardens Estate and is managed by the London Borough of Havering Homes and Housing Department.

The existing lower ground floor currently contains the points of access to the upper floors and areas consisting of bin storage, plant/general storage areas and a number of pram stores. The layout of the lower ground floor is proposed to be extensively re-configured, refurbished and extended to create two new flats comprising a one bedded and a two bedded property each their own canopied entrance and amenity space. Two additional parking spaces will be provided.

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions.

This application is brought before the Committee because the site comprises Council owned land and one objection has been received.

## RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £858.00, subject to indexation. This is based on the creation of 42.9 square metres of new gross internal floor space.

That planning permission be granted subject to the following conditions:

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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Approved Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

**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.

### 3. Parking Provision

Prior to the first occupation of either dwelling, the car parking provision shall be laid out to the full satisfaction of the Local Planning Authority and be made available for 2 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

### 4. External materials

Unless otherwise agreed in writing by the Local Planning Authority, external alterations to the building shall be carried out in materials to match those in the existing building.

**Reason:** To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

### 5. Construction works/delivery times

No construction works or construction related 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 construction related 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 Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

## 6. Planning Obligations

The development hereby approved shall not commence until payment towards infrastructure costs has been made to the Local Planning Authority in accordance with the requirements of Policy DC72 of the LDF and the Planning Obligations Supplementary Planning Document (SPD).

**Reason:** In order that the development makes the required contribution to the infrastructure costs arising from the proposed development and to accord with the Planning Obligations SPD.

## 7. Sound insulation

The building shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimal values) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

**Reason:** To prevent noise nuisance to adjoining properties

## 8. Contaminated Land Report

Prior to the commencement of any works pursuant to this permission the developer shall submit for 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.
- b) 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 sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of the risk to identified receptors.
- c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediated objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified contamination. The scheme must ensure that the site will not qualify as contaminated land under Part "A" of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrated the effectiveness of the remediation carried out, any requirement for longer term monitoring of contaminant linkages, maintenance and arrangement for

contingency action must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

#### 9. Contaminated Land

- 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 remediated 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.

#### 10. Landscaping

No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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 Development Control Policies Development Plan Document Policy DC61.

#### 11. 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.

12. Boundary Treatment

Before the dwelling hereby permitted is first occupied the boundary treatment shown on the drawing no.14166\_05 A is to be carried out and thereafter permanently maintained.

**Reason:** In the interests of protecting amenity.

## **INFORMATIVES**

1. 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. 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 (NPPF) 2012.
3. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £858 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council on the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

<b>REPORT DETAIL</b>
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### **1. Site Description**

- 1.1 The application site contains an 11 storey tower block 'Thomas England House'. It lies to the west of Waterloo Gardens and to the south east of Queen Street.
- 1.2 To the immediate south of the site lies William Pike House which is a similar 11 storey tower block. The surrounding area is predominantly residential and comprising of three and four storey residential blocks.

- 1.3 The existing lower ground floor of the residential block currently contains the points of access to the upper floors and areas consisting of bin storage, plant/general storage areas and a number of unused pram stores.
- 1.4 New detached blocks of replacement pram stores have been constructed to the south east corner of the building.
- 1.5 Directly to the south east of the site and adjacent to the replacement pram stores is a single storey non residential concierge building.

## **2. Description of Proposal**

- 2.1 The proposal is for the conversion and extension of the existing unused lower ground floor of the 11 storey residential block to provide two new flats.
- 2.2 The proposed one bedroom flat will be 59.2sqm and the two bedroom property will be 75.6sqm 62.7sqm with amenity space of 14.9sqm and 19.1sqm respectively. They will each have their own canopied entrance facing onto Waterloo Gardens.
- 2.3 There will be a single storey extension to the building. Alterations and additions to the external walls will be finished to match the existing block. It is also proposed to construct an external balcony to serve existing first floor flats.
- 2.4 Two additional parking spaces will be provided and each flat will have cycle storage space to the front of the proposed properties within the amenity space.

## **3. Relevant History**

- 3.1 None

## **4. Consultations/Representations**

- 4.1 83 neighbouring occupiers were notified of the proposal. One objection has been received siting concerns regarding the construction time, lack of parking provision, fire risk and anti-social behaviour. The objector also stated that the area was designed for storage space.
- 4.2 The Local Highway Authority has raised no objections to the proposal.
- 4.3 Environmental Health has raised no objections to the proposal but has requested that conditions relating to contaminated land and noise are attached should the application be approved.

## **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply), CP17 (Design), DC2 (Housing Mix and Density), DC4 (Conversions to residential and subdivision of residential units), DC7 (Lifetime and Wheelchair Housing) DC33 (Car Parking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, Residential Extensions and Alterations SPD and the Planning Obligations SPD.
- 5.3 Policies 3.3 (Increasing housing supply), 3.4 (Optimising Housing Potential) 3.5 (Quality and design of housing developments), 3.8 (Housing choice), 6.9 (cycling), 6.13 (Parking), 7.3 (Designing out crime), 7.4 (Local character) and 8.2 (planning obligations) of the London Plan are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) are relevant to this application.

## **6. Staff Comments**

- 6.1 The issues arising in respect of this application and which will be addressed through this report are the principle of development, impact on the street scene and design, amenity issues and parking and highways implications.

## **7. Principle of Development**

- 7.1 The NPPF and Policy CP1 of the Core Strategy support an increase in the supply of housing in existing urban areas where development is sustainable.
- 7.2 The proposal is for the conversion and extension of the existing lower ground floor into two new flats. Officers consider that this would provide additional housing and that there is no objection in principle to the loss of the pram store which is no longer required or used. Alternative provision to the pram stores has been provided elsewhere on the site.
- 7.3 The conversion/extension would accord with the need for more affordable units of this size.
- 7.4 It is considered that the proposed additional residential units in this existing residential block would be acceptable in principle, subject to its impact being within acceptable limits.



## **8. Density/ Layout**

- 8.1 The existing flatted block is of a high density compared with surrounding development in the area. The proposal would add two units to the existing block which will increase the density of the development. However, the existing pram store is unused and the existing lower ground floor arrangement is underutilised. The addition of two flats is considered to bring an existing space into beneficial use. The small increase in density is not considered to be a justifiable reason for refusal if the proposal is considered acceptable in all other respects.
- 8.2 London Plan Policy 5.3 and table 3.3 set minimum space standards for new development. One bedroom properties for two people should have minimum gross internal area of 50sqm and two bedroom properties for four people should have a minimum gross internal area of 70sqm. Both of the proposed flats exceed these standards. It is therefore considered that the accommodation would be of a suitable size.
- 8.3 The Council's Residential Design SPD recommends that every home should have access to suitable private/ communal space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. The fundamental design considerations for amenity space should be its usability and quality. Each flat is proposed to have private amenity space directly at the front of the property running the whole length of the frontage. The boundary will have a 1.2m metal railing, providing a clearly designated private space. The outlook is on to a grassed area in front of the amenity space and Waterloo Gardens.
- 8.4 The proposed amenity space for flat no 2 is in close proximity to the existing concierge building therefore reducing the level of privacy. However, on balance it is considered that the proposed private amenity space will be beneficial for residents and is acceptable.
- 8.5 New larger, balconies are also proposed for two existing properties on the first floor. The new balconies will be situated on the roof of the proposed extension at ground floor level and will provide additional private amenity space for existing residents.

## **9. Design/Impact on Street/Garden Scene**

- 9.1 The proposal comprises of a single storey extension to the front of the existing residential block. The extension is 3m in depth and 17.3 metres in length.
- 9.2 Council policy DC61 seeks to ensure that all new development complements or improves the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.

- 9.3 The front of the extension will comprise the new individual access points to the new flats, this will create a more active and attractive frontage on Waterloo Gardens which is currently a relatively blank elevation with a series of high windows.
- 9.4 Alterations and additions to external walls will be finished to match the existing. The current external finish to the ground floor is mainly rendered masonry with concrete panelling and facing brickwork to the upper floors. The ground floor access doors and screening are predominantly hardwood with the uPVC windows.
- 9.5 It is considered that the modest scale, bulk, height and massing of the extension and its design is compatible with the character and appearance of the local street scene and will have limited impact.

## **10. Impact on Amenity**

- 10.1 Policy DC61 of the Core Strategy and Development Control Policies DPD requires new development not to harm the amenities of adjoining occupiers by reason of noise and disturbance, loss of light, overlooking or other impacts.
- 10.2 The nearest residential properties are those within the existing building and those that could be most affected would be the occupiers directly above on the first floor. The material increase of noise is considered to be minimal and will be managed by sound insulation, which will be secured by condition.
- 10.3 It is considered that there would be no adverse impact on existing residential amenity from the proposed flats.
- 10.4 With regards to the amenity for the proposed units, the immediate outlook of the bedroom window for flat no. 2 is onto the new pram stores and for flat no.1 a window is proposed for one of the bedrooms on the northern elevation adjacent to an existing pathway. The location of these windows presents potential privacy issue, although it is noted that this can be partially mitigated by the use of blinds/ curtains. The acceptability of these relationships is a matter of judgement. On balance officers consider that it is acceptable given that future occupiers of the units will be aware of the potential for loss of privacy before occupying the units. However, Members may reach a different view in this respect.

## **11. Parking and Highway Issues**

- 11.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Policy DC2 sets out the parking standards for the borough. In this area the standard is for 1-1.5 spaces per unit. Two new spaces are proposed to meet the needs of the new flats.

- 11.2 The Local Highway Authority has raised no objection in relation to the proposed amount of car parking provision.
- 11.3 An objection was raised on parking grounds, over concerns regarding existing levels of parking. However, adequate parking provision is made for the new residential units and this is considered to be acceptable.
- 11.4 Bicycle parking for each unit is proposed within the private amenity space to the front of each property. This meets the requirements for one cycle parking space for one or two bed flats as set out in the Revised Early Minor Alterations to the London Plan and is therefore considered to be acceptable.

## **12. Developer Contributions and Community Infrastructure Levy**

- 12.1 Under the provisions of Policy DC72 of the LDF and the Planning Obligations SPD a payment of £6,000 should be made for each new dwelling in respect of the infrastructure costs arising from the development. The proposal would create 2 new dwellings and will therefore be subject to a £12,000 contribution. This will be secured through a condition.
- 12.2 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. Havering's Mayoral CIL rate is £20 per sqm. The applicable fee is based on the net increase in gross internal floor area 42.9sqm which equates to a Mayoral CIL payment of £858.00 (42.9m x £20).

## **13. Conclusion**

- 13.1 Having regard to all relevant factors and material planning considerations, officers are of the view that the proposal would not have an impact on the street scene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions set out in this report.

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## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

Financial contributions will be sought through the legal agreement.

### **Legal implications and risks:**

This application is considered on its merits independently of the Council's interest as owner of the site.

**Human Resources implications and risks:**

None

**Equalities implications and risks:**

The Council's planning policies are implemented with regard to equality and diversity.

**BACKGROUND PAPERS**

Application form, drawings and supporting statements received on 14 October 2014.