

PLANNING COMMITTEE MEETING: 21 April 2010

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC  
REPORT OF THE DIRECTOR OF PLANNING**

<b>UDC CASE NUMBER:</b>	LTGDC-09-110-REG3	<b>DATE MADE VALID:</b>	21/12/2009
<b>APPLICATION NUMBER:</b>	U0018.09/LBHG	<b>TARGET DATE:</b>	26/04/2010

<b>APPLICANT:</b>	The London Thames Gateway Development Corporation and the London Borough of Havering
<b>AGENT:</b>	Graham Harrington Planning Advice
<b>PROPOSAL:</b>	The construction of a part-2 and part-5 storey building comprising a public library, lifelong learning centre and community facilities including space for a children`s playgroup (D1), a W.C. facility for bus drivers, retail (A1), cafe (A3) and 16 residential flats (C3), together with a new public open space, landscaping and cycle parking
<b>LOCATION:</b>	Land to north of Rainham Station bounded by Ferry Lane, Wennington Road and former Station Approach Road Rainham

**1. SUMMARY**

1.1 The site is located on land owned by the Development Corporation and seeks planning permission for a library, 'Lifelong Learning Centre', crèche, retail provision including local needs sized shop and café and public open space. The scheme also includes 16 residential units of intermediate tenure arranged in over four storeys above ground floor level (thus having a total height of five storeys). The scheme incorporates a future bus interchange facility that was granted consent by the London Borough of Havering in October of 2009.

1.2 The application is considered to be in accordance with the adopted policy context for the area, most specifically Site Specific Allocation (SSA) 15, which seeks a new public square reinforced by a landmark building incorporating community, retail and leisure uses at ground floor level and residential above. SSA15 also seeks a high quality public realm and a new public transport interchange which this scheme also delivers.

1.3 The site is within the Rainham Village Conservation Area and has been design in such a way as to be sympathetic to the styles and material exhibited in the Village without necessarily replicating older styles.

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- 1.4 The scheme has raised a substantial number of local objections related primarily to the height of the building, overdevelopment of the site and the impact upon the conservation area. Other areas of local objection relate to the incorporation of flatted residential units, potential traffic and parking issues, the design of the scheme and the pressure on local services. Havering's Regulatory Services Committee has however raised no objection to the scheme.
- 1.5 The application is before Members recommended for approval subject to the conditions listed in Section 11 of this report and referral to the Health and Safety Executive (due to the presence of a Major Hazard Gas Pipeline in the area).

## **2. SITE AND PROPOSAL**

### Site Description

- 2.1 The application site is a 0.19 hectare parcel of land directly to the north of Rainham Station. The land is an island site, being bordered by Ferry Lane to the east, Rainham Broadway to the north, a private no through road to the west and the Rainham Station car park to the south.
- 2.2 The site is vacant and is characterised by a shallow depression in the centre and a grassed embankment along the southern boundary. Historically, a row of cottages occupied the northern boundary of the site, however these were demolished during the 1960s. The vegetation on site is mainly low level grasses, shrubs and 10 mature trees. One horse chestnut tree in the northern corner of the site is protected by a Tree Preservation Order.
- 2.3 Surrounding the site is a mixture of uses but, most significantly, the site is located within the Rainham Village Conservation Area. Significant buildings within the conservation area include the Grade I listed Church of St Helen and St Giles in the heart of the Village and the Grade II listed Rainham Hall with its lodge and stable blocks, gardens, walls, piers and railings also being Grade II listed. Five other buildings within the conservation area are Grade II listed, however the closest to the site are the listed ancillary facilities to Rainham Hall, located to the north of the site.
- 2.4 As well as being a conservation area, Rainham Village is also a district centre. Rainham Broadway links the site to the heart of Rainham Village to the north-west and eventually links to a large Tesco 250 metres to the north. The closest building to the site on Rainham Broadway is a pub and car park 30 metres away. Thirty metres to the south east is the nearest residential development, being a modern five storey flatted development adjacent to the railway line. To the south beyond the railway lines is the Ferry Lane industrial estate.
- 2.5 Rainham Station provides a direct link into central London (Fenchurch Street) and bus services operate from the centre of Rainham Village. The site has road access to the A13 via the Bridge Road roundabout to the north-west then following Ferry Lane south or via Wennington Road east.

## Proposal

2.6 The application has been lodged on behalf of the Development Corporation and the London Borough of Havering for the construction of a part two storey, part five storey building comprising a public library, lifelong learning centre and community facilities including space for a children's playgroup (Class D1), a W.C facility for bus drivers, retail shop (Class A1), cafe (Class A3) and 16 residential flats, together with a new public open space, landscaping and cycle parking.

2.7 The key elements of the proposal are as follows:

- A new two-storey public library to replace the existing Rainham Library which is currently located on The Broadway;
- The inclusion of a Lifelong Learning Centre on the ground floor of the library space;
- Children's play group on the first floor of the building (approximately 87m<sup>2</sup>), with an external play area (36m<sup>2</sup>);
- A café on the ground floor of the building (101m<sup>2</sup>);
- A small retail shop on the ground floor of the building (61m<sup>2</sup>);
- A WC on the ground floor for use by bus drivers associated with the Rainham Public Transport Interchange (see below);
- 16 residential units (comprising 12 no. 2 bedroom and 4 no. 1 bedroom flats) and;
- A new public open space of approximately 830m<sup>2</sup>.

2.8 The proposed building is sited adjacent to the eastern site boundary and follows the line of Ferry Lane as it curves westwards to join the Broadway. The building has an overall maximum length of 64 metres by a maximum width of 21 metres. The building's two storey element is located to the northern end of the site and would contain the proposed public library, Lifelong Learning Centre and children's playgroup. The two storey element has a maximum height of 10.2 metres to the roof ridgeline. The five storey element is located at the southern end of the site and contains a retail shop and café at ground floor with four storeys of residential units above and has a maximum height of 17.8 metres overall.

2.9 The proposed materials palette includes red-brown coloured facing brickwork laid in a Flemish bond, while the roof of the building is finished with a succession of small pitches indicated as standing seam copper. The 'copper' material is in fact bronze that will go a dark chocolate brown with oxidisation but would not then go brighter green as seen with verdigris in copper. The building also has metal downpipes and hoppers, while the window openings are aluminium clad timber frames in an anodized gold finish.

2.10 The library entrance sits beneath a dark painted steel canopy which also forms the railing of the playgroup's terrace. The whole canopy is detailed as one steel component. The columns, structure, soffit and the balustrade one and the balustrade is perforated with laser cut holes to form the library's name. The façade of the building at this point is formed of glazed brick linking onto a plinth around the base of the library. The plinth itself expands to frame the ground floor windows to the Broadway. The glazed bricks would be of a dark green colour with subtle variations that are reminiscent of the glazed bricks found in tile/brick elements of traditional

shop fronts or pubs.

- 2.11 This same glazed brick is used again around the shop fronts of the café and retail unit and are covered to the south by a steel colonnade of similar detailing to the library entrance. However, at this point the balustrade above is the building's brick that wraps over above the steelwork that creates the colonnade, which is also the bus passenger waiting area. This type of brick is used at residential entrances, this time with a small plain canopy above, again detailed in dark painted steel but without columns.
- 2.12 Laser cut metal screens are also used elsewhere around the building, such as part of the window construction as a security cover, elsewhere providing articulation to the entrance canopies and balconies.
- 2.13 The site has the benefit of a planning permission granted by the London Borough of Havering in October 2009 for the formation of a new roadway linking the private road to the west with Ferry Lane to the east. The new roadway will form a new transport interchange with Rainham Station to enable bus services to be relocated from their current terminus in the heart of the Village. The application before Members is interrelated with this transport interchange and has essentially been designed as one project. The timing for highway works spend meant that the interchange application needed to be submitted and approved earlier than permitted by the overall project timetable.

### **3. MAIN ISSUES**

- Principle of the development
- Design
- Scale and massing
- Impact Upon the Setting of the Conservation Area
- Landscape
- Housing
- Traffic and Parking
- Sustainability and energy
- Noise and Vibration

### **4. RELEVANT SITE HISTORY**

- P0426.96 - Residential development to form 22 no. one and two bedroom flats - refused and allowed on appeal
- P1464.02 - Care Home (Class C2 use) – refused.
- P0565.05 - Residential development to form 22 flats (renewal of planning permission reference P0426.96) – refused.
- P0958.09 - The construction of a one-way east-bound road incorporating a footpath on its northern edge between the former Station Approach Road and Ferry Lane (with provision for two bus stops and two bus stop stands), alterations to these existing roads (including the construction of a lay-by on the western side

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of Ferry Lane), supporting embankments and associated lighting (4x8m columns) to create a public transport interchange - Approved

## **5. CONSULTATIONS/NOTIFICATIONS**

### London Borough of Havering

5.1 The application was considered by Havering's Regulatory Services Committee on the 11<sup>th</sup> of March who resolved to raise no objections to the proposal, subject to the following conditions which are all covered in the list of recommended conditions in section 11 of this report:

- Time limit for commencement
- Details of materials
- Details of hard and soft landscaping
- Protection of preserved trees during construction
- Construction methodology
- Hours of construction
- Details of wheel washing
- Land contamination
- Scheme of archaeological investigation
- Restriction on the use and hours of the non residential elements
- Details of refuse storage
- Details of cycle storage
- Details of external lighting
- Hours of opening for the commercial uses
- Need to submit application for Secure by Design award scheme
- Code for Sustainable Homes Level 3 and BREEAM 'very good' accreditations
- Details of extraction/ventilation system to the Cafe
- Travel plans

### English Heritage

5.2 English Heritage has considered the application and does not wish to offer any comments. The recommendation is that the application be determined in accordance with national and local policy guidance and on the basis of any other specialist conservation advice. The consultation response goes on to stress that English Heritage are not expressing any views on the merits of the proposal.

5.3 By way of a separate consultation response from English Heritage's Greater London Archaeology Advisory Service (GLAAS), the site has been identified to be within an archaeological priority area and is likely to contain remains from the late Iron Age and early Roman periods as well as evidence of the medieval settlement that was present on the site. Therefore, an archaeological mitigation condition has been recommended to be attached to any permission for the proposal.

### Environment Agency

5.4 The Environment Agency has objected to the scheme on the grounds that insufficient evidence had been provided to demonstrate that a flood risk sequential test had been provided. At present, more information is required on the flooding characteristics of land south of the railway line and the local sports ground. The EA also requires more information on the community benefits of the scheme to ascertain whether the scheme meets the exception test. Until the objection is removed, the EA is unable to provide any information on conditions they would seek to be imposed on any permission.

### Natural England

5.5 Natural England has raised concerns relating to the ecological impact of the development. Specifically, the Ecological Report in support of the development does not address the potential for the site to support reptiles and bats, and the mitigation measures are not site specific. There is also a concern that there is no information regarding ecological enhancement measures. It is considered that these concerns can be overcome by appropriately-worded pre-commencement conditions.

### Transport for London

5.6 TfL has confirmed that the proposal is not situated on or in proximity to the Transport for London Road Network. TfL supports the car free development and recommends that the developer enter into a Car Free Agreement by way of a Section 106 agreement to prevent future residents obtaining local parking permits. Officers consider that this type of agreement can be secured by condition.

5.7 The proposed provision of disabled parking bays and cycle parking is considered adequate.

5.8 TfL has asked that the finalised Travel Plan be submitted to the Local Planning Authority for final approval and that this Travel Plan be assessed and the pass score obtained by the 'ATTRIBUTE' assessment. This will be secured by condition.

5.9 A Delivery and Servicing Plan has been requested by way of a planning condition.

5.10 The movement of construction vehicles should also be carefully planned so as to avoid am and pm peak traffic movements.

### The National Trust

5.11 The Trust confirms that it supports the application and "...*compliment(s) the scheme on the very strong level of architectural detailing.*" The Trust considers that the building has a strong civic quality and supports the regeneration of the site in line with the Core Strategy. The façade of the taller residential element is also supported, however a form of balcony screening to The Broadway elevation has been requested "...*to conceal the understandable desire to store items outside the dwelling.*" The approach to the open space is also supported.

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#### Campaign to Protect Rural England

- 5.12 CPRE does not support the incorporation of flats into the development. They consider that better alternative sites exist around and within the Village, that the quality of life of residents would be compromised within what is considered to be a busy travel hub, that the parking and access arrangements are unacceptable, and that the development should be restricted to three storeys.
- 5.13 It is not clear from this consultation response in what capacity the proposal impacts upon the nearby rural landscape.

#### The Health and Safety Executive (PADHI+)

- 5.14 HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case. This is due to the presence of major hazard gas pipelines in the vicinity of the site. However, following investigations by the applicant's risk consultants and direct discussions with the HSE, it is apparent that the records held by the HSE contain information on infrastructure that existed before the construction of the Channel Tunnel Rail Link and do not accurately reflect the strengthening to the pipelines that occurred as part of this project. Although the HSE acknowledges this situation, a formal response to this effect has not been received in writing. Therefore, should Members resolve to grant consent for this scheme, the application will be referred to the HSE in accordance with the Corporation's statutory duty as local planning authority.

#### Metropolitan Police

- 5.15 Two conditions have been recommended by the police relating to secured by design principles being incorporated into the scheme and details of a CCTV scheme. An informative has also been recommended to advise the applicant to contact the Borough's Crime Prevention Officer in discharging the recommended conditions.

#### London Fire Brigade and the London Fire and Emergency Planning Authority

- 5.16 The London Fire Brigade has advised that no additions or alterations to existing fire hydrants are required for this development.
- 5.17 The London Fire and Emergency Planning Authority has confirmed that it is satisfied with the proposal.

#### Thames Water

- 5.18 With regard to waste, Thames Water has advised on the need for appropriately maintained fat traps on all catering establishments.
- 5.19 Thames Water also advises that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer.

#### Network Rail

- 5.20 Network Rail confirms that it has no comments to make.

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## **6. APPLICATION PUBLICITY**

6.1 Site Notice Expiry: 11/01/2010

6.2 Press Notice Expiry: 01/02/2010

6.3 Neighbour Notification: Issued 22/12/2010.

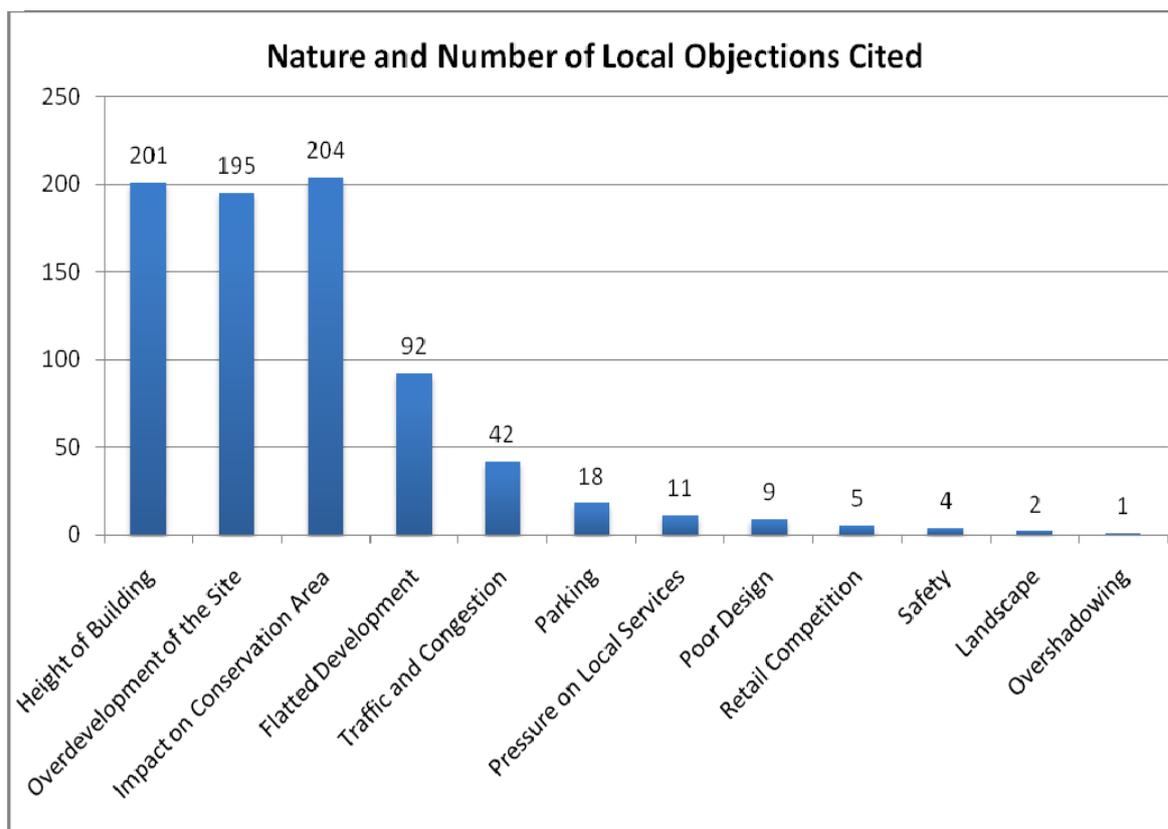
## **7. REPRESENTATIONS**

7.1 In total, 87 local residents were notified in writing of the application which resulted in 242 objections being received. Of these 242 objections, 23 were individual responses to the consultation. The remaining 219 were based on an objection letter template attached to an objection leaflet provided to local residents by Councillor Jeffery Tucker urging residents to object to the proposal. The template letter focused on the height of the building and considered that the proposal would be an overdevelopment of the site. It considered that the library should be a standalone structure and that the modernisation of the existing library in its current location should be re-examined. Space was then allowed for individual comments.

7.2 The case officer also met on site with Havering Councillor Mark Stewart on the 12<sup>th</sup> of January 2010. During this meeting, Cllr Stewart voiced his concerns that:

- The site itself is generally too small to accommodate the scale of development proposed
- Transport and parking present an issue, particularly if future residents of the scheme own their own vehicles and have nowhere to park. The proposed library, crèche and retail functions of the scheme would only exacerbate this situation.
- The viewlines from the station into Rainham Village would be lost. The preference would be for a large open space.
- The flats above the library may lead to social problems
- The design of the building too closely resembles that of the existing flatted development located to the east of the station. This design is not in keeping with the rest of the Village.
- Overall, there should not be residential above within the scheme.

7.3 The nature of individual objections and the number of times the specific objection occurred is summarised in the graph below.



7.4 In addition to these local objections, the manager of the existing crèche facility has also raised concerns regarding the adequacy of the proposed children’s playgroup. Her concerns are that the playgroup does not cater for two year olds as well as the three to five year old range, that the two toilets and two basins within the playgroup area do not meet the minimum requirements of one toilet and basin for every ten children, and that there is a risk to children falling from the first floor level open area even with adult supervision.

7.5 The responses to these individual comments are discussed below.

Individual Comment	Response to Comment
The height of the building is excessive	The five storey maximum height of the proposal is not considered to adversely impact upon the Village or the surrounding area and responds adequately to the site context. This is discussed in greater detail in section 9 of this report under the heading ‘Scale and Massing’.
The proposal will be an overdevelopment of the site.	The proposal does not maximise the development potential of the site, but rather has allowed for a large area of public open space. The scheme is also within the density range specified by the Site Specific Allocation for the area.

<p>The proposal will have a negative impact on the conservation area.</p>	<p>The Rainham Village Conservation Area is a central consideration in the layout and design of the proposal. This has been demonstrated in the use of materials, specific design features and the allowance for the new route from Rainham Station to the heart of the Village. English Heritage has raised no objection to the scheme and the National Trust supports the proposal. This is discussed in greater detail in section 9 of this report under the heading 'Impact Upon the Conservation Area'.</p>
<p>Rainham is not an appropriate location for flatted development.</p>	<p>While the scheme does not propose any family sized accommodation, the location of the development within a future transport interchange and within a district centre supports this type of housing.</p>
<p>The scheme will increase traffic and congestion within the Village.</p>	<p>An additional 16 residential units, the Library and the associated facilities are not considered to be high traffic generators. This is discussed in greater detail in section 9 of this report under the heading 'Traffic and Parking'</p>
<p>The scheme does not provide any car parking, therefore users of the library and the future residents will create parking problems</p>	<p>The car free nature of the development is supported in local and strategic policy and has the support of both Transport for London and the Borough's Highways Officers.</p>
<p>The scheme will place pressure on local services.</p>	<p>The scheme delivers an improved library and children's playgroup facility along with an adult learning facility. The 16 additional residential units will not create a discernable impact on other local services such as schools or medical facilities.</p>
<p>The scheme is a poor design.</p>	<p>It is considered that the design is sympathetic to the conservation area and appropriate for the location in general. The design of the scheme is discussed in section 9 of this report under the heading 'Design'.</p>
<p>The retail and café elements of the scheme will complete with existing businesses in the Village.</p>	<p>The fact that a development results in competition between businesses is not a material planning consideration. In any event, the amount of retail competition generated by this scheme itself will be negligible - particularly in comparison to the large Tesco located to the north of the Village.</p>
<p>The proposal will present safety issues being adjacent to a future transport interchange.</p>	<p>Developments adjacent to transport facilities are not uncommon. Appropriate signage and tactile division between pedestrian and road surfaces are included</p>

	within the scheme.
The landscaping is of a poor quality.	The landscaping aims to present a naturalised quality similar to that of the church yard and gardens of Rainham Hall. This is discussed in greater detail in section 9 of this report under the heading 'Landscape'
The height of the development will overshadow adjacent areas.	The island nature of the site means that the building does not overshadow any residential dwellings or other sensitive receptors. Further, the shape of the five storey element means that any overshadowing of public realm will be transitional as the sun tracks across the sky, rather than permanent shading as with horizontal block forms of development.

## 8. RELEVANT PLANNING POLICY

### 8.1 Government Policy Guidance and Statements

PPS1 Delivering Sustainable Development  
 PPS3 Housing  
 PPS4 Planning for Sustainable Economic Growth  
 PPS5 Planning for the Historic Environment  
 PPS9 Biodiversity and Geological Conservation  
 PPG13 Transport  
 PPG17 Planning for open space, sport and recreation  
 PPS22 Renewable Energy  
 PPG24 Planning and Noise  
 PPS25 Development and Flood Risk

### 8.2 The London Plan consolidated with alterations since 2004 (2008)

3A.3 Maximising the potential of sites  
 3A.5 Housing choice  
 3A.6 Quality of new housing provision  
 3A.9 Affordable housing  
 3C.1 Integrating transport and development  
 3C.2 Matching development to transport capacity  
 3C.20 Improving conditions for buses  
 3C.21 Improving conditions for walking  
 3C.22 Improving conditions for cycling  
 3C.23 Parking strategy  
 3C.22 Improving conditions for cycling  
 3C.24 Parking in town centres  
 3D.1 Supporting town centres  
 3D.13 Children and young people's play and informal recreation strategies  
 3D.14 Biodiversity and nature conservation

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3D.15 Trees and woodland  
4A.1 Tackling climate change  
4A.2 Mitigating climate change  
4A.3 Sustainable design and construction  
4A.4 Energy Assessment  
4A.7 Renewable energy  
4A.11 Living roofs and walls  
4A.12 Flooding  
4A.13 Flood risk management  
4A.14 Sustainable drainage  
4B.1 Design principles for a compact city  
4B.3 Enhancing the quality of the public realm  
4B.6 Safety, security and fire protection  
4B.5 Creating an inclusive environment  
4B.8 Respect local context and communities  
4B.9 Tall buildings  
4B.10 Large scale buildings design and impact  
4B.12 Heritage conservation  
4B.15 Archaeology

#### 8.3 London Borough of Havering LDF Core Strategy DPD

CP1 Housing Supply  
CP2 Sustainable Communities  
CP4 Town Centres  
CP5 Culture  
CP8 Community Facilities  
CP9 Reducing the need to travel  
CP15 Environmental Management  
CP17 Design  
CP18 Heritage

#### 8.4 London Borough of Havering LDF Site Specific Allocations DPD

SSA15 – Rainham Station Transport Interchange and Civic Square

#### 8.5 London Borough of Havering LDF Development Control Policies DPD

DC2 Housing mix and density  
DC3 Housing design and layout  
DC6 Affordable housing  
DC7 Lifetime homes and mobility housing  
DC15 Locating retail and service development  
DC19 Locating cultural facilities  
DC20 Access to recreation and leisure including open space  
DC21 Major developments and open space  
DC25 Public art  
DC26 Location of community facilities  
DC32 The road network  
DC33 Car parking  
DC34 Walking  
DC35 Cycling

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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  
DC54 Hazardous substances  
DC55 Noise  
DC58 Biodiversity and geodiversity  
DC60 Trees  
DC61 Urban design  
DC62 Access  
DC63 Delivering safer places  
DC66 Tall buildings and structures  
DC67 Buildings of heritage interest  
DC68 Conservation Areas  
DC70 Archaeology  
DC72 Planning Obligations

## **9. ASSESSMENT OF MAIN ISSUES**

### Principle of Development

- 9.1 When considering whether this development is acceptable in principle, the most relevant policy to take into account is Havering's Site Specific Allocation (SSA) 15 – Rainham Station Transport Interchange and Civic Square. The objective of SSA15 is to increase the use of public transport and to improve community facilities and public realm. SSA15 seeks to achieve this by setting out specific requirements by which development will be delivered. These include the delivery of a new civic square reinforced by a landmark mixed use building of acknowledged design quality, incorporating community, retail and leisure uses at ground floor level with residential above. The residential component should achieve a density range of between 30 to 150 dwellings per hectare while the parking standards are set at 0 to 1.5 spaces per dwelling. Open space is also required to be of a high standard. SSA15 makes a particular point that important viewlines into and out of Rainham Village must be safeguarded.
- 9.2 The development proposal reflects the requirements of SSA15 and is considered to be acceptable in principle. The proposal delivers a new public space between the Rainham Village Conservation Area and Rainham Station. This open space capitalises on the natural pedestrian desire line between Rainham Station and the facilities within the Village. The position and layout of the proposal building is such that this open space is enclosed to the north east while also making the ground floor facilities easily accessible to passers by.
- 9.3 The mix of uses within the building itself also reflects the requirements of SSA15. At ground floor level, the proposal delivers a public library of 1,229m<sup>2</sup>, which is an increase of 639m<sup>2</sup> over the existing combined library and crèche facility within the Village. Also at ground floor level, a 'Public Advice and Service Centre' is proposed to provide information on local services, while a 'Lifelong Learning Centre' operated

by Havering College intends to provide local learning opportunities. A café of 101m<sup>2</sup> and a retail shop of 61m<sup>2</sup> are located at the station end of the building.

9.4 At first floor level, the scheme provides rooms for a community meeting space as well as a children's playgroup of 87m<sup>2</sup> with its own outdoor space of 36m<sup>2</sup>. The decision to place the playgroup area at first floor level rather than at ground floor level is based on the following reasons:

- It provides a safe environment for children and does not require the blinds and curtains to be drawn
- Prevents the physical and visual intrusion into the public square of an enclosed outdoor space required for the playgroup
- Enables active frontages to the public realm

9.5 The location of the children's playgroup at first floor level is considered reasonable by officers, particularly as step free access is also provided by way of a lift. Officers agree that the location provides a safer environment than at a ground floor location, particularly as members of the public would need a specific reason to go to the first floor, rather than the drop-in type community uses located at ground floor level.

9.6 Overall, the non-residential element of the scheme over the ground and first floors of the development represent a significant community benefit to the local population. Moreover, the delivery of these facilities is directly in line with the requirements of SSA15.

9.7 Above the community element and positioned towards the railway station end of the development are 16 residential units arranged over four storeys, giving the proposal a total height of five storeys or 17.5 metres above ground level. These residential units are acceptable in terms of SSA15 both in terms of their location above the community uses and being within the density range of between 30-150 dwellings per hectare.

9.8 SSA15 also seeks upgraded interchange facilities between Rainham Station and local bus services. It is considered that this element of SSA15 has been satisfied with the grant of planning permission by Havering for a one-way east bound road between the former Station Approach Road (private no through road) and Ferry Lane. This road essentially runs along the southern boundary of the site and incorporates two bus stops and two bus stands, associated earth embankment works, lighting, street furniture and pedestrian access improvements. Various elements of the current scheme relate to this interchange and are discussed in greater detail later in this report.

9.9 The proposal closely follows the requirements of SSA15 and is considered to be wholly acceptable in principle. The principle of this development is consistent with the strategic policy context, particularly in relation to locating such developments within centres and near public transport connections. SSA15 is in line with the London Plan, being part of Havering's adopted LDF.

## Design

9.1 PPS1 seeks high quality and inclusive design beyond the aesthetic considerations of

the particular development. Specifically, good design should take into consideration the connections between people and places such as jobs and key services, be integrated into the existing natural and built form, and ensure that the surrounding area is and remains successful, safe and inclusive. Development that is out of context or does not improve the character or quality of an area should not be accepted.

- 9.10 The London Plan also places emphasis on good quality design in development, in particular policy 4B.1 which gives weight to high quality inclusive design and enhancement of public realm and policy 4B.3 which also seeks to enhance the quality of public realm.
- 9.11 The design of the scheme has been led by the need to be sensitive to the Rainham Village Conservation Area and to achieve the requirements for the civic square as stipulated in SSA15.
- 9.12 Due to the shape of the site and the need to provide the large area of open space, the building has not taken a regular form. Each façade of the building is intended to address the space to which it faces. The façade to the open space is at a concave angle so as to maximise the area to the front of the library entrance and café, frame the new civic space and provide as open a viewline from the station to the village as possible.
- 9.13 The façade facing the Village is purposely the smallest of the facades in order to present the smallest built form to the conservation area as possible. This façade is also important in that it provides an important physical marker of the new 'Y' junction where busses will be routed into the approved transport interchange.
- 9.14 The tallest and largest façade faces to the south towards Rainham Station and the Marshes beyond. Although this façade will have a total height of 17.5 metres (over five storeys) this will only be perceived from the south which is the least sensitive direction that could be affected. This element also contains the residential units which will benefit from the uninterrupted sunlight and daylight from the south while also enjoying long distance views over the Marshes and towards the Thames.
- 9.15 The roof form of the building is made up of a series of pitched roofs with east-west orientated ridge lines. The articulation of the roof lines is intended to respond to the type of roofs commonly found in Essex villages. Each roof plane is angled 30 degrees from horizontal and also has the functional benefit of providing the maximum amount of solar gain for the photovoltaic cells that are affixed to the south facing planes. The north facing roof planes are to be fitted with roof lights that will provide natural lighting and ventilation for the community facilities below. The edge treatment is an angled seam bronze construction.
- 9.16 The materials used in the construction of the building have been chosen to best replicate the types of materials used in the conservation area. The principal material used in the construction of the building is a variation of a red-brown brick type similar to the local materials used in the Village. The variation of colour in the brick gives the overall finish of the building a depth and contrast more commonly associated with older buildings. This quality is further enhanced by the 'Flemish bond' style of brick laying that is incorporated into the design and which is commonly seen in Rainham Village. Also used in the construction is a glazed dark green brick which is used to

articulate the building entrances, windows and the shop fronts, and also extends around the base of the building to act as a plinth on which the structure is placed. This type of dark green glazed brick is similar to that used in traditional East London pubs.

- 9.17 Further details of the building are intended to be simple and functional. Window and balconies are inset with timber and aluminium finishes, as are the balustrades and railings used throughout. The main entrance to the library is clearly articulated by the steel frame canopy that also acts as the outdoor play area for the children's playgroup above. This canopy will be detailed with the library's signage which is made of a laser cut steel screen.
- 9.18 The design approach to the scheme is a simple but well considered response to the site. The use of the various angles of the site and the different context that each side of the site faces has been utilised to best affect. The layout and site coverage allows for this civic building to mark an important junction of the Village while also providing for linkages between the railway station and the heart of the Village itself.

### Scale and Massing

- 9.19 The scale and massing of the proposed development has been a particular cause for concern among local objectors to the scheme. Most objections generally are in principle objections to any structure of more than two to three storeys and express the fear that a building of more than this height will relate poorly to the conservation area and the structures within such as the listed church clock tower, overshadow the public realm and present a poor entrance to the Village. When considering the policy context for building heights for the site, SSA15 does not specify a maximum height but rather states a density range of between 30 to 150 dwellings per hectare and seeks a landmark building of acknowledged design quality.
- 9.20 The Development Control Policies DPD within Havering's LDF provides further policy guidance on urban design through policy DC61. This development control policy states that schemes will only be approved where they maintain, enhance or improve the character and appearance of the local area. More specifically, among other considerations, policy DC61 states that developments must respond to distinctive local building forms and patterns of development and respect the massing, scale and height of the surrounding physical context. Therefore, in establishing whether the scale and massing is appropriate for the site, the principal consideration is the way in which the proposal will sit within the surrounding context.
- 9.21 Of the surrounding contextual considerations, the Rainham Village Conservation Area is the most sensitive. The impact of the development upon the conservation area is discussed in greater detail later in this report, however in terms of the massing of the scheme, the proposal has been designed in such a way as to present the smallest elevation to Rainham Broadway. This elevation is the narrowest of the elevations and is two storeys in height.
- 9.22 The highest element is the five storey residential component that sits on the southern end of the built structure. This element is the most identifiable section of the building particularly when viewed from Rainham Station or further to the south. However, in urban design terms, the location of this taller element is considered to

be well placed being as it is the furthest away from the conservation area and faces the least sensitive elements of the surrounding area, being the railway, industrial areas and marshes to the south.

- 9.23 Another important contextual consideration is the five storey flatted development to the south east of the site on the opposite side of Ferry Lane and adjacent to the railway line. At present, this structure is clearly visible from the centre of the conservation area and is not considered to exhibit a design that is sympathetic to the setting of the conservation area. Although the height of the proposed structure is slightly higher than that of this existing building, the proposed building plays an important role in screening the existing building from the heart of the conservation area.
- 9.24 In coming to the current design iteration, a three storey option was considered that would spread the units across the entire length of the library building. This option was discounted as it would place the highest part of the building at the closest point to the conservation area and would require a relatively high number of cores serving a low number of units. The three storey option also presented less opportunity for the sustainable design features delivered in the current scheme.
- 9.25 Although there has been significant concern regarding the height of the development, officers consider that, on balance, the scale and massing of the proposal presents a positive contribution to the site and surrounding area.

#### Impact Upon the Conservation Area

- 9.26 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of conservation areas. This is therefore a material consideration in the assessment of development proposals which affect its setting, or views into or out of the area.
- 9.27 PPS5 was published on the 23<sup>rd</sup> of March 2010 and deals with planning and deals with planning and the historic environment, and supersedes PPGs 15 and 16. Policy HE10 of PPS5 deals with the principles guiding the consideration of applications for development affecting the setting of a heritage asset. The policy states that planning authorities should treat favourably applications that preserve those elements of the setting that contribute to the significance of a heritage asset, and identify changes in the setting to enhance that significance.
- 9.28 At a local level, Havering's LDF policy DC68 states that planning permission within a conservation area will only be granted where it does not involve the demolition of a building that makes a positive contribution to the area, preserves and enhances the character or appearance of the conservation area, is well designed and does not involve the loss of trees that make a positive contribution to the conservation area. In line with the requirement within SSA15, the applicant has provided a Heritage Statement to accompany the application.
- 9.29 The Heritage Statement sets out the existing character and appearance of the conservation area through the first hand analysis and by referencing the original 1968 conservation area designation and the 2007 *Character Appraisal and Management Proposal* document undertaken by the Borough. This highlights that it

is a small, coherent and very high quality conservation area, although the land surrounding is largely 20<sup>th</sup> Century suburban and industrial that is not of the same high quality standard. The focal point of the Village is the Grade I listed Church of St. Helen and St. Giles dating back to 1170 and the War Memorial. Key views relevant to the proposal are therefore from the heart of the Village along Rainham Broadway to towards Rainham Station. This key view as well as views of and around the site are poor at present. Particularly poor features of the conservation area that currently exist are Rainham Station, the existing 1970s era library and council offices, not to mention the application site itself in its current condition. Furthermore, the setting of the conservation area has been eroded by the High Speed 1 railway and the pedestrian bridges that cross it, the high voltage transmission lines further to the south and the modern five storey development adjacent to the railway. Therefore, the application site and the area that surrounds it are considered to be the poorest elements of the conservation area, while the library which the proposal is intended to replace is detrimental to the character and appearance of the area.

9.30 It is the opinion of officers that the proposal will enhance the character and appearance of the conservation area, rather than detracting from it in any way. Firstly, in terms of the site layout, the building is positioned on the former site of a row of 19<sup>th</sup> Century cottages. Therefore a historic precedent has been set and is followed. This layout offers a route through the site to the station that brings the open space up to a standard that is comparable to other open spaces and gardens within the Village, such as the church yard and the gardens behind Rainham Hall.

9.31 The design of the building itself is sensitive to the conservation area in that it steps down to two storeys to reflect the existing building heights at this end of Rainham Broadway and presents the smallest elevation to the important view from the heart of the Village. Furthermore, the impacts of the taller element on the important views from the centre of the Village are reduced by perspective (being further away) and the topography of the site. The building has the added benefit of screening the conservation area from the poor outlook of the railway lines, transmission lines, Rainham Station and the built developments that are not considered to be in keeping with the conservation area.

9.32 Other elements of the scheme relevant to the conservation area include the pitch of the roofs, which generally reflect the type of roof pitch seen in buildings along Rainham Broadway, and the use of a brown-red brick, which is the predominant type of brick seen in the Village. The proposal is not deemed to have a detrimental impact on the setting of nearby listed structures, including the garden wall of Rainham Hall opposite the site, Rainham Lodge or Rainham Hall (all Grade II) further into the conservation area.

9.33 It should also be noted that the site has a high potential for archaeological remains dating from the late Iron Age to the present. It is considered that a suitably worded condition as recommended by English Heritage Architectural Advice Service should be placed on any permission.

9.34 It is acknowledged that the proposal is a modern design which does not seek to replicate older buildings or styles seen in Rainham Village. Rather, the layout, design and use of materials are all sympathetic to the conservation area and ultimately it is considered by officers that this approach is beneficial to the character and appearance of Rainham Village. As stated earlier in the consultation section of this

report, English Heritage do not wish to comment on the application (which may be interpreted as tacit approval) and has the full support of the National Trust.

### Landscape

- 9.35 Policy SSA15 requires that any development proposal on this site must deliver a high quality public realm using quality hard and/or soft landscaping and street furniture as appropriate. In addition to this policy context, the Borough has been working with East Architects to deliver a public realm masterplan that will support and enhance the conservation area. The scheme has considered these requirements and proposes an area of open space that aims to tie in with the historic context of the Rainham Village public realm. The scheme has considered the preferred materials suggested by the masterplan and being the first area of public realm works in the Village, will be an important precedent for these future works. Therefore, the quality of the public space presented by this scheme needs to set a high benchmark for the rest of the Village.
- 9.36 The landscape design takes advantage of the existing bowled topography of the site in bringing forward the scheme's sustainable urban drainage while also providing a more natural approach to the soft landscaping. The approach to the soft landscaping across the green space is to provide a combination of grass types that invite usage of the open space, while grass bunds around the southern edge of the space provide a visual and physical break between the space and the interchange. All grasses are to be of a natural type found locally around the River Ingrebourne.
- 9.37 The soft landscaping proposals have paid particular attention to the large Horse Chestnut tree closest to the Village. This tree is the subject of a Tree Preservation Order (TPO) dating back to 1969 and despite the age of the TPO, the tree is still considered to be a valuable feature of the site, having a height of 14 metres and a canopy spread of 10 metres. Three additional trees are to be placed in the same area as the TPO tree, which further enhances the ecological value of the scheme while also supporting the naturalised approach to this new open space.
- 9.38 In terms of the hard landscaping proposals, the space provides a diagonal route through the site that provides a direct pathway from the station and interchange through to the Village. Between the entrance to the Library and the interchange is also a large open paved space. These features reflect the materials of Havering's masterplan proposals by introducing clay pavers for the pedestrian areas around the interchange and the Library entrance space, York Stone flags along footways surrounding the building, and smaller York Stone sets are for diagonal route through the site along with parking and loading bays. The edges between the pedestrian footways and trafficked area are made up of granite curbing, while the trafficked area of the interchange is made up of black mastic asphalt.
- 9.39 New street furniture includes timber benches within the green space and bus stops while the benches facing towards the Village are specially sculptured. External lighting is to be provided by way of four carriageway lighting columns and two pedestrian crossing lights. Cycle parking and litter bins are also intended to be provided around the public spaces.
- 9.40 Overall, the landscaping proposals provide a safe and attractive natural public space that is in keeping with the historic context of the Village and aligned with the

open space objectives of SSA15.

### Housing

- 9.41 The proposal includes 16 residential units located within the first to fifth stories of the tower element. These units are all intended as intermediate housing and to be managed by Swan Housing. In a letter attached to the planning statement supporting the application, Swan Housing has stated that they are willing to restrict eligibility for these units to residents of the London Borough of Havering or for people with connections to the Borough for a three month period.
- 9.42 Havering's policy on affordable housing is in line with the London Plan, being that the minimum proportion within new developments shall be 50% split 70/30 in favour of social rented accommodation to intermediate. In this respect, while the scheme fulfils the proportion requirement, being 100% affordable, the tenure split falls short of policy requirement as all units are for intermediate rent. In this respect, the applicant has contended that for the scheme to deliver social rented housing in the tenure split required by policy, the development would not have the financial viability to proceed. This statement has been supported by an open book financial appraisal. The applicant has also made reference to the Borough's Housing Need Update of 2006 which states that there is a large gap between the cost of entry level private renting and entry level home ownership and that there are a significant number of households within the Borough that seek access to home ownership but cannot due to this gap in cost. The Borough's position is that they support 100% intermediate housing in this instance as the scheme will assist in achieving the Borough's affordable housing targets while allowing opportunities for affordable home ownership. Given the statements from Swan Housing on local eligibility for the units (which shall be secured by condition) and the Borough support of the tenure split, it is considered by officers that the residential tenure for the scheme is acceptable.
- 9.43 The residential mix is 12 two bed units and 4 one bed units. The unit sizes are 50m<sup>2</sup> for each of the one bed units, 60m<sup>2</sup> for four of the two bed units (designated as three person units) and 70m<sup>2</sup> for the remaining two bed units (four person). There are four units per floor and all but two have dual aspect. The two units that do not have dual aspect are a one bed facing east and a two bed three person unit facing west.
- 9.44 All units have their own private balcony space that ranges in size from six square metres for the one bedroom units and ranging between five and 13 square metres for the remaining two bedroom units. As private communal open space is not provided, the scheme fall short of the Borough requirement of 40m<sup>2</sup> of amenity space per one bed unit and 50m<sup>2</sup> per two bed unit. However, given the amount of public open space delivered by the scheme, the town centre location of the site and the fact that the units are not considered to be family housing, the private balcony space is considered to be sufficient.
- 9.45 Other features of the units include corner locations of living space to maximise natural lighting and ventilation, floor to ceiling height of 2.4 metres, en-suite shower rooms for each two bed two person unit and Lifetime Homes accessibility for all 16 units.

### Traffic and Parking

- 9.46 It is accepted within the Government guidance within PPS1 relating to sustainability, PPS3 regarding housing and PPG13 regarding transport that more intensive development should be guided towards area with good public transport facilities and located in areas such as town centres where services are readily available by walking or cycling. The approach to parking in all three of these guidance documents is that parking requirements in local policies should be expressed as maximum amounts.
- 9.47 Policy SSA15 follows this national guidance and designates that a maximum range of 0 to 1.5 spaces per dwelling. Also at a local level, Havering's Development Control Policy DC33 seeks to control the parking provision in new developments by not exceeding the maxima set out for each land use.
- 9.48 The scheme proposes no dedicated parking for any of the uses and as such is considered to be a 'car free development', however three disabled bays and a loading bay will be provided within a lay-by on Ferry Lane. Cycle parking is proposed to be provided by five stands (10 spaces) on the bus interchange area, 6 stands (12 spaces) outside the library entrance. Internal cycle parking bays for residents are to be located in a dedicated enclosed storage space accessible from Ferry Lane, with the specific number of spaces to be secured by condition.
- 9.49 The justification for car free development is supported both in planning policy and through the submission of the Transport Assessment. In policy terms, the site is located next to Rainham Station and 150 metres from the existing bus stands adjacent to the war memorial and is therefore considered to have good access to public transport. This will be further enhanced with the delivery of the bus interchange that was the subject of a separate application approved by the London Borough of Havering in September of 2009. The site's location within this district centre also supports car free development as residents can access the local facilities easily by walking and visitors to the library and community facilities can utilise either the station car park, the large car park next to Tesco located 250 metres (three minute walk) to the north or drop off users in the lay by to be provided.
- 9.50 The applicant's Transport Assessment has further demonstrated that the site is appropriate for car free development. The traffic impact assessment considered the junctions of Ferry Lane/Wennington Road/Broadway, Broadway/Bridge Road/Upminster Road South and the Bridge Road/Lamson Road/VikingWay roundabout. Traffic conditions on the local highway network were assessed for the baseline year, year of opening and five years after the date of registration of the planning application, in accordance with DfT guidelines for Transport Assessments. Trip generations for each of the proposed uses was considered using the TRAVL database. These assessments have concluded that each of the junctions have sufficient capacity at current and future traffic levels and that the increase in vehicle movement in the area attributed to the development would be insignificant. The TA also outlines the framework of both a workplace and residential travel plan that will be secured by condition.
- 9.51 Given the policy and site specific evidence in support of car free development at this location, it is accepted that no car parking spaces should be required. This is subject to a condition preventing eligibility of future residents of the scheme for car

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parking permits. Parking restrictions exist on Broadway, Wennington Road and Anglesey Drive. The periods of these restrictions vary along the lengths of these roads and are either: 8am-6:30pm Mon-Sat or 8:30am-6:30pm Mon-Sat or 8:30am-9:30am Mon-Fri. Sections of Broadway have an 'At any time' restriction. These restrictions allow some scope for staff and visitors to park on these streets, but it would be very difficult for residents to make use of this provision.

- 9.52 Servicing of the proposal is intended from a demarcated loading bay within the proposed lay by on Ferry Lane. Refuse vehicles already travel down Ferry Lane to collect from the nearby flats and would be able to pick up from the development at the same time. Two separate refuse and recycling storage areas are proposed within the building adjacent to Ferry Lane. One area would be dedicated to the residential flats with the other serving the library, café and retail shop. A servicing plan is to be secured by condition along with further details of the refuse bay.
- 9.53 The site is generally suitable for car free development given its location close to public transport facilities and within the district centre. This factor, supported by the transport related conditions outlined in this report, make the proposal acceptable in transport terms.

#### Sustainability and Ecology

- 9.54 The scheme proposes to adopt a number of sustainable construction techniques which would ensure that it meets the required planning standards for a major development. The construction materials of the building would be sourced locally as far as possible and the choice of materials guided by the BRE Green Guide with the aim of selecting those with reduced environmental impacts. The building would incorporate features designed to maximise CO<sub>2</sub> savings, as well as delivering cost savings to future residents of the development. The proposals include highly efficient fabric specifications to minimise space heating requirements and would maximise the use of natural daylight to minimise electricity consumption for lighting. A 20% improvement on the predicted CO<sub>2</sub> emissions over Building Regulations would be delivered from on-site generation of renewable energy through the provision of solar panels to the roof of the building. A communal solar hot water system for the proposed residential flats would assist to reduce gas consumption. The applicant has also indicated a commitment to achieving a BREEAM 'Excellent' rating for the library and Code for Sustainable Homes 'Level 4' for the residential element which could be secured via planning condition. The design of the building has been influenced by the requirements of LTGDC's 'Sustainable Development Guide for LTGDC projects' and the requirements of planning policy.
- 9.55 The Ecological Appraisal Report submitted in support of this application concludes that the site has the potential to support protected species, namely breeding birds, and that this will be facilitated by clearance of relevant vegetation (including trees) at appropriate times of the year (outside of March to August). The Report also identifies the possibility of UK Biodiversity Action Plan species being present on site, including hedgehogs and house sparrow and that the proposed mitigation is for hibernacula on site (log pile/bonfire) to be dismantled by hand and removed from the site. The applicant has also indicated that they would be prepared to accept conditions to secure the mitigation measures identified in the submitted report.

9.56 The application site currently accommodates ten trees of varying species, one of which is protected by a Tree Preservation Order. The applicant's tree survey submitted in support of this application advises that it is the intention to retain the tree covered by the TPO. The document also outlines why the loss of nine trees on the site is necessary, making clear that a number of these are dead or in poor health. The planning permission for the transport interchange permitted the loss of three of these trees. Although the loss of the remaining six existing trees would reduce the habitat value of the site, this proposal include a number of opportunities to enhance biodiversity with the new public space incorporating areas of soft landscaping and tree planting, as discussed earlier in this report. Therefore, the overall benefits of the proposals would outweigh this loss and will ensure some useful habitat is provided in the future.

### Noise and Vibration

9.57 Being close to the existing regional and international railway lines and directly adjacent to a future bus interchange, the site has the potential to be affect by noise and vibration from these external sources.

9.58 PPG24 is the Government guidance on planning and noise and is useful in the consideration of residential development near transport related noise sources. PPG24 allocates noise levels into Noise Exposure Categories (NEC) from A to D depending on the type of noise and the time of day or night. Category A means that noise is at a level where exposure would not factor into the consideration of the development, whereas Category D would mean that planning permission would normally be refused.

9.59 Also relevant to the application are BS8233:1999 'Sound Insulation and Noise Reduction for Buildings' and BS6472:2008 'Guide to Human Exposure to Vibration in Buildings'. BS8233 provides good and reasonable 'sleeping/resting' conditions within residential developments. For bedrooms the levels are 30dB good, 35db reasonable and for living rooms the levels are 30dB good and 40dB reasonable. BS8233 also provides levels for library and class/meeting space, being for library 40dB good and 50dB reasonable and for class/meeting space 35dB good and 4dB reasonable.

9.60 In terms of vibration, BS6472 sets out the criteria for 'feelable' vibration measured as Vibration Dose Value (VDV) and provides a means to gauge to likelihood of adverse comment arising from vibration. BS6472 also makes reference to groundborne noise radiated through buildings and structure as an audible 'rumble'.

9.61 At a local level, Havering's LDF development control policy DC55 states that planning permission will not be granted if a proposal would result in exposure to noise or vibrations above acceptable levels.

9.62 The applicant has provided a Noise and Vibration Assessment which demonstrates that the external noise environment would fall under NEC B where noise should be considered as part of the assessment of the application and conditions imposed to secure appropriate mitigation. The Assessment considered that a satisfactory internal noise environment for the proposed housing can be provided with appropriate double glazing. The Assessment acknowledges that the north and eastern elevations of the library would exceed the recommended upper noise levels for this use, but that mitigation would require mechanical ventilation.

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However, mechanical ventilation runs contrary to the environmental sustainability standards that are being sought for the building. On balance, it is considered that these sustainability considerations outweigh the noise implications and therefore mechanical ventilation has not been pursued with the applicant.

9.63 In terms of vibration, the Assessment indicates that both perceptible (feelable) vibration and groundborne noise (radiated structural 'rumble') from trains would be adequately controlled through the building being constructed from a heavy concrete frame.

## 10. CONCLUSION

10.1 The application before Members will deliver an important community facility for Rainham as well as delivering 16 residential units on intermediate tenure that will assist in providing residents of Havering with access to affordable home ownership. The scheme has paid particular attention to the Rainham Village Conservation Area in terms of its design, materials, scale and layout. It is acknowledged that the scheme has generated a significant amount of local objections to the proposals, however it is the view of officers that in light of the prevailing policy context, the general support from statutory consultees and our own professional opinion that there is no planning reason in which to refuse the application. The application is recommended for approval, subject to referral to the Health and Safety Executive to allow 21 days to consider whether to request that the Secretary of State 'call-in' the application (Members will recall that the HSE has already indicated that the scheme is not affected by major hazard gas pipelines, but has not done so in writing).

## 11. CONDITIONS AND REASONS

1. The development to which this permission relates shall be commenced not later than the expiration of THREE YEARS from the date of this permission.

Reason: To ensure that the development is commenced within a reasonable time period and in accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be completed in accordance with the approved plan numbers:

MLA/249/P/001 Site Layout as Proposed  
MLA/249/P/100 Ground Floor  
MLA/249/P/101 First Floor  
MLA/249/P/102 Second Floor  
MLA/249/P/103 Third and Fourth Floor  
MLA/249/P/105 Roof Plan  
MLA/249/P/200 Building Sections AA BB  
MLA/249/P/201 Building Sections CC DD  
MLA/249/P/300 Elevation 1  
MLA/249/P/301 Elevation 2  
MLA/249/P/302 Elevation 3 & 5  
MLA/249/P/303 Elevation 4  
MLA/249/P/304 Elevation 6  
RL 01.01 Public Realm Proposals

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RL 01.02 Public Realm Proposed Sections  
PL 02.02 Public Realm Proposed Sections

Reasons: To ensure that the proposal is carried out in accordance with the plans hereby approved.

3. Prior to the commencement of the development hereby permitted, full details of external materials shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include a sample panel that is cross referenced to detailed elevation drawings.

Reason: To ensure the materials used in the construction of the development are of a high standard and are appropriate for the Rainham Village Conservation Area, in accordance with policies SSA15, DC61 and DC68 of the London Borough of Havering Local Development Framework 2008.

4. Within three months of the commencement of the development hereby permitted, full details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full thereafter.

Reason: To ensure a high standard of public space, in accordance with SSA15, DC21, DC59, DC60 and DC68 of the London Borough of Havering Local Development Framework 2008.

5. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of PPS3 or any future guidance that replaces it. The scheme shall include:
  - a. affordable housing provision to be made which shall be intermediate tenure;
  - b. the timing of the construction of the affordable housing;
  - c. the arrangements for the transfer of the affordable housing to an affordable housing provider;
  - d. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - e. the arrangements for individual tenants or occupiers staircasing the share of equity held in a unit to 100%;
  - f. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order to provide an acceptable amount of affordable housing on site, in accordance with policy DC6 the London Borough of Havering Local Development Framework 2008 and policy 3A.9, 3A.10 and 3A.11 of the London Plan 2008.

6. Within three months of the commencement of the development hereby permitted, full details of the playgroup facility hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall demonstrate that the facilities provide adequate and safe facilities for the age groups intended for the space. The details shall be implemented in full thereafter.

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Reason: In order to ensure that an adequate playgroup facility is delivered, in accordance with policies CP8, DC26 and DC27 of the London Borough of Havering Local Development Framework 2008.

7. Prior to the commencement of the development hereby permitted, full details of the refuse storage areas shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full thereafter.

Reason: To ensure that refuse storage facilities meet minimum standards in terms of amount and accessibility, in accordance with policy DC40 of the London Borough of Havering Local Development Framework 2008.

8. Prior to the commencement of the development hereby permitted, full details of the cycle storage provision shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full thereafter.

Reason: To ensure that adequate provision of cycle storage is delivered on site, in accordance with policy DC35 of the London Borough of Havering Local Development Framework 2008.

9. Within six months of the commencement of the development hereby permitted, full details of the external lighting scheme, including lux level contours, shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented in full thereafter.

Reason: In order that the external lighting environment is maintained at an adequate level, in accordance with policy DC56 of the London Borough of Havering Local Development Framework 2008.

10. Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended), the A1, A3 and D1 uses as indicated on the approved plans shall remain as such units unless and until an application to change the use of the units is permitted by the Local Planning Authority.

Reason: To ensure that the uses as approved are retained on site, in accordance with policies DC15, DC26, DC27 and DC30 of the London Borough of Havering Local Development Framework 2008.

11. Prior to the commencement of the development hereby permitted, full details of the extraction and ventilation system that is to be contained within the building as described in the approved plans to the A1 and A3 units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Such details shall demonstrate that odours and odorous material will be removed and dispersed above eaves height of the residential units hereby approved and that the transmission of noise and vibration does will not adversely impact upon the occupiers of the residential units. The approved details shall be implemented in full thereafter.

Reason: In order to protect the amenity of future residential occupiers and in accordance with policies DC23 and DC55 of the London Borough of Havering Local Development Framework 2008.

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12. The A1 and A3 units hereby approved shall not be used other than between the following hours:

- a) Monday to Saturday: 0600 – 2200
- b) Sunday: 0800 – 1800

Reason: In the interests of residential amenity and in accordance policy DC55 of the London Borough of Havering Local Development Framework 2008.

13. No future resident of the development shall be eligible for permits for their own vehicle/s for any existing, revised or new permit controlled parking scheme, or Controlled Parking Zone, in the vicinity of the development.

Reason: To ensure that shortfalls in off-street parking facilities are not made up for by on street parking to the detriment of sustainable forms of travel alternatives such as walking and cycling, in accordance with policies DC3, DC32, DC33, DC34, DC35 and DC61 of the London Borough of Havering Local Development Framework.

14. Prior to the first occupation of the Library/Learning Centre hereby permitted, a Workplace Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable forms of transport over private vehicle useage in accordance with policies DC34 and DC 35 of the London Borough of Havering Local Development Framework 2008.

15. Prior to the first occupation of the residential units hereby permitted, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable forms of transport over private vehicle useage in accordance with policies DC34 and DC 35 of the London Borough of Havering Local Development Framework 2008.

16. Prior to the first occupation of the development hereby permitted, a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site can is adequately serviced in the interests of the highway network and surrounding occupier, in accordance with London Plan policy 3C.17 and the London Borough of Havering LDF policy DC36.

17. No development works shall take place, including any works of site remediation, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors
- b) loading and unloading of plant and materials, including delivery times
- c) storage of plant and materials used in constructing the development

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- d) wheel washing facilities
- e) measures to control the emission of dust and dirt during construction
- f) a scheme for recycling/disposing of waste resulting from construction works
- g) construction hours of work
- h) measures to protect the TPO tree during construction.

Reason: To ensure that the construction of the development does not cause undue disturbance to neighbouring occupiers or harm to the natural environment in accordance with DC32 of the London Borough of Havering Local Development Framework 2008.

18. 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. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Significant archaeological remains may 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, in accordance with the guidance and model condition set out in PPG16 and policies DC68 and DC70 of the London Borough of Havering Local Development Framework 2008.

19. Prior to the commencement of the development hereby permitted, the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase III (Risk Management Strategy) Report to address the identified significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A – Remediation Statement which will be fully implemented before the development hereby approved is first occupied. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situation where, during site works, 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 in accordance with the agreed remediation scheme referred to in Part A

- b) 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 assessment, and remediation proposals if necessary, shall be submitted to the LPA; and
- c) If during development works site contaminants are found in areas previously

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assessed as not posing a significant risk, then further assessment of the significance of potential pollutant linkages shall be completed and if required, remediation shall be carried out in linwith the agreed contamination proposals.

Reason: To protect these engaged in construction and occupation of the development from potention contamination, in accordance with policy DC53 of the London Borough of Havering Local Development Framework.

20. The developer shall submit the following information relating to the agreed Sustainability Statement (25 November 2009):
- a) Prior to the commencement of the residential units hereby permitted, a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 4' rating shall be submitted to the Local Planning Authority.
  - b) Prior to the first occupation of the residential units hereby permitted, the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure the minimum rating has been achieved.
  - c) Prior to the first occupation of the non-residential uses hereby permitted, the final Building Research Establishment (BRE) certificate confirming that the development has achieved the minimum BREEAM rating of 'Excellent'.

The development shall be carried out in accordance with the agreed Sustainability Statement (25 November 2009) and a BREEAM Post Construction Assessment shall be carried out on the development to ensure that the required rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with policy DC49 of the London Borough of Havering Local Development Framework and policy 4A.7 of the London Plan.

21. The renewable energy system described in the agreed Sustainability Statement (25 November 2009) and shown on the approved plans shall be installed in accordance with the agreed details and operation to the satisfaction of the Local Planning Authority prior to the occupation of the development and shall be maintained in perpetuity thereafter.

Reason: In the interests of energy efficiency and sustainability in accordance with DC50 of the London Borough of Havering Local Development Framework and policies 4A.7, 4A.8 and 4A.9 of the London Plan.

22. Within six months of the commencement of the development hereby permitted, a full and detailed account of how the principles and practices of the Secured by Design Award scheme are to be incorporated into the development, shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in strict accordance with the approved detailed account and thereafter permanently maintained.

Reason: In the interest of residential amenity and creating safer, sustainable communities in accordance with policies CP17 and DC63 of the Local Borough of

Havering Local Development Framework 2008 and policy 4B.6 of the London Plan.

## **12. INFORMATIVES**

1. The developer is hereby notified that the grant of planning approval does not constitute approval for changes to the public highway. The Highway Authority will only give approval once suitable details of the changes to the public highway have been submitted, considered and agreed.
2. In aiming to satisfy conditions 22 and 23, the applicant should seek the advice of the Havering Police Borough Crime Prevention Advisor through the London Borough of Havering Development and Building Control Services.
3. It is envisaged by the local planning authority that the residential units on site shall be "Intermediate Affordable Housing", as defined under Annex B: Definitions of PPS3 Housing or any future guidance that replaces it and that there shall be no restriction on individual tenants or occupiers staircasing the share of equity held in a unit to 100%. The provisions of any restriction of the tenure of the affordable units shall cease to apply to a mortgagee in possession of any residential unit, nor to an individual owner of a residential unit who has staircased the equity in the residential unit to 100%. In addition, The residential units on site shall only be made available for occupation to residents of the London Borough of Havering and/or persons having a direct link with the Borough, either being currently in work in the Borough, or through having lived in the Borough for a period of at least [one] year in the last five. This occupancy criteria shall apply each time a residential unit becomes available for sale or rent for a minimum period of three months from the date that a residential unit is first made available for sale/rent, providing that initially the expiration of this period may commence no earlier than two months before the anticipated practical completion of time in which the residential units.

**CASE OFFICER:** Stephen Allen

**Appendix 1:** Site Location Plan

**Appendix 2:** Proposed Site Layout and Floor Plans

**Appendix 3:** Proposed Elevations and Sections

**Appendix 4:** Landscape Proposals

**Appendix 5:** Visual Representations