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# **REGULATORY SERVICES COMMITTEE**

**15 March 2012**

# **7 REPORT**

**Subject Heading:**

**P1918.11 – Site at Roneo Corner,  
Junction of Rom Valley Way & Rush  
Green Road.**

**Construction of 2 no. part eight and  
part nine storey blocks containing a  
total of 141 flats; associated car, cycle  
and motor cycle parking; provision of  
relocated access from South Street;  
provision of landscaped pedestrian &  
cycle route linking South Street & Rush  
Green Road; formation of maintenance  
access ramp from South Street to the  
River Rom Culvert; part of the  
application site comprises adopted  
highway and would require a stopping  
up order under Section 247 of the  
Town and Country planning Act 1990  
to facilitate the implementation of the  
development which will be considered  
separately (planning application  
received 4<sup>th</sup> January 2012).**

**Report Author and contact details:**

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**Policy context:**

**Local development Framework**

**Financial summary:**

**None**

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

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

**SUMMARY**

This application seeks permission to construct 2 no. part 8, part 9 storey buildings containing a combined 141 flats with associated parking and new pedestrian and cycle route linking South Street and Rush Green Road. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. A Economic Viability Appraisal has been submitted by the applicant to justify the level of education contributions being offered and the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard. Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

**RECOMMENDATIONS**

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:

- The provision on site of 93 of the units (66%) within the development for affordable housing purposes consisting of a tenure split of 40 Affordable rented, 16 Social rented and 37 Shared ownership units.
- Payment of a financial contribution of a maximum of £442,138.54 towards education provision;
- Payment of a financial contribution of £10,480 towards highway works;
- Payment of a financial contribution of £20,960 towards off-site naturalisation of the River Rom;

- The prevention of any future occupants of the development, save for blue badge holders, from applying for residents parking permits within any current or future Controlled Parking Zone or other such measure affecting the locality of the application site.
- That the developer/owner or party entering into the planning agreement bear the Council's legal fees in respect of the Section 106 agreement irrespective of whether or not the agreement is completed.
- That all contribution sum are subject to indexation from the date planning permission is issued to the date of receipt by the Council and that all contribution sums will include interest accrued to the date on which they date spent.

At the time of writing the report, the figures for total education contributions is still under consideration. This is discussed in paragraphs 5.12.1. Members will be verbally updated at the committee meeting.

The following conditions are suggested:

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

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

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

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.

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

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

4. Disabled parking - Before the building(s) hereby permitted is first occupied provision shall be made within the site for 2 no. disabled car parking spaces in accordance with the approved details. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate on-site parking is available for the disabled and to comply with the aims of Policy 6.13 of the London Plan.

5. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. This shall include samples of car park louvers, external doors and window frames, balustrades, which are expected to accord with the information within the approved design and access statement and its addendum. Thereafter the development shall be constructed with the approved materials.

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

6. 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. 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.

7. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details and the boundary treatment retained thereafter.

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

8. Secure by Design - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

9. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

10. Hours of construction - No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

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

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

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

12. Construction method statement - 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 Policy DC61.

13. Contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase I (Desktop Study) Report documenting the history of this 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 (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

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

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

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

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

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

Reason:

To protect those engaged in construction and occupation of the development from potential contamination and to protect the water environment.

13. CCTV - Prior to the commencement of the development hereby permitted, a scheme showing the details of a CCTV system to be installed for the safety of residents and other users of the building and the prevention of crime throughout, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for a CCTV camera which provides coverage of the pedestrian footpath linking South Street and Rush Green Road. The system shall be provided in strict accordance with the agreed details, prior to the first occupation of any of residential units and thereafter, permanently retained and maintained.

Reason: In the interests of delivering a safer development, reflecting guidance set out in PPS1 and Policy DC63 of the Core Strategy and Development Control Policies Submissions Development Plan Document.

14. Archaeology - 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 by the applicant and approved 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: The development of this site may affect archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design for the archaeological evaluation of the site. This design should be in accordance with the appropriate English Heritage guidelines.

15. Native planting - Planting to the west of the river Rom, in the buffer zone between the river's edge and the Rom Valley Way shall be of locally native plant species only, of UK genetic origin.

Reason: The use of locally native plants in landscaping is essential to benefit local wildlife and to help maintain the region's natural balance of flora. Native insects, birds and other animals cannot survive without the food and shelter that these plants provide. Introduced plants usually offer little to our native wildlife. Local

plants are the essence of regional identity and preserve the character of the British landscape. Local plants are adapted to local soils and climate, so have low maintenance requirements. In addition, planting locally native plants helps to prevent the spread of invasive plants in the region.

16. Pedestrian link - Prior to the first occupation of any part of the development hereby permitted, the main vehicular access and the pedestrian and cycle paths shall be fully constructed and available for use as shown on drawing PL.10

Reason: In the interests of highway safety and to ensure connection with the public rights of way network.

17. Insulation - The buildings shall be so constructed as to provide sound attenuation of not less than 45dB(A) against internally generated airborne noise and 62dB(A) against impact noise.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

18. Noise assessment - Prior to the commencement of the development hereby permitted, an assessment shall be undertaken of the impact of road noise emanating from Rush Green Road, Rom Valley Way and South Street, upon the development in accordance with the methodology contained in the Department of Transport/Welsh Office Memorandum, 'Calculation of Road Traffic Noise', 1988. Reference should be made to the good standard to be found in the World Health Organisation Document No. 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures which are to protect occupants from road traffic noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details, prior to the first occupation of any of residential units and thereafter, permanently retained and maintained.

Reason: To protect future residents against the impact of road noise in accordance in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

19. Code for sustainable homes: No development shall be commenced until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline how the development will meet the highest standards of sustainable design and construction to incorporate the seven measures identified in Policy 4B.6 of the London Plan and shall be required to demonstrate that the development will achieve a Level 3 Code for Sustainable Homes rating, or better. The developer shall provide a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves the minimum rating described. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement and if required by the Local Planning Authority, a Code for Sustainable Homes Post Construction Assessment shall be carried out on all or a sample of the development.



Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Interim Planning Guidance on Sustainable Design and Construction and Policy 5.7 of the London Plan.

20. Minimising carbon emissions - No works in relation to the proposed development shall commence on site pursuant to the planning permission hereby granted until details of a renewable energy generation system for the proposed development which will displace at least 10% of carbon dioxide emissions, beyond Building Regulations requirements, has been submitted to and approved by the Local Planning Authority. The system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of energy efficiency and sustainability in accordance with the Council's Interim Planning Guidance on Sustainable Design and Construction and Policies 5.2 of the London Plan.

21. Drainage 1 - Surface water drainage works shall be carried out in strict accordance with details that shall have been previously submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The works shall be carried out in full prior to the first occupation of any part of the building.

Reason: To prevent the increase risk of flooding to the site itself and third parties.

22 Drainage 2 - . The construction of the site drainage system shall be carried out in accordance with details previously submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The system shall be installed in full prior to the first occupation of any part of the building.

Reason: To prevent pollution of the water environment.

23. Drainage 3 - Notwithstanding the requirements of condition 22 above, prior to the commencement of the development, a detailed site assessment shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed in advance with the Local Planning Authority. Details of appropriate measures to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the agreed details.

Reason: To prevent pollution of the water environment

24. Restricted storage or deposition - No spoil or materials shall be deposited or stored on the part of the site lying within the area of land liable to flood during a 1:100 20% event.

Reason: To prevent the increase risk of flooding due to a reduction of flood storage capacity and impedance of flood flows.

25. Details of culvert access - Prior to the commencement of the development, a scheme of the vehicle access ramp and turning area serving the River Rom culvert shall be submitted to and approved in writing by the Local Planning Authority. The ramp and turning area shall be provided in strict accordance with the agreed details, together with the associated vehicular access point, prior to the commencement of the development and thereafter permanently retained, maintained and kept free of obstruction which may preclude full use during construction and beyond.

The scheme shall include:

- The interface between the Highway (South Street) and the vehicular access route.
- The ramp width, surfacing and gradient.
- Design of the gated access.
- Structural assessment of the ramp and retaining walls.
- Vehicle landing and turning area.
- Interface with the existing flood defence structures.
- Signage and other ancillary features.

Reason: To retain access to the watercourse for the riparian owner or the Environment Agency to carry out maintenance and inspections and to prevent the increase risk of flooding to the impedance of flood flows.

26. Air quality report - Prior to the commencement of the development, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail: the area within the boundary of the site which may exceed relevant national air quality objectives; specify how the application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives; identify potential exposure and; details how the development will reduce its impact upon local air pollution.

Reason: To protect the amenity of future occupants and/or neighbours and in the interests of the declared air quality management area.

27. Highways agreement - The proposed alterations to the Public Highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement and all necessary agreements completed.

Reason: In the interest of ensuring good design and public safety and to comply with Policies CP10, CP15, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

28. Flood risk assessment - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) issue 2 (Final), dated December 2011, reference number

5093660 compiled by Bureau Veritas and the following mitigation measures detailed within the FRA:

- Lowest finished floor level, ground floor parking area, are set at 8.85m above Ordnance Datum (AOD) (FRA section 7.1.2, page 14).
- Limiting the post development surface water run off from the site to a maximum of 5 litres per second (FRA section 8.2.4, page 16).
- Provision of a new access ramp from South Street to the River Rom flood relief channel FRA section 10.1.1, page 19).
- Balconies over hanging the easement/access ramp will have a minimum headroom clearance of 6.0m.

Reason: To reduce the risk of flooding to the proposed development, future occupants and third parties.

29: Water environment - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To protect the water environment. The report provides no information on proposed drainage systems. The site could have existing contamination owing to the site history. No infiltration to ground should be used in contaminated soils. The perched water may be fairly shallow. Should soakaways be considered they should not intercept the water table and provide sufficient stand-off.

30: Piling: Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect the water environment. It is not clear if piling will be used. It is also envisaged to potentially use Ground Source Heat Pumps. Information on historic use and made ground is limited, any proposals need to take into account of potential contamination through appropriate mitigation measures or risk assessment.

31: Stopping Up of Highway: Prior to the commencement of development an application to stop up that part of the application site which comprises adopted highway shall be submitted to the Council as highway authority and development shall not commence until and unless a stopping up order is confirmed by the Council as highway authority or the Secretary of State (on appeal) as appropriate.

Reason: To fully consider the impact of the proposed development in respect of public highway.

32: Pedestrian access: The pedestrian access which connects South Street to Rush Green Road to the eastern edge of the site shall be retained and secured during construction, details of which shall be submitted to the Local Planning Authority prior to the commencement of works.

Reason: In the interest of ensuring good design and public safety and to comply with Policies DC61 of the Core Strategy and Development Control Policies Development Plan Document.

## **INFORMATIVES**

### **INFORMATIVE:**

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC6, DC7, DC32, DC33, DC36, DC49, DC50, DC53, DC55, DC61, DC63, DC66, DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document. Other material considerations namely the high level of affordable housing provision and exemplar design justify exemption in this case the density levels given in DC2 of the LDF Core strategy and Development Control Policies DPD.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. 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.

3. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, to the front of Plot 1. This hydrant is to be numbered P111482 and will conform to BS750: 1984. Upon completion of works, this fire hydrant the surrounding areas should meet

flush with the hydrant's frame and cover and the pit should be clear of any debris.

4. In aiming to satisfy condition 8 the applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of Havering Development and Building control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ. It is the policy of the Local Planning Authority to consult with the Borough CPDA in discharging of community safety condition(s)
5. The applicant is advised that planning approval does not constitute approval for changes to the Highway. Highway approval will only be given after suitable details have been submitted to the Highway Authority and considered.
6. Under the terms of the Water Resources act 1991, the prior written consent of the Environment Agency is required for dewatering from any excavation or development to a surface watercourse. Please contact the Environment Management Team on 01707 632702 for further details.
7. Under the terms of the Water Resources act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Please contact the Regulatory Water Quality team on 01707 632702 for further details.
8. Under the terms of the Water Resources act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under or within 8metres of the Rom main River.
9. The applicant is advised that there are public sewers crossing the site and no building works will be permitted within 3 metres of the sewers without prior consent of Thames Water.
10. Japanese knotweed is present along many sections of the Rom. This is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring. The site should be assessed for non-native invasive plants prior to development and if present method statements developed accordingly. Development shall proceed in accordance with the approved method statement.

## REPORT DETAIL

### 1. Site Description

- 1.1 The site is located to the west of the junction between Rom Valley Way and Rush Green Road and is trapezoidal in shape covering 0.6 hectares. The site is an open space, currently landscaped with pedestrian links north to south between South Street and Rush Green Road. A culvert of the River Rom is located to the west. The site is bound by Merritt House to the north, the Neopost building to the east, Rush Green Road to the south and Rom Valley Way to the west.
- 1.2 Vehicular access into the site is from South Street at present. The wider site is pedestrianised, however, vehicular access is required by the Environment Agency and the Council to maintain the culvert.

### 2. Description of proposal

- 2.1 Full planning permission is sought for the erection of 2 no. part 8, part 9 storey buildings, one containing 93 affordable flats, and the other 48 private sale apartments (total of 141 flats) with associated parking and landscaping.
- 2.2 The affordable housing block comprises a mix of 23 no. 1 bedroom flats, 28, no. 2 bedroom flats and 5 no. 3 bedroom flats for affordable and social rental and 12 no. 1 bedroom flats, 19 no. 2 bedroom flats and 6 no. 3 bedroom flats for shared ownership. This equates to 66% affordable housing provision. This building is located to the western edge of the site facing Rom Valley Way and measures a maximum of 75.5m deep, 20.4m wide and 29m high.
- 2.3 The private block comprises 24 no. 1 bedroom flats, 16 no. 2 bedroom flats and 8 no. 3 bedrooms flats. This building is located to the southern edge of the site, facing Rush Green Road. This measures a maximum of 47.45m wide, 16.2m deep and 29m high.
- 2.4 A total of 113 parking spaces are provided within the site. 61 parking spaces are provided underneath the affordable block across two floors, partly underground partly above ground. 12 parking spaces are provided within at ground level underneath the private block. A shared surface car park provides a further 40 parking spaces. Vehicular access into the site is via South Street to the north of the site. The allocation of parking is split 61/49 spaces for the affordable and private.
- 2.5 A second, new vehicular access is proposed due west of the main vehicular access point, solely to provide access to the Environment Agency and the Council to maintain the River Rom culvert. This access would serve no other functional purpose to the development. An access ramp and turning area adjacent to the culvert is also proposed.

- 2.6 A total of 144 cycle spaces are provided within the secure car parks. 5 motor cycle spaces are provided.
- 2.6 A pedestrian link through the site is to be retained, linking South Street to the north with Rush Green Road to the south. This would be landscaped and divided from the parking area with 1.8m park style railings with strips of soft landscaping and lighting.

### **3. Relevant History**

- 3.1 P1380.09 – Construction of 8 storey mixed use development containing 93 flats, healthcare facilities with offices, restaurant/cafe, associated highway alterations with new access, pedestrian & cycle route from South Street to Rush Green Road – approved. This permission is valid until 6<sup>th</sup> July 2013.
- 3.2 P0269.08 – Removal of condition 33 attached to planning consent P1397.07, so as to allow vehicles to turn right from and into South Street when accessing or egressing the site – approved.
- 3.3 P1397.07 – Construction of 8 storey mixed use development containing 121 flats, Healthcare facilities with assoc. offices, restaurant/cafe, ancillary parking & servicing, stopping up of no longer required highway land, provision of relocated access from South St, landscaped pedestrian & cycle route from South St to Rush Green Rd, maintenance access ramp from South St to culvert and new landscaping to either side of culver – approved. This permission has now lapsed.

### **4. Consultations/Representations**

- 4.1 Neighbour notification letters were sent to 637 properties. At the time of writing the report 74 representations were received, raising objections in respect of the following:
- overlooking of properties in Rom Crescent
  - traffic implications from increased number of cars on South Street
  - existing hospitals are under strain at present
  - sewage system cannot cope
  - lack of nearby facilities i.e. supermarkets
  - overdevelopment of the site
  - building is too tall for Romford
  - type of residents within the blocks
  - increased noise levels
  - lack of parking
  - loss of a green public space
  - strain upon local schools
  - construction concerns
  - increase in pollution
  - loss of trees
  -

Councillor Robert Benham sent in 13 pro-forma letters. Objecting on the grounds that proposals are a gross overdevelopment of the site and likely to be detrimental to the local area.

Councillor White, Councillor Gardener and Councillor Galpin also sent in 77 pro-forma letters. These object on the basis that the development is a gross overdevelopment of the site, has a lack of parking and would be detrimental to residential amenity.

Councillor M McCarthy of the London Borough of Barking and Dagenham has raised objection to the development on the basis that the site would be overdeveloped with an unsuitable access. There would also be a strain on local services such as schools and hospitals.

- 4.2 A site notice was displayed advertising a major development.
- 4.3 The Highways Authority have no objections, but require conditions and a financial contribution for the extension of the central traffic island.
- 4.4 The London Fire Brigade require the installation of a private fire hydrant.
- 4.5 Environmental Health require the submission of a land contamination report and air quality assessments.
- 4.6 English Heritage require an archaeology condition.
- 4.7 The Councils Crime Prevention Design Advisors requests a condition.
- 4.8 The Environment Agency require conditions and a financial contribution of up to £70,000. Please see paragraph 5.13.4 of this report.

## **5. Staff Comments**

- 5.1 The issues for consideration in this case are the principle of development, density, layout and design, impact upon residential amenity, highway and parking, sustainability, flood risk and planning obligations.
- 5.2 Policies DC2, DC3, DC6, DC7, DC11, DC20, DC32, DC33, DC36, DC48, DC49, DC50, DC53, DC55, DC57, DC58, DC59, DC60, DC61, DC66, DC72 of the LDF Core Strategy and Development Control Policies DPD are considered relevant.
- 5.3 Following its recent adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising



carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations).

There is also a range of Supplementary Planning Guidance to the London Plan.

5.4 National Guidance PPS1 (delivering sustainable development), PPS3 (housing), PPG 13 (transport) are also considered relevant.

## 5.5 Background

5.5.1 In 2009 planning permission was granted for an 8 storey building containing 93 residential flats, 4000 square metres of health care facilities with associated offices, a restaurant/ cafe, associated parking, provision of new access from South Street, landscaping and associated works and the stopping up of highway rights across the land 9 (application reference P1380.09). This followed a previous approval in 2007 for a similar development, but with 121 residential flats (application reference P1397.07).

5.5.2 The current scheme differs from that of the previous approval in that there is no healthcare or other commercial floorspace and this is now a wholly residential scheme. The total number of flats has increased from 93 to 141 units and the development has been proposed as two separate buildings, rather than one single building. The third floor amenity deck has also been omitted.

5.5.3 Although there are now two buildings, the removal of the commercial healthcare unit has reduced the built footprint from 2827.99 square metres to 1657.94 square metres (split between the affordable housing block measuring 1112.07 square metres and the private sale block measuring 545.87 square metres). This represents a reduction in built footprint of 1170.05 square metres (or just under 42%) over the existing extant permission. The height of the building remains the same at 29m. The previous building span the majority of the site, the division to create two buildings has reduced the maximum width of the building from 31.5m to 20m. The Rush Green Road elevation is also reduced in size from 69.4m to 47.45m.

## 5.6 Principle of Development

5.5.1 The development proposes residential accommodation. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. DC11 promotes

housing development outside of these areas, and it is considered that the principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with PPS3 as the application site is within an established urban area.

5.6.2 Policy CP1 indicated that, due to high levels of housing need, it is important to meet the needs for new housing and gives a target for a minimum of 535 homes to be built per year. Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 970 per year) to be built on sites which are not designated for other purposes.

5.5.3 There is an extant permission on the site for residential accommodation of 93 units and the principle of residential development on this site is therefore considered acceptable.

## 5.7 Density and Layout

5.7.1 The site is located within a low ranked Public Transport Accessibility Zone (PTAL 1-2). Within this zone, Policy DC2 refers to housing density of between 30-50 dwellings per hectare. However, a Transport Assessment has been submitted with this application which gives a PTAL site specific rating of 4. Within this zone densities of 30-65 and 50-80 dwellings per hectare are anticipated. Policy 3.4 of the London Plan states that in suburban locations, typified by lower density development, densities of between 45-130 dwellings per hectare should be anticipated, depending on the number of habitable rooms proposed. The site has an area of 0.6 hectares and the proposal for 141 residential units would have a density of 235 dwellings per hectare. This is significantly above the ranges identified; however, previous permissions on this site have achieved densities of 155 and 202 dwellings per hectare. Whilst higher density development is not necessarily unacceptable, a density such as this, in this particular location, can only be justified on the basis that the building is exemplar quality in so far as design, layout and workability.

5.7.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy DC2 also recommends a mix of housing types. In this instance, a mixture of 1, 2 and 3 bedroom flats are proposed. This is considered to achieve the aims of Policy DC2 and 3.8 of the London Plan in respect of dwelling mix. Tenure split and affordable housing provision will be addressed later in this report.

5.7.3 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. Table 3.3 states provides the following standards for flats: 1 bed, 2 person units, 50 square metres. 2 bed, 3 person units, 61 square metres. 2 bed, 4 person units 70 square metres. 3 bed 4 person units, 74 square

metres. 3 bed, 5 person units, 86 square metres and 3 bed, 6 person units 95 square metres.

- 5.7.4 The proposed 1 bed, 2 person units have a floorspace between 46.34 square metres and 51.57 square metres. The 2 bed 3 person units have a floor space of between 59.07 and 70.54 square metres and the 2 bed, 4 person units have a floor space of between 64.46 square metres and 72.22 square metres, depending on the flat type. Of the flat types proposed 59 units (or 42%) out of the development would not meet the London Plan space standards, however, Policy 3.5 (D) states that “development proposals which comprise the delivery of elements of this policy may be permitted if they are demonstrably of exemplary design and contribute to the achievement of other objectives of this Plan”. In this instance, there is an extant planning permission with similarly sized units, which pre-dates the London Plan. Staff consider that this departure is acceptable given the overall merits of the development and high provision of affordable housing. The non-confirming units are divided between both the affordable and private sale units. The applicant has stated that the increase in size of these units to meet the London Plan would undermine the existing HCA grant funding for the affordable homes and prevent the delivery of the entire scheme. The private block has also been designed to meet the same standards as the affordable block to ensure that there is a consistency in housing type across the development as a whole.
- 5.7.5 The 3 bed, 5 person units have a floor space of between 88.12 square metres and 90.31 square metres. The 3 bed, 6 person unit has a floor space of 96.87 square metres. These units all meet the minimum space standards of the London Plan Policy and are therefore acceptable.
- 5.7.6 In respect of amenity space provision, the Council's Residential Design SPD 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. There are no space standards for amenity space, however, all dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- 5.7.7 This scheme removes the third floor amenity deck from the extant permission, however, each flat is provided with its own balcony with direct access from the living rooms or bedrooms. The SPD states that these should measure a minimum of 1.5, in width and 5 square metres in overall size in order to allow for adequate space for a table and chairs. The balconies provided here measure between 5.85 square metres to 7 square metres. Staff consider that these would be acceptable. No communal amenity space is provided for the development, although there is a landscaped courtyard set between the buildings. Staff consider that in this instance the lack of a communal amenity space is acceptable, where flat

dwellers in an urban location may not necessarily expect communal garden space, if private balconies are provided. Additionally it is considered that there could be maintenance issues, where the two blocks would be separately managed.

5.7.8 Policy DC7 (lifetime home and mobility housing) states that on a development of this size 10% of all units should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The development proposed makes no provision for wheelchair accessible units. This is due in part to there being no ground floor accommodation within the two blocks (although all units would still comply with Part M of the Building Regulations) and the Council's Housing department has also stated that they have had difficulty in letting similar wheelchair units, whilst there is high demand for this type of conventional unit. In this instance, it is not practical to provide wheelchair accessible units and Staff consider that this justification is acceptable.

5.7.9 In terms of layout, the affordable block is located to the western edge of the site adjacent to the River Rom culvert. It would be located between 20.2m and 22.2m from the western boundary depending on the point of measurement, between 3.2m and 4.65m from the northern boundary and 6m from the southern boundary, although the projecting point of the building reduces this to 2.4m. The private block is located 2.2m to 3.8m from the southern boundary depending on the point of measurement and between 11m and 12.6m from the eastern boundary. The two buildings are set between 3.4m and 10m apart, separated by an area of landscaping with pathways. The positioning of the buildings, minus the previous proposed health care unit is largely the same as the extant permission, although the reduction in built footprint allows for additional ground floor landscaping.

## 5.8 Design

5.8.1 In respect of tall buildings, Policy DC66 is relevant, together with London Plan policy 7.7. Insofar as design is concerned, Policies CP17 and DC61 are relevant, together with Policy 7.6 of the London Plan, these seek for high quality architecture, which make a positive contribution to public realm.

5.8.2 Policy DC66 states that tall buildings or structures over 6 storeys or 18m in height above ground level, will normally only be acceptable in Romford Town Centre. In exceptional circumstances, however, the policy states that tall buildings may be granted providing that they meet the following specific criteria and are of exemplar quality:

- Create an attractive landmark building which improves the legibility of the area for example at a key gateway location, or are clustered with other buildings of a similar scale.

- Preserve or enhance the natural, historic environment, local amenity and character of the area.

- Act as a catalyst for regeneration.

- Do not mar the skyline.

-Do not have significant adverse impact on the amenity or nearby occupiers.  
-Are appropriate to the local transport infrastructure and capacity in the area.

- 5.8.3 Havering as a borough is typically characterised by 2-3 storey suburban development, and there is a scattering of 10 storeys and above buildings or structures. These are predominantly located in Romford Town Centre. There is little development in-between these heights. Consequently, the tall buildings that are in Havering tend to feature predominantly on the skyline and there is little or no graduation of scale.
- 5.8.4 This site is located outside of Romford Town Centre, but is unusual in that the site is bound by the Neopost building to the west which is 6 storeys in height with the YMCA building to the southwest of the site which is 11 storeys high. Other development nearby to the application site comprises 2-3 storey buildings and to the east larger warehouse style Tesco and B&Q superstores.
- 5.8.5 The scheme proposed comprises two building, reaching up to 29 metres in height and up to 9 storeys. The buildings are located in largely the same locations as the previous approvals on the site, but are split into two structures.
- 5.8.6 Previous planning permissions have been granted for development on this site up to 29 metres in height, across 8 storeys. The applicant asserts that the location of the site on the junction of Rom Valley Way and Rush Green Road is suitable for a landmark building of the scale proposed, and whilst the existing Neopost and YMCA buildings punctuate the skyline, they neither positively contribute to the character, nor have landmark qualities as they are set back from the highway. Recognising these buildings as examples of their time, there is some merit to this argument. The proposals would provide two landmark contemporary buildings.
- 5.8.7 Within the representations received objection has been received to the increased height. The buildings proposed however, are the same height as previously approved at 29m as a maximum. The omission of the health care unit has meant that another level of accommodation can be included within the buildings, due to the lower head heights that residential accommodation requires.
- 5.8.8 In massing terms, the scheme proposed represents a significant reduction in built footprint, is located towards the site boundaries and allows for areas of soft landscaping, which were not achieved on the extant permission. The provision of two structures arranged in an L shape around the Rom Valley Way and Rush Green Road boundaries, hinged around a planned landscaped gap with seating between allows for views through the site when viewed either from the north by the Neopost building or the south by the junction between Rom Valley Way and Rush Green Road. This gap measures 13m wide at the highway frontage and then angles back into the site to measure 3.4m wide. It is indicatively planned as a series of diagonal

pathways with intermittent areas of soft landscaping with trees. Specific details are requested by condition, however, Staff consider that this provide a dynamic entrance to the building, giving it an established prominent entrance that 'announces' the development from the highway.

- 5.8.9 On balance, Staff consider that the massing of the buildings are acceptable and a reduction over the extant permission. Nevertheless, it is accepted that this site requires a strong landmark building that requires a building of a greater height than surrounding development. The proposed development, with its articulated elevations, sharp angled projections with integrated triangular glazed balconies and use of feature projecting copper panels are of a high quality design contemporary, and it is therefore considered that the scale and massing of the building would have an acceptable impact on the local character and visual amenity.
- 5.8.10 The sharp angles of the corner projections act like spines for each building and provide a sharp, slender feature which defines the meeting point between both buildings and reinforce the importance of its corner location. These are raised up from ground level by brick columns and have integrated triangular shaped glazed balconies on the upper levels. Running back from these spine features which stem back to form the principle highway facing elevations, are symmetrical rows of full height glazing and projecting balconies. The windows are slightly recessed from the building which avoids them appearing flat. The repetition of these windows and balconies, are broken up with the use of projecting panels of cladding. These projecting panels are located to the front and rear elevations of both buildings and strategically placed along the elevations and measure between 1 and 7 storeys in height; encompassing both balconies and inserts of glazing. The drawings are shown as having a rusted metal/ coppery appearance to contrast with the brick faced elevations.
- 5.8.11 Staff consider that these panels in particular are an interesting feature of merit, which provides a contemporary link back to the sites previous industrial heritage, where in the there have been factories in and around the site since the 1890's. The provision of projecting balconies and use of panels articulate the elevations, breaking up the massing of what will be large buildings. These will also create moving shadows during the day which will animate the elevations within the streetscene.
- 5.8.12 The elevations are further articulated by the lift cores, which are finished in an alternative colour brick, these punctuate the elevations and reduce the massing of the facing brick elevations. Facing Rom Valley Way, the affordable block is partially recessed along the elevation from ground to third floor to provide additional space around the culvert. This recess allows for additional shadow cast on the building.
- 5.8.13 The ground floor contains the car parking for both the affordable block and private block. This are enclosed with louvers for ventilation. They are shown as being finished in a contrasting grey to the lighter elevations and provide the buildings with a 'base'.

5.8.14 Both buildings employ a similar architectural treatment with brick faced elevations broken up with full height glazing and use of the above features. The rear of these buildings would be fully visible from across the surface car park from the pedestrian link and highway beyond and have been designed to appear the same as the highway facing elevations. When viewed from South Street to the north this is considered to be of a higher quality over the extant permission which has its design features located towards the front highway facing elevations.

5.8.15 With regard to materials, it has already been detailed that the scheme would be finished in brick with contrasting materials. The main elevations are proposed to be finished in a buff stock brick with the contrasting brick for the lift cores and recessed eighth floor in a darker grey brick. Whilst final colours and external materials have not yet been fully agreed at the time of writing this report, although external brickwork samples have been submitted, Staff are satisfied that the design approach is acceptable and that samples of materials could be required and approved through a planning condition.

5.8.16 In terms of public realm, the existing site, although a public open space, is of a poor quality with poorly maintained areas of vegetation and patchy hard surfacing. There is a lack of boundary treatment and the site makes little contribution in streetscene terms on what is a highly prominent corner. The development proposed seeks to achieve a high quality pedestrian and residential environment. This is achieved through the improvement of the link between South Street and Rush Green Road. At present, this is a poorly defined pedestrian route, which also serves as a vehicle access within the site. It is proposed to create a defined linkage across the site adjacent to the eastern boundary. This would be separated from the site by 1.8m high park style railings with strips of soft landscaping. The extant permission over sails this pedestrian link and the scheme here represents a significant improvement in accessibility and appearance.

5.8.17 In all, Staff judge that the design and layout of the scheme is of exemplar quality which justifies an exception to the density criteria set out in Policy DC2.

## 5.9 Impact on Amenity

5.9.1 Given the use of the site as a public open space, the erection of 2, part 8, part 9 storey buildings will have a material effect upon existing, nearby residential and commercial occupiers. The height of the development is the same as preciously approved at 29m, which was not considered to be materially harmful.

5.9.2 The impacts arising include the impact of the increased traffic flows into and out of the site, loss of privacy, overshadowing and noise and disturbance. Previously these issues have been considered to be acceptable; however, for completeness an analysis of the issues is repeated.

- 5.9.3 Vehicular access into the site is achieved from South Street, The access point would effectively be shared with vehicles turning into the Neopost car park, which has a capacity of 145 vehicles in marked spaces and a further 26 vehicles in unmarked spaces. The access point is immediately adjacent to the McCarthy and Stone development at the foot of South Street and opposite Merritt House, which is also a flatted complex. From an amenity perspective, it is not considered that the additional vehicle movements associated with the purely residential development would be prejudicial to existing occupiers, to the extent that levels of noise and disturbance would increase unacceptably, particularly given existing traffic movements at the South Street/ Rom Valley Way junction.
- 5.9.4 It is clear, that the units within third floor and above within the building, would have a clear view across existing buildings. Separation distances for the affordable block range from 18m from Merritt House to the north and 34.7m to the Neopost building to the east and a minimum of 43m west of the rear garden boundaries of Rom Crescent. The private sale block is located 21.11m west from the Neopost building. The nearest buildings to the south of the site face Rush Green Road and are located a minimum of 35.5m away. Given these separation distances identified, Staff do not consider that there would be a harmful loss of privacy to neighbouring occupants.
- 5.9.5 The erection of two, part 8, part 9 storey buildings, will result in some overshadowing. The degree of which will ultimately depend on the time of day and year. The orientation, layout and mass of the buildings, bound by highway, rather than residential curtilages, is such that Staff do not consider the level of overshadowing to result in a sustained loss of natural light. Whilst a loss of light is likely to occur to the occupants of the Neopost building, the amount of weight which should be attached to this is lessened due to the commercial use of the building.
- 5.9.6 As a fully residential scheme, Staff consider that there would be a reduction in impact to surrounding occupiers with the omission of the healthcare unit and café facilities that feature in the extant permission. In terms of dominance, whilst the building will be prominent from surrounding viewpoints and properties, the significant reduction in bulk over the extant permission is considered to result in a less overbearing impact.
- 5.9.7 The majority of the flats are single aspect, whilst corner flats have dual aspects. Staff consider that this layout would be acceptable, as it is not unusual for flatted schemes to incorporate single aspect units. The views overlooking Rom Valley Way, Rush Green Road towards South Street/ Neopost are those shared with surrounding occupiers and Staff consider that the layout would be acceptable.
- 5.9.8 The applicant has taken steps to ensure that the development represents a secure environment for future occupants, representations received from the Crime Prevention Design Advisor state. A Secured by design condition has been attached accordingly as requested by the CPDA.



## 5.10 Highway/Parking

- 5.10.1 In addition to the built aspects of the proposal, this planning application in order to facilitate its implementation would require existing adopted highway to be stopped up within the site. In granting planning permission for this scheme, separate application would have to be made to the Council as Highways Authority to make a stopping up order under Section 247(A) of the Town and Country Planning Act 1990 (as amended) to enable the development to be implemented. Subject to this procedure being approved, a separate process would then commence under Section 38 of the Highways Act 1981 to create new highway rights across the site.
- 5.10.2 As described above, access rights would continue to exist for the Environment Agency and the Council to access and maintain the culvert of the River Rom. This is separated off from the residential development by provision of a secure access with slip way. This right of way is accessed via a new vehicle crossing close to the traffic signal controlled junction of South Street and Rom Valley Way. In order to ensure that this access and right of way are secured and are not obstructed by demolition and construction works a planning condition is recommended that the access and right of way are provided prior to the commencement of development.
- 5.10.3 Turning to the impact of the development upon the capacity and flow of the local highway network, the application is accompanied by a Transport Assessment (dated December 2011) which concludes that the development will not have an adverse impact due to its position close to existing transport links and networks. Staff concur with this conclusion. In order to prevent the u-turning of vehicles east of Roneo Link, as per previous applications, a financial contribution of £10,000 is sought to fund the extension of the centre traffic island in Hornchurch Road. This contribution can be secured via a S106 agreement. Given the changes to the scheme, Staff consider that this figure be increased with the rate of inflation (4.8%) to £10,480.
- 5.10.4 The proposed access to the right of way by South Street may have an impact on the operation of the nearby traffic signal controlled junction. The proposed access to the right of way will need careful design and liaison with both The Highway Authority and Transport for London who manage traffic signals throughout London. The proposed access to the right of way will need to be formed via an agreement under Section 278 of the Highways Act.
- 5.10.5 The proposed main access into the development will also need to be formed via an agreement under Section 278 of the Highways Act. The developer has previously been advised that the Highways Authority as standard practise will require the footways surrounding the development plot to be left in good order and that this may require renewal or resurfacing. Similarly, the Section 278 process will involve a Safety Audit and an assessment of the street lighting at the two access points and this may lead to street lighting improvements if the lighting level is below modern standards. Staff consider that this would result in an improvement in the overall quality of the site.

5.10.6 With regard to car parking provision, Policy DC2 states that in a PTAL Zone of 4 (which has been identified by the submitted Transport Assessment) a provision of between 1.5-1 space per unit is expected. The London Plan (adopted July 2011) recommends far lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states that 1-2 bedroom units should provide less than 1 parking space per unit, and 3 bed units between 1.5-1 parking space per unit as a maximum. The development provides a total of 113 parking spaces. These are split between a 61 space basement/ ground secure car park for the affordable block, a 12 space secure car park for the private block and a shared 40 space surface level car park. This provision equates to a parking provision of 0.8 spaces per unit. This is the same level as the extant permission which has been accepted, and above the 0.5 spaces per unit approved on the original 2007 scheme, which comprised 121 residential units, plus healthcare. The existing scheme includes 2 disabled spaces, although it is noted that two other spaces are capable of being converted in the future to disabled spaces should the need arise.

5.10.7 In support of this level of parking provision, the applicant has stated that the site is well served by public transport links, with a number of bus routes nearby and Romford rail station being within a 10-12 minute walk from the site. The applicant has also pointed out that 144 cycle racks are proposed within the scheme.

5.10.8 Staff are satisfied that the level of on site parking is acceptable, however, in the event that the number of car parking spaces provided is insufficient to meet the demands arising from future occupiers, Staff are generally satisfied that any resultant overspill from the site would not unduly impede the free and safe flow of traffic in adjoining roads. Staff recommend, as per previous permissions, that the ability to purchase parking permits for any existing or future controlled parking scheme by future occupants of the development be withdrawn, with the exception of blue badge holders. This is to be secured by way of a Section 106 legal agreement. Representations from the Highways Authority in addition to the financial contribution for the extension of the traffic island, also request £5,000 to review the surrounding parking restrictions and implement any changes necessary to prevent or discourage overspill parking. Staff have considered this request, however, there is an extant permission dates from July 2010. The site or the surrounding area has not materially changed since the date of this permission and Staff consider that it would be unreasonable to seek a further contribution over and above that previously secured.

## 5.11 Affordable Housing

5.11.1 The proposal is for 141 units, 93 of which are to be affordable (66%). These units comprise 35, 1 bedroom flats, 36, 2 bedroom flats and 22, 3 bedroom flats. The tenure split is proposed with 40 flats as Affordable rental, 16 Social rental and 37 Shared ownership. This complies with Policy DC6 which seeks to achieve 50% affordable housing on major residential developments.

## 5.12 Community Infrastructure

5.12.1 The proposal is considered likely to generate demand for additional school places in the locality. Based on this likely increased demand and the availability of school places locally the Council's Education service indicate that a maximum contribution of £442,138.54 is required towards the cost of providing these additional school places. This is split between primary school provision of £212,948.74 and secondary school provision of £229,189.80. A viability assessment has been submitted with the application which indicates that the development cannot achieve this figure of education contribution given the level of affordable housing proposed and overall cost of delivery of the development. A figure of £180,000 has been put forward, as outlined above at the time of writing the viability appraisal is still under review. Staff are of the view that subject to the viability appraisal being found sound that the application reasonably demonstrates that the amount of Section 106 contribution cannot be increased. If this is found to be the case then staff do not consider this to be grounds for refusal for the application.

## 5.13 River Rom

5.13.1 The site is partly located within Flood Risk Zone 3. The River Rom culvert flows through the site adjacent to the western boundary through a 2m wide concrete-lined two-stage channel, which forms part of the flood defence system for the wider catchment. The extant permission secured a financial contribution of £20,000 for off site naturalisation projects.

5.13.2 The development here differs from the previous scheme in that it is located closer to the River Rom Culvert, but retains the 4m easement. The Environment Agency has raised concern due to the projecting balconies which further protrude towards the culvert. The height of these balconies above ground level measures 6m which has been confirmed as an accepted height for maintenance clearance.

5.13.3 The development makes provision for culvert maintenance for the EA and Council. The building further incorporates a cut away within the elevation, which increases the distance to the culvert and increases the turning area for vehicles.

5.13.4 Representations received from the Environment Agency request that given these changes to the scheme an increased contribution should be sought to mitigate against any impact. It has been suggested that re-naturalisation projects off site would cost approximately £1,000 per metre. Given the 70m stretch of river here, this would provide a figure of £70,000. This financial contribution would be used to enhance stretches of the river south of the site. For example the concrete removal and bank and bed naturalisation of approximately 40 metres in Gaynes Park, wetland shelf formation, gravel input, tree work and de-silting of existing backwater. Staff have considered this request, on balance, it is considered that an increase of this level would

not be appropriate given the issue date of the previous planning permission and the similarities between this scheme and the extant scheme in relation to the River Rom. However, it is considered that the previously achieved £20,000 be increased with the rate of inflation (4.8%) to £20,960.

## 5.14 Environment Impact

5.14.1 A condition is recommend to be attached, requiring the submission of a land contamination survey.

5.14.2 The applicant has submitted a Renewable Energy Statement which states that the development would achieve Level 3 for the Code for Sustainable Homes and makes recommendations as to the most appropriate technologies for the site (in this instance photovoltaic panels). It is indicated however that the predicted carbon dioxide emissions from the development could be reduced by 10% through the use of the proposed on-site renewable energy equipment. The development would therefore not accord with the target of 25% set out in the London Plan within Policy 5.2. Consideration should however be given in this case to the fact that a planning permission already exists for the site which was granted prior to the adoption of the 25% target. Staff consider the proposal to be acceptable in this respect and conditions could be imposed to ensure the development achieves this reduction.

5.14.3 The applicant has designed the scheme to meet Level 3 for the Code for Sustainable Homes. Policy DC46 states that major developments should achieve Level 4; however, the Council currently has this policy on hold due to the current economic climate. Staff consider that Level 3 would therefore be acceptable.

5.14.4 The site currently consists of the River Rom culvert, poor quality soft landscaping and hard standing and is considered to be of poor ecological value. Staff consider that the proposals would not be harmful to ecology. Any planting that would be located within the River Rom buffer zone would be restricted to UK native species, this is secured by condition.

## 6. Conclusions

6.1.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and is judged to provide a suitably high quality living environment.

6.1.2 The design, scale, bulk and massing of the proposed building is considered to be acceptable and the height of the corner element is considered to be justified. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.

- 6.1.3 The proposal makes provision for 66% of the units to be provided as affordable housing, which complies with Policy DC6 of the LDF. However, the applicant has submitted an Economic Appraisal Tool assessment to justify the amount of affordable to be provided as required by Policy DC6 and the London Plan. The viability assessment has also been provided to justify the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard.
- 6.1.4 Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

## IMPLICATIONS AND RISKS

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

Planning and other agreements will need to be prepared.

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

Legal resources will be required to prepare and complete the 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. The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

## BACKGROUND PAPERS

Application forms, site plan, received 4<sup>th</sup> January 2012.