

REGULATORY SERVICES COMMITTEE

8 January 2015

REPORT

Subject Heading:

P1103.14 – Buddies School of Motoring,
9-11 Chase Cross Road, Romford

Demolition of the existing building and the construction of a new A1 ground floor unit and two, one bedroom self-contained flats above. Provision of onsite parking: 9 spaces for retail (application received 22/8/14; revised plans received 2/10/14).

Ward

Havering Park

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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]
Valuing and enhancing the lives of our residents	[x]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

This report concerns an application for the demolition of the existing building and the construction of a new A1 retail store on the ground floor with 2 no. one bedroom self-contained flats above. The provision for onsite parking comprises of 9 car spaces for the retail store. A Section 106 Legal Agreement is required for the review, advertisement and installation of loading facilities within Clockhouse Lane, to prevent any residential occupiers from obtaining residents parking permits in the area and to secure a financial contribution in accordance with the Planning Obligations Supplementary Planning Document. Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

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 £2,180. This is based on the creation of 109 sqm of new gross internal floor space.

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

- A financial contribution of £25,000 prior to commencement to be used for the review, advertisement and installation of loading facilities within Clockhouse Lane.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme
- A financial contribution of £12,000 to be used towards infrastructure costs in accordance with 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 agreement, prior to completion of the agreement, irrespective of whether the agreement is completed;

- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Head of Service 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 hereby permitted shall not be commenced 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. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and 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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this 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. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) 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.

5. 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

6. Refuse and recycling - Before the development hereby permitted commences, details of the proposed refuse storage and recycling facilities to be provided at the site for the use, together with arrangements for refuse disposal and details of recycling and collection shall be submitted to and approved in writing by the Local Planning Authority. The facilities as approved shall then be provided at the site prior to the commencement of the use and retained at the site thereafter in accordance with the approved drawings at all times.

Reason: In order to ensure that any such facilities respect the visual amenity of the locality, and the amenity of surrounding residents.

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 prior to first occupation of the development for residential purposes 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.

8. Sight lines - The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the altered accesses, set 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.

9. Car parking - Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the

accommodation of vehicles visiting the site and shall not be used for any other purpose and details of measures to be employed to ensure that the residential parking spaces are kept as such shall be submitted prior to the first occupation of the retail unit.

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

10. 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.

11. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) 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 the Development Control Policies Development Plan Document.

12. Boundary fencing - Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

13. Land contamination - (1) Prior to the commencement of any works or occupation of the site, 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.
 - 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 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 remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A 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 demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements 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 or occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

14. Land contamination - (2) 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.

15. External lighting - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the commencement of the hereby approved development and permanently maintained in accordance with the approved details.

Reason: In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

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

Reason: 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 Policies DC61 and DC32.

17. Vehicle access - The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the commencement of the development.

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

18. Sound insulation – Prior to the commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floors and ceilings separating the commercial part(s) of the premises from the residential premises above. Details shall demonstrate that the sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ is enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:1999 within the residential premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site are not adversely affected by noise.

19. External noise level – Prior to the commencement of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/machinery/equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery and equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site and surrounding properties are not adversely affected by noise from plant, mechanical installations and equipment.

20. Hours of Use - The retail store hereby permitted shall not be used for the purposes hereby permitted other than between the hours of 07:00 and 23:00 on any day 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 the LDF Development Control Policies Development Plan Document Policy DC61.

21. Details of trolley bays - Prior to first occupation of the retail store hereby permitted, details of any external trolleys and trolley bays shall be submitted to and approved by the Local Planning Authority. Once approved, they shall be implemented in accordance with the approved details and retained thereafter.

Reason: To protect residential amenity and on highway safety grounds in accordance with Policies DC61 and DC32 of the LDF Development Control Policies Development Plan Document.

22. Delivery and servicing hours - No deliveries or servicing shall take place other than between the hours of 06:00 and 22:00 any day 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 the LDF Development Control Policies Development Plan Document Policy DC61.

23. Delivery and servicing plan –Prior to commencement of the development hereby approved a delivery and servicing plan (DSP) shall be submitted to and agreed in writing by the Local Planning Authority. The DSP shall include details of the servicing arrangements including the exact location, times and frequency of deliveries and collections, vehicle movements, silent reversing methods and quiet loading/unloading measures. The development shall thereafter be operated strictly in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity of occupiers of the development and surrounding premises are not adversely affected by noise, in the interests of pedestrian and highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC36.

24. Delivery Vehicles Specification - The delivery vehicles for the retail store hereby permitted shall have a maximum length of 11 metres unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC36.

INFORMATIVES

1. 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.

2. 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.

3. 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 new or amended access as 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. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

5. The developer is advised that if 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. Please note that unauthorised use of the highway for construction works is an offence.

Planning Obligations

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 site comprises of a two storey detached building with a retail/commercial use at ground floor with self-contained flats above. There is a single storey workshop to the rear of the site with pedestrian access from Clockhouse Lane. There is an area of hardstanding to the front of the site with access from Chase Cross Road. There is a bus stop adjacent to the front boundary

of the site. The site is located in the fringe area of Collier Row Minor District Centre. Chase Cross Medical Centre is located to the north east of the site. There is a parade of shops with residential accommodation above to the south west of the site.

2. Description of development:

- 2.1 The application is for the demolition of the existing building and the construction of a new A1 ground floor unit and two, one bedroom self-contained flats above. The building would be two storeys in height with a flat roofed single storey rear projection. There is a communal entrance for the flats adjacent to the south western boundary of the site. The provision for onsite parking comprises of 9 car spaces for the retail store.
- 2.2 The ground floor of the building would have a width of between 18 and 19.3 metres and a depth of 25 metres (not including the plant area and bin store). The first floor of the building would have a depth of between 8.8 and 10.6 metres. The two storey building would measure 5.7 metres to the eaves and a maximum of 8.7 metres to the ridge of the pitched roof. The flat roofed rear projection would have a height of 3.9 metres. External materials are indicated to be brickwork, render, concrete interlocking roof tiles, aluminium and uPVC windows and aluminium, timber and uPVC doors. A shop front is provided to the front elevation of the building. Any signage displayed on this shop front would be subject to a separate application for advertisement consent.

3. Relevant History:

- 3.1 P1199.11 - Demolition of existing rear workshop and construction of five apartments, comprising 3No. 2-Bed and 2 no. 1-bed units, and revised internal layout to existing first floor residential unit at 9a Chase Cross Road – Approved.

P1616.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 3no. 2-bed and 2no. 1-bed units. New projecting bay window to existing first floor residential unit at 9A Chase Cross Road – Refused. Dismissed on appeal.

P0001.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 2no. 2-bed and 3no. 1-bed units - Refused.

4. Consultations/Representations:

- 4.1 The occupiers of 23 neighbouring properties were notified of this proposal. No letters of representation have been received.
- 4.2 The Fire Brigade is satisfied with the proposals. No additional fire hydrants are required.

- 4.3 Environmental Health – Recommend five conditions if minded to grant planning permission.
- 4.4 The Highway Authority does not object to the highway and servicing arrangements for the retail store but does object to the lack of parking provision for the flats. Recommends conditions regarding a pedestrian visibility splay, vehicle access, wheel washing, a construction method statement and the length of vehicle servicing the site and various informatives if minded to grant planning permission. In the event that planning permission is granted, it is requested that a Section 106 Legal Agreement is secured for the review, advertisement and installation of loading facilities within Clockhouse Lane and to prevent any residential occupiers from obtaining residents parking permits in the area

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP4 (Town centres), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC15 (Locating retail and service development), DC16 (Core and fringe frontages in district and local centres), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Shopfront Design Supplementary Planning Document, the Landscaping Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.
- 5.2 Policies 2.15 (town centres), 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 4.7 (Retail and town centre development), 4.8 (Supporting a successful and diverse retail sector), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant.
- 5.3 Chapters 1 (Building a strong, competitive economy), 2 (Ensuring the vitality of town centres), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities) and 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework are relevant.

6. Staff Comments:

- 6.1 Staff consider the proposed development to be acceptable in principle. It is considered that the siting, design and scale of the proposed building is compatible with the prevailing scale and character of development within the

locality. Staff are of the view that the proposal would not result in a significant loss of amenity to neighbouring properties subject to the imposition of planning conditions. The Highway Authority objects to the lack of car parking provision for the two flats. Staff consider that the lack of off street car parking provision for two, one bedroom flats is acceptable in this instance and would not result in an unacceptable overspill onto adjoining roads, particularly as the Highway Authority seek a Section 106 undertaking to prevent any residential occupiers from obtaining residents parking permits in the area in the future, amongst other factors. Members are invited to apply their judgement as to whether the level of provision for the flats is acceptable.

6.2 Principle of Development

6.2.1 The site is located in the fringe area of Collier Row Minor District Centre. Policy DC16 states that planning permission for A1 retail uses will be granted throughout the primary shopping area. It is considered that an A1 unit at ground floor with residential accommodation above would be acceptable in principle. There is no objection in principle to the demolition of the existing building.

6.3 Density and site layout

6.3.1 Policy DC2 indicates a density requirement of 30-50 dwellings per hectare would be appropriate in this location. The proposal achieves a density of some 20 units per hectare on this 0.0996 hectare site, which is below the range indicated by Policy DC2.

6.3.2 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. The Residential Design SPD Document states that balconies should be incorporated into all flatted developments and should as a minimum be 1.5 metres in depth and 5 square metres in overall size to allow adequate space for a table and chairs. Both of the proposed balconies would have a depth and area which complies with policy. The balconies would be sufficiently screened to provide a sufficient degree of privacy and amenity for future occupiers.

6.3.4 In terms of layout Policy DC4 states that subdivided or converted residential units should have a safe secure access from the street and decent outlook and aspect. There is a front entrance for the residential units which provides safe and secure access. It is considered that the flats would have a reasonable outlook and aspect.

6.3.5 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 seeks that new residential development conforms to minimum internal space standards set out in the plan. The London Plan seeks a minimum internal floor area of 50 square metres for a one bedroom, two person flat. The floor area of the flats is in accordance with the London Plan standards and therefore acceptable.

- 6.3.6 The remaining 'public' area within the development is largely hard surfacing and consists of parking provision with some soft landscaping. It is considered that the layout of the site is acceptable.

6.4 Design/impact on street/Garden scene

- 6.4.1 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new development is compatible with the character of the local street scene and the surrounding area. The site is located between a two storey parade of shops and a pair of semi-detached properties. In street scene terms, the provision of a two storey building with a gabled front projection is considered to be acceptable and would provide an articulated frontage. It is considered that the building would integrate satisfactorily with the prevailing scale and character of development within the locality. It is noted that the front building line for No.'s 7, 13 and 15 Chase Cross Road is staggered and the proposal respects this with a first floor front projection.

- 6.4.2 The proposed hipped roof minimises the bulk of the building. It is considered that the height of the building is acceptable and would appear in character with the streetscene. The proposed building would utilise a mixture of materials comprising brickwork, render, concrete interlocking roof tiles, aluminium and uPVC windows and aluminium, timber and uPVC doors. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring buildings. Full details of the samples of materials will be secured by condition if minded to grant planning permission.

- 6.4.3 It is considered that the single storey flat roofed rear projection of the building would integrate satisfactorily with the Clockhouse Lane streetscene, as its flat roof minimises its bulk and it would be partly screened by some advertisement hoardings and a brick wall in Clockhouse Lane. The proposal would replace an existing asbestos roofed workshop building to the rear of the site and the brickwork façade of the single storey rear projection would appear in character with the streetscene.

6.5 Impact on amenity

- 6.5.1 No. 7 Chase Cross Road is occupied by a restaurant at ground floor with a flat above at 7a Chase Cross Road. It is considered that the proposal would not result in a loss of amenity to No. 7 Chase Cross Road given the commercial use of the property and the flat at 7a Chase Cross Road flat does not feature any first floor flank windows. In addition, there would be a flank to flank

separation distance of between approximately 3.5 and 13 metres between the proposed building and 7 and 7a Chase Cross Road, with a triangular parcel of land in between. Also, 7 and 7a Chase Cross Road are sited at an oblique angle from the application site, which would help to mitigate the impact of the proposal.

- 6.5.2 It is considered that the proposal would not result in a significant loss of amenity to No.'s 13 and 15 Chase Cross Road, as they are occupied by Chase Cross Medical Centre, which is a commercial use.
- 6.5.3 Staff consider that the proposal would not result in a significant loss of amenity to the day nursery at 28 Clockhouse Lane, given its commercial use. The single storey rear projection (including the plant area) would be set off the rear boundary of the site by between approximately 2.6 and 5.5 metres, which would help to mitigate its impact. It is considered that the flats would not result in any undue overlooking or loss of privacy, as their rear façade would be set back between approximately 16 and 18 metres from the single storey rear projection of the building.
- 6.5.4 When reviewing the merits of this application, consideration was given to the fact that the proposal would replace an existing two storey building with a pitched roofed single storey workshop building to the rear of the site. The existing single and two storey building has a depth of approximately 32 metres and in comparison, the proposed single and two storey building has a depth of 25 metres (not including the plant area), although the proposed single storey element is substantially wider than the existing workshop building. The proposed single storey rear projection of the building features a flat roof, which minimises its bulk and Staff consider that it is not unduly high at 3.9 metres.
- 6.5.5 It is considered that the proposal would not create any additional overlooking over and above existing conditions, as the flats do not feature any flank windows and several first floor windows on the rear façade of the two storey building serve corridors to the flats, which are not habitable rooms. There is one first floor window on the rear façade of the two storey building, which serves an open plan kitchen, dining room and lounge and this is located adjacent to the north eastern boundary of the site.
- 6.5.6 This proposal is for the creation of a retail unit. It is considered that the traffic, both via car and foot, and general activity at and within the vicinity of the site from the proposed retail use, would be similar to that generated by the previous commercial use of the site including motor spares, car repairs and servicing. From this, it could also be reasonably concluded that the use of the premises along with customers entering and leaving the site, would give rise to a similar degree of impact in terms of noise and general disturbance, as its former commercial use. When reviewing the merits of this application, consideration was given to the fact that Chase Cross Road is a relatively busy main road which is served by bus routes with fairly high ambient noise levels throughout the week. Given the nature of this road, there is no reason to believe that these observations are unusual.

- 6.5.7 The operation of the retail unit during the core daytime hours is unlikely, in Staff's view, to be materially harmful to residential amenity given the ambient noise levels already present in this location. The proposed opening hours for the retail unit are between 7am – 11pm seven days a week. Staff consider that the opening hours are acceptable taking into account the former commercial use of the site. It is noted that the restaurant at No. 7 Chase Cross Road has similar opening hours of 9am -11pm every day including Bank and Public Holidays (approved under application P1129.08). The Tesco store at 316-318 Collier Row Lane has opening hours of 7am – 11pm Monday to Friday, 7am – 10pm on Saturday and 10am-4pm on Sunday. It is considered that the opening hours are acceptable and would not result in a significant loss of amenity to neighbours, although Members may however wish to apply their judgement to this aspect of the scheme.
- 6.5.8 Another form of noise which would be likely to result from this proposal is from deliveries and the associated unloading. Daily deliveries are required, as fresh produce deliveries are needed each day to maintain supply. A Delivery & Servicing Plan has been submitted with this application regarding the management of delivery and servicing activity for the proposed convenience store. Deliveries to the store will not take place outside of the hours 06.00 to 22.00 Monday to Sunday. The retail unit would be serviced north of the bus stop on Clockhouse Lane. At present, the servicing location is marked by double yellow lines and pay and display parking bays. The Plan states that the applicant will seek an amendment of the existing Traffic Management Order, which will allow the safe and efficient servicing from Clockhouse Lane. Deliveries from Clockhouse Lane will be transferred to the rear of the site by roll pallets.
- 6.5.9 The Delivery & Servicing Plan states that it is anticipated that the retail store will have two main deliveries per day which will be sufficient for daily customer trade. This will allow the retail occupant to transport recyclable materials and food waste in empty vehicles back to the respective depot, which reduces servicing trips. In addition to depot deliveries, it is likely that there will be approximately five direct deliveries made each day by third-party suppliers, such as bread, milk and newspapers. Also, there would be one weekly delivery of cigarettes. Therefore, the combined total of depot and direct deliveries is likely to be seven per day.
- 6.5.10 The Delivery & Servicing Plan states that the retail occupant approach to deliveries is to organise time windows, whereby staff know when to expect a delivery and so are in place to process it efficiently. Thus, service vehicles should not arrive at the same time. The retail unit manager will be responsible for co-ordinating servicing and delivery movements. The Delivery & Servicing Plan provides some useful general information, although more detailed plan will be secured by condition. Subject to the imposition of conditions limiting opening, delivery and servicing hours and requesting a more detailed servicing and delivery plan, it is considered that any noise impact arising would not be unduly harmful.

6.5.11 Environmental Health has recommended conditions regarding sound insulation and the transmission of noise from any new plant, machinery and equipment to ensure that this equipment does not result in noise nuisance.

6.6 Highway/parking issues

6.6.1 Policy DC36 seeks to ensure that new developments make adequate provision for servicing. The retail store would be serviced from Clockhouse Lane, which the Highway Authority has confirmed is acceptable, along with refuse collection for the residential element. The frontage at Chase Cross Road is not an acceptable place to service the site from the highway because of the impact on the bus stop and the pelican crossing. Clockhouse Lane has a bus stop in close proximity to the flank of the site and a further stop near the North Romford Community Centre. It is possible that a loading bay could be provided on Clockhouse Lane, subject to all other issues being reasonably addressed. The Highway Authority has confirmed that a condition limiting the maximum length of vehicle servicing to the site to 11 metres would be acceptable to overcome their concerns about turning lorries around in the Clockhouse Lane area.

6.6.2 In the event that planning permission is granted, the Highway Authority has requested a Section 106 contribution for the review, advertisement and installation of loading facilities within Clockhouse Lane. As there would potentially be changes to the bus stop layout in Clockhouse Lane, the Highway Authority seek a sum of £25,000 to be paid prior to commencement of the development and used within two years of payment.

6.6.3 The Highway Authority has advised that the existing vehicle access points to the site from Chase Cross Road will need amending based on the submitted plans and will require upgrading to deal with smaller delivery vehicles which might use the forecourt area. The proposals appear to reduce the length of the accessible kerb to the bus stop outside the site which is a concern. This is a busy bus stop and the Highway Authority wish to limit any changes to the normal height kerb. Given that nine spaces are to be provided for the retail unit, the Highway Authority would insist on a dropped kerb access, rather than a junction style as shown and this can be secured by condition. Staff are of the view that the parking and servicing arrangements for the retail unit are acceptable.

6.6.4 Car parking standards contained within the LDF recommend the provision of one off street parking space for 35-50 square metres of floor space for a retail shop. The proposal would result in a retail floor space of 415 square metres which equates to 8 to 11 spaces. The proposal would provide 9 off street parking spaces for the proposed retail unit, which the Council's Highway Authority deem to be acceptable.

6.6.5 For the residential use, the PTAL of the site is 3 (moderate) and the parking provision at the Collier Row district centre is 1 to 1.5 space per unit. The Highway Authority objects to the lack of car parking provision for the two flats.

Members will be aware that the Council's parking standards are maximum standards and as such it is appropriate to apply them flexibly having regard to site specific circumstances. Consideration should also be given to Government planning policy which encourages local planning authorities to be flexible with parking standards in areas where effective on-street parking control is present or can be secured. Consideration has been given to the town centre location of the site (enabling easy access to services and facilities) and being fairly well served by public transport, including bus routes.

- 6.6.6 Staff consider that the lack of off street car parking provision for two, one bedroom flats is acceptable in this instance and would not result in an unacceptable overspill onto adjoining roads, particularly as the Highway Authority seek a Section 106 undertaking to prevent any residential occupiers from obtaining residents parking permits in the area in the future. In order to make the best use of land, some compromise can be required and the compromise here is in relation to car parking for the flats. Indeed, in choosing whether to purchase/rent a property in such a location, potential occupants would be aware of the lack of car parking facilities prior to occupation. Taking these circumstances into account, Members are invited to apply their judgement as to whether the level of provision for the flats is acceptable.
- 6.6.7 There is provision for cycle spaces for the retail unit and the flats and further details would be secured by condition if planning permission were to be granted. Refuse storage for the retail unit and flats would be provided to the rear of the site and details would be secured by condition if minded to grant planning permission.

7. The Mayor's Community Infrastructure Levy

- 7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. A CIL form was submitted with the application. The applicable fee is based on an internal gross floor area of (558 sq.m. – 449 sq.m.) 109m² which equates to a Mayoral CIL payment of £2,180 (subject to indexation).

8. Planning Obligations

- 8.1 A Section 106 Legal Agreement is required to secure a financial contribution of £12,000 to be used towards infrastructure costs in accordance with Policy DC72 and the Planning Obligations Supplementary Planning Document.

9. Conclusion

- 9.1 Staff consider the site to be acceptable in principle for the demolition of the existing building and the construction of a new A1 ground floor unit and two, one bedroom self-contained flats above. It is considered that the siting, design and scale of the proposed building is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and

would provide suitable amenity provision for future occupiers. The proposal is judged to be acceptable in respect of potential impact on adjacent residential properties subject to the imposition of planning conditions. There would be a financial contribution of £12,000 towards infrastructure improvements. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required for the drafting of a legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application forms and plans received 22/08/2014 and revised plans received 2/10/14.