



Havering
LONDON BOROUGH

**Strategic Planning
Committee
6 December 2018**

Application Reference:	P1152.18
Location: Romford	Land at Crow Lane / Sandgate Close
Ward:	Brooklands
Description:	Redevelopment of the site provide 82 dwellings, together with new access junctions, associated car parking, landscape and infrastructure works
Case Officer:	Jacob Lawrence
Reason for Report to Committee:	Given the planning history of the site and nature of the proposal, the Assistant Director Planning considers committee consideration to be necessary.

1 BACKGROUND

- 1.1 The application site has been subject to two previous refused applications and subsequently dismissed appeals under application ref. P1161.16 and ref. P0587.17.
- 1.2 The previous applications both sought to deliver 150 dwellings across the site and were principally refused due to the then Regulatory Planning Committee concluding that the height, bulk and mass of the proposals would result in an excessively dense over development of the site. It was also considered that such an excessively dense development would result in harm to the amenity of future occupiers and local character. Further secondary concerns over noise to future residents were raised when the first application under ref. P1161.16 was refused, however, this issue was overcome through the second refused scheme under ref. P0587.17. Both the previous applications were also refused due to the absence of a legal agreement to secure affordable housing and education contributions. The refusals were upheld by the

planning inspectorate through dismissed appeals. When dismissing the appeals the planning inspectorate concluded that the site could not accommodate the height and overall density of the 150 unit developments proposed.

- 1.3 Following these refused applications, the applicant has worked with officers to develop a significantly reduced scheme in terms of scale of built form and overall unit numbers. The subject application now seeks to deliver 82 dwellings, of which 48 would be family sized houses. As such, the subject application now represents a house led scheme which has enabled a significant reduction in overall built form when compared to the previous refused applications. Further to this, the proposal is now supported by 20% on site affordable housing provision in addition to agreed contributions of £492,000 towards education provision and £154,548 towards the carbon offset fund.
- 1.3 Given the parameters established through the previous refused applications and dismissed appeals the key consideration for members relates to whether the amended proposal being considered under this application has sufficiently overcome the previous reasons for refusal.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The proposed redevelopment of the long standing vacant site to provide 82 high quality residential units, including 16 affordable units, would make an important contribution to housing delivery within the borough. Furthermore, it is acknowledged that the site no longer serves an employment purpose. Bringing the vacant site back into use for residential development would fully accord with the sustainable development directive provided by the NPPF 2018.
- 2.2 The approach to site layout, height and massing represents a sensitive and well considered approach that successfully respects local character whilst safeguarding neighbouring amenity. Policy compliant levels of internal floorspace, amenity space, car parking and cycle parking have been incorporated into the scheme.
- 2.3 When considered in comparison to the previously refused applications the proposal represents a significant step change in the approach taken to the development of the site. These significant amendments have enabled the proposals to overcome the previous reasons for refusal and achieve a high degree of compliance with both the adopted and emerging development plan.

- 2.4 The recommended conditions and heads of terms would ensure the positive elements of the scheme advanced by the applicant are delivered on site in addition to ensuring the impacts of the development would be suitably mitigated.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to:

- The prior completion of a legal agreement to secure the following planning obligations:
 1. Affordable Housing 20% (the entirety of proposed block C)
All Affordable Housing units to be provided at an intermediate tenure and first offered to a Registered Provider (RP) at a minimum split of 50:50 in favour of discounted market rent over shared ownership.
 2. Contribution of £492,000.00 towards education provision.
 3. Contribution of £154,548.00 towards the carbon offset fund
 4. Restriction on parking permits for residential occupiers.
 5. Early stage affordable housing review mechanism

- 3.2 That the Assistant Director of Planning is delegated authority to negotiate the legal agreement indicated above.

Conditions

1. Time limit
2. In accordance with approved drawings
3. Material samples
4. Landscaping
5. Car parking plan
6. Cycle storage
7. Travel Plan
8. Pedestrian visibility splay to access
9. Highway works
10. Construction Method Statement and Construction Logistics Plan
11. Construction hours
12. Wheel Washing
13. Secured by Design
14. Delivery and Servicing Plan
15. Energy Statement compliance.
16. Details of external lighting
17. Noise protection
18. Surface Water Drainage
19. Tree protection measures
20. Wheelchair Adaptable Dwellings
21. Water Efficiency.
22. Window and balcony strategy
23. Contaminated land
24. Removal of permitted development rights.
25. Boundary treatments

Informatives

1. Fee required for approval of details
2. Highway approval required
3. Proximity of National Grid apparatus.
4. Proximity of Network Rail's operational railway infrastructure
5. Secure by design
6. Street naming and numbering
7. Community Infrastructure Levy (CIL).
8. Planning obligations
9. NPPF positive and proactive

- 3.4 That, if by 6 months from the date of committee the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application is seeking planning permission for the redevelopment of the site to provide 82 dwellings, together with new access junctions, associated car parking, landscape and infrastructure works. The proposal would deliver a mix of residential units as follows:
- Five 3 bedroom (5 person) houses
 - Forty-three 4 bedroom (7 person) houses
 - Nine 2 bedroom (4 person) apartments
 - Nine 3 bedroom (4 person) apartments
 - Five 1 bedroom (2 person) apartments
 - Eleven 2 bedroom (3 person) apartments
- 4.2 The proposed dwelling mix outlined above would incorporate 11% wheelchair accessible dwellings and 20% affordable housing.
- 4.3 In terms of car parking provision the proposal incorporates 130 car parking spaces of which 9 would be wheelchair accessible. In terms of the car parking ratio it proposed that flatted dwellings would be assigned 1 space whilst the houses would be assigned 2 spaces and all wheelchair accessible units assigned 1 space. This level of car parking provision equates to a ratio of 1.6 spaces per unit.
- 4.4 With respect to massing, the proposal represents a house led scheme with these family sized dwellings to be provided through a series of terraces running both north to south and east to west. The proposed terraced housing would extend to a maximum prevailing height of 2 storeys, of which the larger dwellings would benefit from a generous pitched roof and purpose built roof level of accommodation. In addition to the proposed terraced houses the proposal incorporates three flatted blocks along the eastern periphery of the site with Blocks A and B extending to a maximum height of 3 storeys and Block C projecting to four storeys.
- 4.5 All of the units would have either a private rear garden or balcony and all units benefit from at least dual aspect layouts.
- 4.6 In terms of access and servicing the site layout allows for access primarily via 3 main points of entry off Sandgate Close in addition to 3 additional car park access points. Direct vehicle access is provided to the terraced houses fronting Crow Lane. In addition to access and parking the proposed site layout incorporates a communal greenspace which encompasses an area of approximately 570 square metres.

- 4.7 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development in addition to the agreed carbon offset fund contribution.

Site and Surroundings

- 4.8 The application site lies on the northern side of Crow Lane, circa 1km to the south-west of Romford town centre and the railway station. The site can be accessed from Crow Lane and Sandgate Close, as existing, and forms a rough rectangle, measuring 1.5ha in size. The site is currently vacant although previously was used by National Grid in association with the gas works.
- 4.9 The site is bound to the north by an embankment to the railway line and its associated infrastructure. To the east of the site lies Sandgate Close, beyond which is the Royal Mail Romford Sorting Office. To the south is Crow Lane, beyond which is Romford cemetery. And, directly west of the site, separated by a row of trees and shrubs, lies the rear gardens of the residential properties in Beechfield Gardens.
- 4.10 The application site does not form part of a conservation area, and is not located within the immediate vicinity of any listed buildings. The site forms part of a secondary employment area although it is noted that, as part of the Employment Land Review undertaken by the Council in 2015, this site was recommended as being suitable for de-designation and suitable for a residential led re-development. Further to this, the site is not designated for any employment use within the emerging local plan.

Planning History

- 4.11 The following planning decisions are relevant to the application:
- Application ref. P0587.17 Re-development of the site to provide 150 dwellings, together with new access junctions, associated car parking, landscape and infrastructure works -Refused 08/02/2017. Subsequent appeal dismissed.
 - Application ref: P1161.16 – Re-development of the site to provide 150 dwellings, together with new access junctions, associated car parking, landscape and infrastructure works- Refused 06/07/2017. Subsequent appeal dismissed.
 - Application ref: P0989.14 - Change of use to provide a temporary car park for up to 290 spaces to serve Queen's Hospital employees,

together with revised access and associated infrastructure - Approved 03/10/2014

- Application ref: P0607.11 - Change of use of land and positioning of 100 containers plus open storage for individual and business users - Approved 10/06/2011
- Application ref: P1521.10 - Proposed site remediation works - Approved 14/01/2011

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5.2 The following were consulted regarding the application:

Statutory Consultees

Essex and Suffolk Water: No objection

Cadent Gas: No objection

National Grid : No response

Network Rail : No response

Metropolitan Police: No objection subject to recommended conditions

London Fire Brigade : No objection

EPN Network Planning: Object on party wall grounds (Officers note that this is not a material planning consideration).

Romford Civic Society : No response

Natural England: No comment

The Environment Agency: No response

British Pipe Line Agency: No objection

Network Rail : No response

LBH Education: No objection subject to education contribution.

LBH Environmental Health: No objection subject to recommended conditions

LBH Highways: No objection subject to conditions and planning obligation

LBH Highway Street Management: No objection

LBH Waste & Recycling : No objection

LBH Housing: No objection

6 COMMUNITY ENGAGEMENT

6.1 In accordance with planning legislation, the developer has consulted the local community on these proposals as part of the pre-application process.

7 LOCAL REPRESENTATION

7.1 A total of 94 neighbouring properties were notified about the application and invited to comment and was advertised via site notices and in the local press.

7.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 4 of which 3 supported and 1 (Royal Mail) provided feedback but did not object to the scheme overall

Petitions received: None.

Representations

7.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Support Comments

- The proposal would improve the area and it would be nice to have a new development with low rise houses and landscaping on the site.
- It would be positive to have a suitable development as opposed to current waste ground.
- Thankfully Hollybrook have kept local neighbours involved.
- The new plans are much better than the previous proposals.

Royal Mail Feedback

- Royal Mail met with the applicant, Hollybrook Homes prior to the application being submitted, where the layout of the plans was discussed. Royal Mail support Hollybrook's proposals to redevelop the site for residential purposes.
- The sole concern is to ensure the ongoing integrity of Royal Mail's business and protect its long-term viability. We understand that Hollybrook Homes have taken measures to protect the amenity of future residents from Royal Mail's operations, and therefore Royal Mail seeks to ensure those measures are secured and enforced by way of planning conditions.
- Suggested conditions relate to balcony treatment, window treatments/ fixed glazing, securing mechanical ventilation, and details of boundary treatments.
- Question the need for the number of vehicle access points proposed.

Procedural issues

7.4 No procedural issues were raised in representations.

8 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

- Principle of Development
- Density
- Design, Massing and Streetscene
- Quality of residential accommodation
- Housing Mix and Affordable Housing
- Neighbouring amenity impacts
- Parking and Highways Issues
- Environmental Issues
- Education

8.2 Principle of Development

8.3 Policy CP1 of the LDF states, as a headline objective, that a minimum of 535 new homes will be built in Havering each year. Table 3.1 of the London Plan supersedes this target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year. Ensuring an adequate housing supply to meet local and sub-regional housing need is important in making Havering a place where people want to live and where local people are able to stay and prosper. Expanding on this, policy CP2 aims to ensure that sustainable, attractive, mixed and balanced communities are created.

8.4 As outlined previously in this report, this site forms part of a secondary employment area. Policy DC10 of the LDF states that within secondary employment areas, planning permission for non B use classes will only be granted in exceptional circumstances and when the applicant has demonstrated the following:

- the site is not needed to meet future business needs with regard to the difference between the current supply of employment land and the demand for employment land over the plan period;
- the site is not considered fit for purpose when assessed against the economic, planning and property market criteria provided in Appendix A of Havering's Employment Land Review 2006; and
- the site has proved very difficult to dispose of for B1 (b) (c), B2 and B8 uses.

8.5 The Employment Land Review undertaken by the Council in 2015 assessed the Crow Lane designation and recommended that all but the 2.4ha Royal Mail site could be released from industrial/employment use. The Employment

Land Review concluded that there was an over-provision of employment land in the Borough and recommended releasing this site from such use as there is limited prospect of the site being re-developed for industrial uses. The position was confirmed in the marketing evidence submitted by the applicant in support of the previous applications.

- 8.6 Further to the policy support outlined above officers can confirm that the principle of the residential redevelopment of the site has not been opposed in the previous refusals or dismissed appeals. As such, the release of the site for residential development is not considered to be a matter of contention when considering the recent planning history. It is also pertinent to note that the site is not subject to any formal designation within the emerging local plan and as such, its residential redevelopment would not conflict with either adopted or emerging land use based policy objectives.
- 8.7 For the reasons outlined above officers are satisfied that the proposal would accord with key land use based policy objectives of the development plan. Furthermore, the provision of 82 additional residential units of which 58% would be family sized, would make an important contribution to the Boroughs housing targets and represents a significant positive element of the scheme in land use terms.

8.8 Density

- 8.9 Policy DC2 of the LDF states that planning permission will only be granted for new housing if a design led approach is adopted in determining the type, size and form of new development with regard to:
- the type and size of new housing required to meet local and sub-regional housing needs and create mixed and balanced communities; and
 - the densities detailed within the density matrix outlined in the policy which considers the Public Transport Accessibility Zone (PTAL) for the area.
- 8.10 This site has a PTAL rating of between 1b (very poor) and 2 (poor). The recommended density for development coming forward in such locations is between 30-50 units per hectare together with a parking provision of 2-1.5 spaces per unit. The London Plan however suggests a higher density of between 50-95 units per hectare (suburban setting) or 70-170 units per hectare (urban setting). Whether this area is representative of an urban or suburban area is a question of judgement with the area exhibiting many of the features of both settings, as suggested in the London Plan.
- 8.11 On the basis that this site has an area of 1.5ha, the development of 82 units represents a development density of 55 units per hectare. This proposed

density therefore closely aligns with that anticipated by policy DC2 and falls well within the recommended density for a suburban setting, as per Table 3.2 of the London Plan. Furthermore, the proposed density represents a significant shift from the 100 unit per hectare density proposed for both previously refused schemes. Whilst officers acknowledge that the density matrix is just one of many factors to be considered when assessing whether a site is capable of accommodating a certain quantum of development, it is considered that the subject proposals alignment with density guidance provides a clear indicator that the scheme has positively responded to the previous density based reason for refusal. In addition to compliance with density guidance officers note that the design quality, residential quality, car parking, servicing and impacts on amenity of a scheme are other key indicators as to whether any proposed density is capable of being supported. Such matters are considered in more detail within the relevant sections below.

8.12 Design, Massing and Streetscene

- 8.13 The supporting text to policy DC3 of the LDF details that the Council requires good design in all new housing developments in order to create attractive, safe, secure and high quality living environments which are sustainable and where people will choose to live. Expanding on this, policy DC61 seeks to ensure that development proposals maintain, enhance or improve the character and appearance of the local area.
- 8.14 Given that the employment uses to the east do not form part of this application, a key objective identified by the applicant in formulating the proposed site layout was to design a development which positively responded to both characters/areas. With regard to this, the applicant has created a scheme, which seeks to continue the residential terraced character prevalent to the west and locate the slightly taller 3 and 4 storey flatted buildings where the site has a closer relationship to the Royal Mail building. This approach has enabled the proposal to exhibit prevailing character of low rise terraced housing in addition to enabling the provision of communal greenspace within the centre of the development.
- 8.15 Overall officers consider that the approach to site layout represents a successful response to the constraints of the site whilst ensuring the existing suburban character to the west of the site is carried through to the proposal. The inclusion of the three modestly proportioned flatted blocks within the north eastern and south eastern corners of the site provides a buffer and transition area between the Royal Mail Building and the low rise suburban setting provided by the remainder of the proposals and existing development to the west. The orientation of terraces running from east to west further supports

this approach by successfully ensuring the development does not attempt to create an uncharacteristic street to dwelling relationship along Sandgate Close. This approach to site layout successfully responds to concerns raised in relation to the use of 5 storey flatted blocks facing Sandgate Close within the previous refused schemes.

- 8.16 In terms of Crow Lane and the existing street scene, as one travels from the town centre, the residential nature of the streetscene changes from the roundabout with Dagenham Road. For a circa 330m stretch of road, there is very little active frontage on the northern side of the road, with Romford cemetery to the south. Looking at this stretch of road in more detail, on the northern side of the road you first come to the gas holders; then the Royal Mail building; and then the site to which this application relates. None of the aforementioned have a significant street appeal and a key objective of any re-development of this site, for officers, has remained that a high quality frontage is achieved.
- 8.17 When considered within the sites context outlined above officers are satisfied that the proposed development would achieve a high quality frontage through the creation of private entrance doors to proposed terraced houses and 3 storey flatted block (block A) units, new pedestrian footways through the site and new footways along Crow Lane and Sandgate Close. In addition to repairing and reactivating this frontage the proposal would provide modest building heights which would primarily extend up to two stories with the three storey flatted block at the junction between Crow Lane and Sandgate Close.
- 8.18 In terms of building heights across the site, Block C would be the tallest element of the development, extending to four storeys. Blocks A and B would project to a maximum height of 3 stories. As a starting point, these building heights represent a significant reduction when compared to the refused schemes which sought to incorporate flatted blocks which extended up to 5 stories in addition to further additional height and massing across the site when compared to the subject application. When considering the development as a whole it is apparent that the prevailing height would read as two stories with some properties benefiting from steeply pitched roofs fitted with dormers to facilitate a purpose built loft level. This approach enables the schemes overriding character to read as two storey terraced housing, which in officers views represents a positive reflection and reinforcement of established local character.
- 8.19 Further to the acceptability of the proposed site layout, height and massing, officers note that the detailed design of both the houses and flatted buildings provides well considered and visually coherent architecture. The proposed material palette seeks to utilise high quality and robust materials with two alternate types of buff brick to be used as the primary material. In order to

ensure this quality is maintained when the scheme is delivered a robustly worded condition is recommended. The successful balance between massing, architecture and materiality is demonstrated through the computer generated images provided in support of the scheme.

- 8.20 For the aforementioned reasons it is considered that the development has successfully overcome the previous reasons for refusal under application ref. P1161.16 and ref. P0587.17. Officers are also satisfied that the significant revisions to the proposal ensures it complies with policies DC2, DC3, DC7, DC36, DC40 and DC61 of the LDF and policies 3.5, 5.3, 5.15, 7.2, 7.3, 7.4, 7.5 and 7.6 of the London Plan with regard to density, scale, mass and design.

8.21 Residential Mix and Affordable Housing

- 8.22 Policy DC2, expanding on the above, details that the Council will, as part of any major residential development coming forward be seeking an indicative housing mix of: 24% one bedroom units; 41% two bedroom units; 34% three bedroom units; and 1% five+ bedroom units.

- 8.23 Policy DC6 states that the Council will aim to achieve 50% affordable housing provision as part of new major housing development in the Borough. In applying this target the Council, will through negotiation and agreement with the applicant, assess the suitability of on-site or off site provision for affordable housing the subsequent percentage that is sought with regard to:

- site, size, suitability and viability;
- the need to achieve and deliver a successful housing development;
- availability of public subsidy; and any
- other scheme requirements.

- 8.24 In determining planning applications for private residential schemes, including sheltered housing, the Council will seek the maximum reasonable amount of affordable housing having regard to the borough-wise target and tenure need.

- 8.25 The indicative mix of units does not strictly comply with the exact percentage splits outlined in policy DC2. Whilst this is noted, the scheme provides a design led response to the constraints of the site and previous reason for refusal, which has resulted in the scheme providing a majority of the proposed dwellings through family sized terraced housing. Given the pressing need for family housing within the borough, and whilst being cognisant of the need to positively respond to existing local character, Officers consider the high proportion of family housing to represent a significant positive element that weighs in favour of the scheme.

- 8.26 Further to the support afforded to the 69% family sized dwelling provision for the reasons outlined above, officers note that the emerging local plan seeks 64 % of all new units to be 3 bedrooms. The proposal would align with this emerging policy position which reflects the strategic housing needs within the borough over the next plan period.
- 8.27 With respect to affordable housing, the applicant has submitted a viability appraisal, which originally suggested that the development could not support any affordable housing. Following independent review of the schemes viability, and as a result of negotiation by officers, the entirety of Block C has been offered as affordable housing. This offer has been made in part on an ex gratia basis given the agreed financial viability position reflected that 12 units could be provided. The 16 units would be offered in intermediate forms, including Discount Market Rent (DMR).
- 8.28 When considering this offer due regard has been given to the policy objectives that seek a 50:50 split between affordable rent and shared ownership (intermediate), as outlined in the Housing Strategy 2014-17. Whilst the lack of affordable rented units is regrettable it is acknowledged that the overall number of affordable units that could be secured would reduce if the offer shifted away from being all intermediate. Furthermore, the intermediate housing would be first offered as a split between DMR and shared ownership, thereby meeting a wider spectrum of housing need. Officers are also mindful of the significant quantum of family housing being provided across the scheme, which would assist in meeting strategic housing need at a market level.
- 8.29 For the reasons outlined above officers are satisfied that when considered as a whole, and in the context of the schemes viability, the subject application would accord with key policy objectives in relation to both unit mix and affordable housing provision.

8.30 Quality of residential accommodation

- 8.31 The 'Technical housing standards - nationally described space standards' document and Policy 3.5 of the London Plan set out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. All the residential units within the development either meet or exceed the minimum space sizes.
- 8.32 In terms of private amenity space, the Council's Residential Design SPD suggests 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. In this instance, all of the units proposed would have access to an acceptable quantum and quality of private amenity space. This private amenity space provision would be supported by the communal amenity space situated within the heart of the scheme. This communal amenity area would also provide for the provision of play space which aligns with London Plan standards.

- 8.33 In terms of internal living conditions for potential occupiers, officers welcome the fact that all proposed units would provide dual aspect accommodation as a minimum. By avoiding single aspect units and when considering the separation distances between proposed buildings officers are satisfied that an acceptable level of daylight, sunlight outlook and privacy would be afforded to future occupiers.
- 8.34 With regard to accessibility at least 10% of the dwellings proposed would be constructed to comply with Part M4(3)(2)(a) of the Building Regulations - Wheelchair Adaptable Dwellings. With the remainder of the dwellings constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings, in compliance with that required by the London Plan.
- 8.35 Turning to noise and air quality, the Council's Environmental Health/Public Protection department have raised no objection to the development. Supporting information submitted with the application demonstrate that subject to appropriate glazing both internal and external areas would comply with appropriate standards and the 55dB guidance figure for amenity areas. As a safeguarding measure, the applicant has also sought to ensure all flats are mechanically ventilated. Subject to recommended conditions ensuring the proposed mitigation measures are implemented and maintained for the lifetime of the development officers are satisfied that the proposals would remain acceptable in terms of key air quality and noise considerations.
- 8.36 Further to the above, officers acknowledged the comments made by Royal Mail and consider that the combination of the proposed site layout and mitigation measures to be secured by condition, ensures the development would not prejudice the ongoing operation of the Royal Mail sorting office.

8.37 Secure by Design

- 8.38 In terms of national planning policy, paragraphs 58 from the '*NPPF*' 2012 emphasise that planning policies and decisions should aim to ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Paragraphs 69 from the document then accentuates that planning policies and decisions should aim to ensure that developments create safe

and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

8.39 The above strategic approach is further supplemented under Policy 7.3 on 'Designing out Crime' from the '*London Plan*' 2016 which indoctrinates measures to designing out crime so to ensure that developments reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In local plan policies terms, Policy CP17 on 'Design' and Policy DC63 on 'Delivering Safer Places' from LBH's '*Development Plan Document*' 2008 falls in line with national and regional planning guidance which places design at the centre of the planning process. The above mentioned policy piece together reasoned criteria's for applicants to adopt the principles and practices of SBD. More detail on the implementation of the above policy is provided from LBH's SPD on '*Designing Safer Places*' 2010, this document which forms part of Havering's Local Development Framework was produced to ensure the adequate safety of users and occupiers by setting out clear advice and guidance on how these objectives may be achieved and is therefore material to decisions on planning applications.

8.40 The Metropolitan Police reviewed the submitted application and have confirmed that the proposal is capable of achieving secure by design accreditation. As such, the Metropolitan Police raised no objection subject to the recommendation that a condition is attached which stipulates that prior to the commencement of development the applicant shall be required to make a full and detailed application for the Secured by Design award scheme and thereafter adhere to the agreed details following approval. Officers concur with the conclusions of the Metropolitan Police and this condition has been recommended.

8.41 Neighbouring Amenity

8.42 Policy DC61, in addition to that detailed above, states that planning permission will not be granted should development result in an unacceptable amount of overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties.

8.43 When considering the proposals impact on neighbouring amenity it is pertinent to note that the previously refused schemes sought a significantly greater quantum of development across the site as a whole, however, no harm to neighbouring residential amenity in terms of loss of daylight, reduced outlook, privacy or overbearing impacts were identified.

- 8.44 The subject application retains generous separation distances between the proposed built form and nearest neighbouring residential gardens and windows. For reference, the proposal would retain separation distances in excess of 30m when considering windows that directly face towards the development. The retained separation distances are further supported by the fact that the flatted elements of the scheme that extend to 3 and 4 stories are located furthest way from neighbouring residential properties. This approach provides a further safeguard for neighbouring residential amenity and ensures that existing residents to the west of the site would benefit from being adjacent to terraced housing, thereby continuing the established pattern of development prevalent within Beechfield Gardens and the terraced housing that occupies the northern side of Crow Lane to the west.
- 8.45 Overall, officers are fully satisfied that the approach to site layout and massing represents a neighbourly and policy compliant form of development. This conclusion is supported by the representations received from neighbouring residential occupiers whom have confirmed their support for the proposals. This is a significant contrast to the objections received from neighbours in response to the previous refused applications and serves to further demonstrate how the applicant has made significant amendments to the scheme to address the previous reasons for refusal.

8.46 Car Parking Provision & Highway Impact

- 8.47 Sandgate Close becomes a private road just beyond the junction with Crow Lane. Sandgate Close is a two-way single carriageway that has double-lines either side of the road. It is understood that Royal Mail as part of their leasehold is not permitted to park along Sandgate Close although as a private road this is not managed or controlled by the Highway Authority.
- 8.48 Vehicular access to the site is proposed at seven points, as part of the development proposals:
- One from Crow Lane; and
 - Three principal access points from Sandgate Close.
 - Three secondary access points from Sandgate Close.
- 8.49 The Crow Lane access would only serve four car parking spaces and would provide no permeability to the rest of the site. This replaces an existing access into the site in broadly the same location. Of the three principal accesses proposed from Sandgate Close these all provide access/egress junctions serving the terrace houses and associated car parking areas. The

three additional secondary access points serve the individual car park areas for the proposed flatted blocks.

- 8.50 A total of 130 car parking spaces would be provided across the site. Of the spaces provided, 9 would be disabled bays and 20% would be provided with electric charging points; with a further 20% capable of being upgraded in the future. In addition 156 secure bicycle spaces would be provided for residents in addition to 8 cycle parking spaces for visitors. The overall provision of car parking and cycle parking spaces equates to a ratio of 1.6 vehicle spaces and 1.9 cycle parking spaces, this represents a compliant provision in respect of policies DC2 and DC33 of the LDF. Further to this policy compliance the agreed heads of terms include a restriction on future occupiers applying for parking permits with this restriction providing a further safeguard in terms of any potential parking stress.
- 8.51 With regard to the above, staff nevertheless note that limited details have been provided in terms of management of spaces; and how spaces would be assigned to units and/or as visitor spaces. It is therefore considered that should planning permission be granted, a parking management plan and strategy should be secured via a recommended condition.
- 8.52 When considering potential highway impacts and congestion, it is noted that the Transport Assessment submitted by the applicant suggests that at weekday morning peak (8:00-9:00am), 7 vehicles would arrive at the site and 25 depart. In terms of evening peak (17:00-18:00pm), it is suggested 17 vehicles would arrive and 8 depart. With regard to impact, it is suggested that once traffic has passed through Sandgate Close and the junction with Crow Lane, the impact on the highway network would be negligible. In terms of the actual junction (roundabout), it is suggested that the development would add to congestion but the junction would remain well within capacity.
- 8.53 The numerical analysis outlined above supports the conclusion that the proposal would have no materially harmful impact on the highway network. Furthermore, it must be acknowledged that the previous refused schemes sought 68 additional dwellings compared to that currently proposed and no unacceptable highways impacts were identified in relation to these previous schemes. Within this context the subject proposal represents a significant reduction in terms of potential highways impacts.

8.54 Environmental Issues

Contaminated Land

- 8.55 Given that this site is noted as potentially contaminated, and mindful of the former site use, the applicant has submitted a full geotechnical and geo-environmental report and remediation strategy. The report submitted through

the results of the site investigation indicate that any re-development of the site has the potential for unacceptable risks to human health given the concentrations of hydrocarbons, PAH and asbestos within shallow soils.

- 8.56 To mitigate such risks it is proposed to install a ventilated subfloor void or vapour resistant membrane in the buildings to the north of the site; install placement capping in soft landscaped areas; use appropriate water supply pipe material; and use an appropriate concrete mix for buried concrete to protect against sulphate attack. The Council's Environmental Health/Public Protection department has assessed that submitted and offered in terms of mitigation and subject to a condition requirement verification of the aforementioned being completed on-site they do not object to the proposal.
- 8.57 Further to the above officers note that the previous applications did not give rise to any significant concerns in relation to contamination land subject to appropriate mitigation being employed. The approach taken to this application represents a continuation of this position and subject to recommended conditions officers remain satisfied that the scheme would accord with key contaminated land based policy objectives.

Flood Risk and Drainage

- 8.58 Policy CP15 of the LDF, in-part, details that new development should reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; have a sustainable water supply and drainage infrastructure; and avoid an adverse impact on water quality. Expanding on this policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Policy DC51 goes on detailing that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems unless suitable mitigation measures can be secured through conditions attached to the planning permission or a legal agreement.
- 8.59 This site is located within flood zone 1 with a low risk of fluvial flooding. There are no historical records of flooding on the site. With regard to run-off, assessments undertaken by the applicant suggest that the developed site would increase peak run-off rates and volume by around 5.6%. This would however be off-set by the larger permeable area of garden/landscaping proposed as part of the development when compared to the hardstanding as existing. Given the known site contamination issues, sustainable urban drainage in the form of soakaways and/or trenches are not appropriate in this

instance. However, to off-set the increased run-off rate, permeable paving and cellular storage tanks are proposed to achieve an improvement compared to the existing situation. Subject to suitable conditions to ensure the drainage strategy is implemented and maintained it is considered that the development complies with policy DC51.

Trees & Ecology

- 8.60 Policy CP16 of the LDF states that Council will seek to protect and enhance the Borough's rich biodiversity and geodiversity, in particular priority habitats, species and sites. This is a position supported by policy DC42 and DC58. Policy DC60 furthermore details that the amenity and biodiversity value afforded by trees and woodland will be protected and improved. Policy 7.21 of the London Plan expanding on this states that existing trees of value should be retained and any loss as a result of development should be replaced following the principle of 'right place, right tree'.
- 8.61 The Council's Protection of Trees during Development SPD states that aged or 'veteran' trees found outside ancient woodland are particularly valuable for biodiversity and their loss should be avoided. An Arboricultural Assessment has been submitted with the application which notes the TPO on the 26 x Poplar trees and one Silver Birch along the western boundary of the site. The Assessment submitted has reviewed the quality of these and all other trees on-site and identified works necessary to facilitate the development and general good management. The Assessment also suggests the removal of six trees as these specimens are identified as being in poor condition such that any existing value would be lost within 10 years. Having reviewed this assessment officers concur with its conclusions and do not consider the loss of the 6 trees to be materially harmful to either ecology or visual amenity
- 8.62 In terms of the other works proposed, it is noted that many of the Poplars would receive a crown lift. With respect to this element of the scheme, officers acknowledge that such works are considered good practice to ensure the ongoing health of a tree and as such is supported. Further, the scheme landscape proposals show numerous additional trees being planted. Suitable conditions to ensure adequate tree protection measures during the development would nevertheless be necessary should planning permission be granted.
- 8.63 In terms of ecology, whilst the site itself is not designated for any ecological interest or merit, it is noted that railway verge and Romford cemetery are sites of local ecological importance. Given the existing site conditions; and mindful of the additional landscaping proposed as part of the development it is considered that subject to acceptable mitigation during the course of the

construction that the proposals would not give rise to any significant ecological impacts.

Sustainability

- 8.64 From a sustainability perspective, it is proposed that enhanced insulation would be installed in all walls, floors, roofs and windows to reduce thermal leakage; with all units proposed to be heated by individual gas combi-boilers with mechanical heat recovery ventilation. Photovoltaic panels would furthermore be installed throughout the development to realise a policy compliant 35.57% reduction in CO2 emissions relative to Building Regulations.
- 8.65 The approach to sustainability outlined above reflects that taken with the previous applications and officers maintain the position that the scheme accords with key sustainability based policy objectives. The key difference between the approach to sustainability taken with this scheme compared to the refused applications relates to the agreed carbon offset fund contribution of £154,548.00. This charge was not an adopted policy requirement when the previous applications were refused and therefore it should be acknowledged that securing this contribution would act to provide an enhanced level of environmental mitigation when compared to the previous proposals.

8.67 Education

- 8.68 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 8.69 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 8.70 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all

development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.

- 8.71 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 8.72 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 8.73 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 8.74 Previously, in accordance with the SPD, a contribution of £6,000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6,000 per dwelling towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 8.75 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £6,000 per dwelling for educational purposes would be appropriate.
- 8.76 In the event that planning permission is granted, this application as such would be liable for a £492,000 education contribution, in addition to any contribution under the Mayoral CIL.

9.0 Conclusions

- 9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.