



REGULATORY SERVICES COMMITTEE

REPORT

13 September 2012

Subject Heading:
10

**P0745.12 – Corner of Lambs Lane
North and New Road, Rainham**

**Redevelopment to provide 28
residential units, new access road,
associated car parking and
landscaping. (Application received 6
July 2012 and revised plans received
13 August 2012 and 31 August).**

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Policy context:

**Local Development Framework
London Plan, Planning Policy
Statements/Guidance Notes**

Financial summary:

None

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

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Value and enhance the life of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The application is for the redevelopment of this site to create 28 units, comprising 22 houses and 6 flats. All of the units are proposed as affordable housing. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues, although a degree of judgement is required in respect of issues relating to the layout and design and massing of the proposed dwellings. The proposal is judged to be acceptable in all material respects and, subject to the completion of a Legal Agreement and conditions, 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 Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision of a minimum of 50% of the units within the development as affordable housing in accordance with Policies CP2 and DC6 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- A financial contribution of £168,000 to be used towards infrastructure costs in accordance with the draft Planning Obligations Supplementary Planning Document.
- The submission of a landscape management and maintenance plan to include the aftercare of the planting and a scheme of future maintenance.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

1. Time limit - The development 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 following plans and documents:

596-(P) 001 Site Location Plan
596-(P) 002 Site Survey

596-(P) 003A Site Layout and Roof Plan
596-(P) 004 Overall Ground Floor
596-(P) 005 First Floor
596-(P) 006 Second Floor
596-(P) 007 Landscape Plan

596-(P) 009 – 030 House types 1-9, plans and elevations

596-(P) 031 Elevations
596-(P) 032 Street Scenes and Internal Elevations

Bir.4009-03A Landscaping proposals
Bir.4009-02 TPO Tree Protection Proposals and Method Statement

Reason: To accord with the submitted details and 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. 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. 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.

5. Landscaping – The development shall be carried out entirely in accordance with the hard and soft landscaping proposals shown on drawings no. Bir.4009-03A hereby approved. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Works to Protected Trees: Works on site shall be carried out in accordance with the TPO Tree Protection Proposals and Method Statement shown on drawing number Bir.4009-02 hereby approved, unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

7. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

8. Cycle storage - Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

9. Boundary treatment – The development shall be carried out in accordance with the details of boundary treatment shown on drawing number 596 (P)007 hereby approved unless alternative drawings are otherwise submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

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.

10. Details of Metal Railings – Details, including design, colour and finish of the metal railings shown on drawing number 596 (P)007 hereby approved shall be submitted and approved in writing by the Local Planning Authority prior to being erected on site. The metal railings shall be erected on site before the dwellings are first occupied in accordance with the approved details and retained permanently 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.

11. 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.

12. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road 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.

13. Biodiversity –The development shall be carried out in accordance with the recommendations set out in Section 5 of the Extended Phase 1 Habitat Survey dated April 2012 and received on 12 June 2012 and the developer shall provide evidence of this through the submission of a programme of work to accord with these recommendations, which shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

14. 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.

15. 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.

16. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust management controls
 - d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;

- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) 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 with the LDF Development Control Policies Development Plan Document Policy DC61.

17. Land 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 (the Phase I Report having already been submitted to the Local Planning Authority):

- a) 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 site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) 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 two parts:

Part A - Remediation Scheme 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.

- c) 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
- d) 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. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

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

Reason: The development of this site may damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design to accord with English Heritage guidelines and to accord with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

19. Sustainability - No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

20. Renewable energy - The renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the residential occupation of any part of the development. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

21. No additional flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the approved plans), shall be formed in the flank walls of the dwellings hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

22. Details of ground levels - Prior to the commencement of the development details of the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, amenities of adjoining properties, and appearance of the development. Also in order that the development complies with Policy DC61 of the LDF Development Control Policies Development Plan Document

23. Site Waste Management – The development hereby approved shall be carried out in accordance with the submitted Site Waste Management Plan received on 6 July 2012 unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and sustainable development practices.

24. Noise from Adjacent Premises – Before any development is commenced, a scheme for protecting the proposed dwellings from noise from adjacent commercial and industrial activities shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the dwellings are occupied.

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

25. Road Traffic Noise - Prior to the commencement of work on the development hereby approved, an assessment shall be undertaken of the impact of road noise emanating from New Road upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, Calculation of Road Traffic Noise,

1988. 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 and shall be implemented prior to occupation of any dwelling.

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

26. Removal of Permitted Development Rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted development) (Amendment)(no. 2)(England) Order 2008, or any subsequent order revoking or re-enacting that order, no development shall take place under Classes A, B, C or E, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

27. Alterations to Public Highway: The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

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

28. Licence to alter Public Highway: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

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

29. Road Safety Audit: The changes to the access junction on the New Road shall be subject to the 4-stage full road safety audit procedure as defined in HD 19/03 of the Design Manual for Roads & Bridges and recommendations reasonably dealt with. A Stage 1/2 RSA shall take place prior to any construction and details submitted for agreement in consultation with the Highway Authority.

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

INFORMATIVES

1. In aiming to satisfy condition 11 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. The services of the Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety conditions.
2. The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
3. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP14, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document.

In addition, the proposal is considered to comply with the Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD and Sustainable Design and Construction SPD.

The development is considered to accord with the provisions of the National Planning Policy Framework, as well as Policies 3.3, 3.4, 3.5, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 5.2, 5.3, 5.7, 5.13, 5.16, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 7.3, 7.4, 7.6, 7.8, 7.15, 7.19 and 8.2 of the London Plan.

Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure

Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

REPORT DETAIL

1. Site Description

- 1.1 The application site has an area of 0.6 hectares and is located to the northern side of New Road (A1306) at its junction with Lambs Lane North. The site is in a dilapidated and overgrown condition and has been vacant for some years. There are a number of trees within the site and the site is subject of a Tree Preservation Order (TPO 13/07), which includes oak trees to both the New Road and Lambs Lane frontages of the site. The site incorporates a soft landscaped area of highway verge to the site frontages on to New Road and Lambs Lane. There are no significant changes in levels across the site. There is presently no vehicular access to the site.
- 1.2 Towards the west of the site there is a row of 5 residential dwellings, which vary in character and architectural style. Beyond these is the Walls Garage site. To the north/north-eastern side of the site lies the Imperial Industrial Estate, which is a long-standing industrial area characterised by single storey, pitched roof workshop buildings. Aside from the industrial estate surrounding development extending to the north, south and west of the site is principally residential in character. To the east of the site, from the opposite side of Lambs Lane North, lies the Metropolitan Green Belt and from this point eastwards the locality begins to takes on a more open, spacious character.

2. Description of Proposal

- 2.1 The application is for redevelopment of the site to provide a total of 28 residential units. The existing vehicular access to the site would be widened and the junction improved to provide access to the development. To the western side of the access, would be a pair of semi-detached houses fronting on to New Road. To the eastern side of the access, it is proposed to construct a short terrace of five houses, which would face into the site and back on to New Road. A further terrace of three houses would be built facing out on to Lambs Lane. The remainder of the units, comprising a further 12 houses and a flatted block, would be built within the site arranged around a central access road, which runs towards the eastern boundary of the site.

- 2.2 The proposals involve the removal of one TPO oak tree to the Lambs Lane frontage of the site and the retention of four TPO trees to the New Road frontage. The application site incorporates adjacent highway verge in order to maximise soft landscaping opportunities and the proposals include full and detailed landscaping proposals as an integral part of the application.
- 2.3 The development is principally for houses, of which there will be 2 no. 2 bed, 17 no. 3 bed and 3 no. 4 bed units. The development also includes 6 no. 2 bed flats within a single block towards the northern boundary of the site. A total of 44 parking spaces are provided at a ratio of one space per flat, 1.5 spaces per 2 & 3 bed unit and 2 spaces per 4 bed unit.
- 2.4 The proposed dwellings consist of a total of 9 different house types. However, although the dwellings vary in terms of scale and footprint, they are overall of a consistent architectural style and materials. Materials are traditional and indicated to be grey concrete roof tiles, light buff/brown colour brick and white render, grey fascia boards and window frames. The dwellings are of a simple architectural style with feature created by irregularly positioned and, in some cases, full height window details. All of the dwellings have a relatively high ridge height created by the degree of the roof pitch and almost all are designed to include living accommodation within the roofspace.
- 2.5 The houses fronting Lambs Lane (plots 1-3) typically measure 6m wide by 7.2m deep and 9.3m high to the ridge of a gable ended roof. This is similar to the houses on plots 4-8, although these back onto New Road rather than facing on to it. The pair of semi's facing New Road (plots 9 & 10) again are of similar footprint but have a dropped ridge detail going from 9.7m at its highest point to 9.3m. There is a single detached dwelling within the development (plot 11), which is a 4 bed unit and wider and deeper than some of the other units with a ridge height of 9.6m. Houses on plots 12-15 are similar to those elsewhere in the development (i.e. plots 1-8). Houses on plots 16-18 are again similar but arranged as a short terrace and with a dropped ridge detail akin to that on the frontage plots 9 & 10. Plots 19-22 are slightly different in that they are arranged as two pairs of semi-detached houses with linking garages. The houses on plots 20 and 21 are wheelchair adaptable and are the only two houses without roof accommodation. These units are 9.3m high.
- 2.6 The proposed flats are within a single, three storey building. Owing to its flat, slightly sloped roof design the building is lower than the housing at an overall height of 9m. The flats are of brick and render and each has a balcony of some 7.5 square metres. The flats have a separate cycle store and an integral bin store.
- 2.7 The application is accompanied by a suite of supporting documents including a planning statement, design and access statement, road safety audit, habitat survey, contamination ground investigation report, noise assessment and energy reports.

3. Relevant History

3.1 There is no previous planning history of direct relevance to these proposals.

4. Consultations/Representations

4.1 The application has been advertised on site and in the local press as a major development and neighbour notification letters have also been sent to 68 local addresses. 2 letters of representation have been received objecting to the proposal on the following grounds:

- proposal is over-development of the site and out of character
- insufficient parking
- overlooking
- dangerous road junction
- loss of TPO trees
- bat survey should be undertaken
- harm to wildlife
- increase in traffic
- loss of light
- loss of privacy
- noise and smells, particularly from refuse store
- will put strain on existing utilities

4.2 English Heritage (GLAAS) advises that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken.

4.3 The Borough Crime Prevention Design Advisor has met with the applicant to discuss the proposals and confirms that crime prevention measures have been considered in the design of the proposals. On this basis no objections are raised to the development subject to conditions relating to community safety.

4.4 Environmental Health request conditions relating to land contamination, noise insulation and working hours if permission is granted.

4.5 Highways have no objections to the proposals.

4.6 Thames Water have no objections to the impact on sewerage infrastructure.

4.7 Essex & Suffolk Water advise existing apparatus not affected. Consent given on condition that a new water main is laid onto the site and connection made to the company network for each dwelling.

4.8 The Fire Brigade (Access) has advised that it is satisfied with the proposals.

4.9 Housing support the application on the basis that 100% of the units are proposed as affordable housing, exceeding policy requirements. The Council's Partnerships & Development Team have been in dialogue with

Estuary Housing Association and are supportive of the tenure choice for the site. The unit mix fits with demand in the Borough and the proposal also provides 2 fully adapted wheelchair units.

5. Relevant Policies

- 5.1 Policies CP1, CP2, CP9, CP10, CP14, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

In addition, the draft Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD and Sustainable Design and Construction SPD are material considerations.

- 5.2 Policies 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), 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) of the London Plan are material considerations.
- 5.3 The provisions of the National Planning Policy Framework are also a material consideration.

6. Staff Comments

- 6.1 The issues arising from this application are the principle of development, the density and layout of the new development and the impact of its design, scale and massing on the character and amenity of the locality, the quality of the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues, affordable housing and the impact on community infrastructure.

6.2 Principle of Development

- 6.2.1 The application site is not within a designated land use area and therefore its redevelopment for residential purposes is considered to be acceptable in

principle and to accord with Policy CP1 of the Local Development Framework (LDF).

- 6.2.2 There are no existing buildings on the site and the site is not of any particular heritage interest. A programme of archaeological investigation can be secured through condition. The proposal would contribute to the provision of housing within the Borough and therefore complies in principle with Policy CP1 of the LDF and Policies 3.3 and 3.4 of the London Plan.

6.3 Density and Site Layout

- 6.3.1 With regard to Development Control Policy DC2, this site is outside the PTAL zone identified on the proposals map and therefore is classified as 'rest of the borough' where a density range of 30-50 units per hectare applies. The application site has an area of 0.6 hectares and proposes 28 new dwellings. This equates to a development density of 46.6 units per hectare and is within the range specified in Policy DC2.

- 6.3.2 The development proposes a mix of houses and flats and provides units ranging from 2 to 4 bedrooms, with the majority of the units providing family housing. This complies in principle with the aims of Policy DC2 in respect of dwelling mix and Policy 3.8 of the London Plan relating to housing choice. Internal unit sizes comply with Policy 3.5 of the London Plan.

- 6.3.4 In respect of site layout, the application proposes an access point taken from New Road and main access road running northwards then curving round towards the western end of the site. The layout of the site is considered to provide a reasonably spacious arrangement of the dwellings, all of which have access to private amenity space, which in terms of size, layout and usability meet the guidance in the Residential Design SPD. The flats have a communal landscaped setting and each of the flats has a useable south facing balcony space of 7.5 square metres, which also accords with the Residential Design SPD.

- 6.3.5 The units to the New Road and Lambs Lane frontage of the development are set back from the site boundaries within landscaped settings. Detailed landscaping proposals have been submitted with the application. This will be considered more detail later in this report but, in principle, the position of development relative to the site boundaries and the provision of a landscaped edge to the site is considered to relate well to the character of the area. Consideration has been given to the relationship of the development with the Green Belt land to the east of the site. However, it is considered that Lambs Lane forms an effective point of transition between the Green Belt to the east and the more suburban character to the west. The proposed development, limited to two storeys high to the site frontages and the soft landscaped boundary treatment is considered to respond acceptably to this transition in character and not to harm the intrinsic open character of the nearby Green Belt.

- 6.3.6 A key issue for consideration however is the layout of the development on plots 4-8. Whilst the dwellings on either side (plots 1-3 and 9-10) face out on to Lambs Lane and New Road, those to plots 4-8 face into the site. The consequence of this is that this part of the development effectively 'turns its back' on the New Road streetscene, presenting a view of the rear elevations and rear gardens, along with boundary fencing, to the public realm. Staff have discussed this issue at length with the scheme architects, who have put forward a number of factors in support of this element of the scheme. These are, that owing to the speed of traffic using New Road, dwellings to the New Road frontage cannot have direct vehicular access to this road, meaning that parking areas need to be created within the site. If all of the houses were designed to face outwards onto New Road the parking would be at the back of the gardens. This would create a barren area within the development dominated by rear garden fences and car parking. Such an area would have limited natural surveillance making it a less desirable place to park and reducing the extent to which this area is used. The scheme architects believe this would create a more hostile environment than the scheme as designed.
- 6.3.7 The scheme architect considers that by having plots 4-8 inward facing this will create a more pleasant living environment, forming a cul-de-sac where there is street level movement and activity, creating a sense of ownership to the individual front gardens and thereby making the area less vulnerable to crime and encouraging its general upkeep.
- 6.3.8 Staff have discussed these issues in detail with the applicants and it is considered that the arguments put forward in terms of the benefits to the internal living environment of the site are persuasive. However, Staff have raised concerns about the consequent visual impact of the development as seen from New Road. In response to these concerns, comprehensive landscaping details have been submitted with the application. These proposals have been further refined with advice from the Council's tree officer and, in addition to the retention of the majority of the TPO trees, include the addition of further tree planting and a hazel hedge to the rear boundary of plots 4-8 (fronting New Road), as well as further extensive planting. The Council's tree officer has confirmed that the removal of a single TPO trees from the Lambs Lane frontage is acceptable to facilitate the development of the site and that the proposed landscaping scheme is of a sufficiently high standard to mitigate the loss of this tree, as well as to provide high quality screening of the rear fences of plots 4-8 in both the short and longer term.
- 6.3.9 The acceptability of the arrangement of plots 4-8 is a matter of judgement for Members. Staff consider there is merit to the layout proposed in terms of the functioning of the internal part of the site and are satisfied that the landscaping proposals would acceptably mitigate against the visual impact of the development on the New Road streetscene. Conditions would be required in order to ensure that the landscaping is carried out in accordance with the currently submitted details and to determine ongoing maintenance. Staff also recommend that permitted development rights for these houses

be removed, including for outbuildings, to further control the visual impact of any further development in the streetscene. On this basis Staff consider the layout of this part of the development, on balance, to be acceptable.

6.3.10 The Borough Crime Prevention Design Advisor has been consulted at pre-planning stage and it is considered that reasonable measures have been undertaken to make the development as safe as possible. It is however recommended that conditions relating to Secured by Design and other community safety measures be imposed if permission is granted.

6.3.11 The development is designed to Lifetime Homes standard and 2 of the units are designed to be adaptable to wheelchair housing standards. Accordingly the scheme is in accordance in principle with Policy DC7 of the LDF and the requirements of Policy 3.8 of the London Plan.

6.4 Design and Visual Impact

6.4.1 Architecturally, the proposed dwellings have a traditional appearance, constructed predominantly of brick with a tiled pitched roof. Visual interest is added to the buildings by way of the fenestration, which is irregularly spaced and includes a number of full height window openings. There is no predominant character to development in the locality, although built form, materials etc. tend to be of traditional appearance, such that the proposed development is considered to be appropriate to the locality. Details of materials are given in the application but it is considered that the submission of samples for approval should be required by condition.

6.4.2 In terms of scale and massing, the proposed dwellings are predominantly two storey, although they are designed with a steep roof pitch, which enables accommodation to be provided in the roofspace. Staff have no concerns with regard to the height of the development as viewed from within the site, as the development will effectively establish its own character, but judgement needs to be applied to the visual impact of the dwellings as viewed from the Lambs Lane and New Road streetscenes. The dwellings will appear tall, despite their two storey nature, owing to the steepness of the roof pitch and gable ended roofs. This is particularly so given the diminutive nature of neighbouring houses (Yuccas, Jedwinds and Woodside are bungalows; Brittany a chalet bungalow; West Hoathley and The Chimes two storey) and the position of the proposed dwellings forward of those adjacent. Survey drawings however indicate a ridge height of around 9m for the nearest dwelling to the west of the site compared to some 9.7m for the dwelling proposed on Plot 10. The proposed development would therefore represent a gradual rise in building height from west to east, which Staff consider acceptable in principle. Members may take the view that the scale, height and bulk of the development would be harmful to local character and the streetscene. However, Staff consider, given the eclectic character of the small number of houses close to the application site, that it is reasonable for this development to set its own character. In view of the two storey housing adjacent to the site, plus the industrial character of land to the rear and other relatively new flatted development nearby (e.g. Lombard Court, Arterial

Avenue), Staff consider the development need not necessarily fully reflect the height or architecture of surrounding buildings and would have an acceptable visual impact in its own right.

- 6.4.3 The development also includes a flatted block close to the northern boundary of the site (plots 23-28). This is of a different character to the housing, largely owing to its slightly sloping, flat roof design. However, it carries through elements of the housing design, such as through the use of materials (specifically the brick and window materials) and in part, mainly to the rear elevation, uses a similar pattern of fenestration. The flatted block would be set well back from streetscene owing to its location to the north of the site but would be visible in views along the access road. The scale, proportions and design of the flatted block is however considered to integrate well with the remainder of the proposed development and would not appear materially out of scale or character in the surrounding area.

6.5 Impact on Amenity

- 6.5.1 In terms of the impact on amenity, the occupiers of the residential property north of the site, Yuccas, and to the west of the site fronting New Road are those most directly affected by the proposals.
- 6.5.2 In terms of the relationship of the development with Yuccas, this is a single storey bungalow and the proposed development will be taller than this property. The closest proposed dwelling to Yuccas is on Plot 1. It sits just over 1m in from the shared boundary and is positioned forward of Yuccas. It is considered this prevents an overbearing impact or material loss of light to Yuccas. Yuccas has a flank window which would be impacted by the new house but this is a secondary window to what appears to be the lounge and the main front facing bay window to this property would not be materially affected. The rear garden of Plot 1 will run alongside the flank of Plot 1 and with 1.8m high boundary fencing proposed the relationship between these properties and consequent impact on amenity is considered acceptable. Parking in this part of the site will be set away from the shared boundary and the refuse store for the flats, referred to in representations from occupiers of the Yuccas, will be some 20m from the rear boundary of this dwelling and in an enclosed store, preventing nuisance from smell.
- 6.5.3 Towards the west of the site, the nearest property is The Chimes. This and the adjacent West Hoathley, form a two storey semi-detached pair. The proposed house on Plot 10 sits forward of the front building line of these dwellings but there is a separation distance of 5.5m flank to flank which prevents the dwelling from having an overbearing impact. The proposed dwelling on plot 10 does not project beyond the rear building line of The Chimes and there are no affected habitable room flank windows (existing first floor flank windows to The Chimes are obscure glazed). Plot 10 does have a parking space close to the shared boundary but there would be a 2m high boundary fence (1.7m closeboarded plus 300mm trellis), which would prevent any materially harmful impact.

- 6.5.4 The dwellings to the west of the site back on to the application site at varying distances and would look towards the flank walls of dwellings on plots 11, 13 and 14. However, all of the proposed houses are set in (by a minimum of 2.8m) from the southern boundary of the site and the flank to flank distance between the proposed houses and those existing is substantial, in excess of 17m at the closest point. Staff do not therefore consider the proposed new houses to be overbearing or intrusive. None of the proposed dwellings on these plots have first floor flank windows and so no direct overlooking of neighbouring properties will not result.
- 6.5.5 Development on the remainder of the site does not have a direct relationship with existing residential property. The proposed dwellings at the western end of the site (plots 14-18) are set in a minimum 8.5m from the site boundary and it is considered this would be sufficient to ensure that the ability to develop the site to the west in the future would not be prejudiced. Similarly, dwellings along the north of the site are set in 7m from the boundary, with the flats set in 6m and it is considered that this would not prevent any future redevelopment of the Imperial Trading Estate.
- 6.5.6 Staff have considered the living environment for future occupiers of the proposed development, in particular in relation to the Imperial Trading Estate. Although the estate is generally used for light industrial use, due to the age of the development there is limited planning control in terms of noise and hours of use. However, the noise assessment submitted with the application indicates that, at least at time of survey, noise from the adjacent estate is within reasonable limits and Staff are satisfied that, subject to the detailed design of the scheme to provide sound attenuation, the development would provide suitable levels of amenity for future occupiers.
- 6.5.7 Details of proposed boundary treatment have been provided with the application. The perimeter of the site has 2m high fencing (1.7m closeboarded with 300mm trellis), except for the rear of plots 4-8 which will be 2m high closeboarded fencing. Fencing between gardens will be 1.8m high timber 900mm high metal fencing is proposed around the flatted development and front gardens. Details of appearance and colour of the metal fencing are required and can be secured by condition.

6.6 Environmental Issues

- 6.6.1 The application site is located in Flood Zone 1. The site area is less than 1 hectare and a Flood Risk Assessment (FRA) has not therefore been submitted in respect of this application. The proposal is not considered to present any material flood risk issues.
- 6.6.2 A land contamination desk top and site investigation study have been carried out. A condition is recommended in respect of land contamination issues.
- 6.6.3 The site is located on New Road (A1306) and also shares a boundary with the Imperial Trading Estate. A noise assessment has been carried out and

submitted with the application. Noise surveys were carried out during the day and from 04:00 to 07:00 to ascertain noise levels and the surveys indicate that the development would fall within Noise Exposure Category C of the former PPG24 in respect of its relation to New Road and NEC B in relation to the industrial estate. These categories do not preclude residential development on the site, although the development will need to be designed to mitigate against noise impacts. Details of noise mitigation measures can be required by condition.

- 6.6.4 An energy strategy and sustainability statement have been submitted with the application. The energy strategy indicates that the development will at a minimum meet Code for Sustainable Homes Level 4. It is recommended that the aims of these statements be secured by condition but the condition will require a minimum of Code level 3 to accord with current LDF policy.
- 6.6.5 An Ecological Scoping Survey and Biodiversity Statement has been submitted with the application. A walkover of the site has been undertaken and does not indicate the presence of any rare or protected species, including the presence of bats. The report does make recommendations relating to the impact of development on nesting birds and bats and opportunities for bio-diversity enhancement. It is therefore recommended that a condition be imposed requiring the development to be carried out in accordance with the requirements and recommendations of the ecological report.
- 6.6.6 English Heritage (GLAAS) advise that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken. This will accord with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

6.7 Parking and Highway Issues

- 6.7.1 The application proposes a total of 44 parking spaces, which equates to some 1.6 spaces per unit. The site has a PTAL rating of 1 and the LDF indicates that parking should be within the ratio of 2-1.5 spaces per unit. The proposal is therefore compliant in principle with the LDF. Of the spaces within the development, the flatted accommodation (6 units) has one parking space per unit; the remaining dwellings within the development have either one or two parking spaces per unit, with all of the 4 bed units having 2 spaces each, creating the overall ratio of 1.6 spaces average per dwelling. Highways have indicated that the amount and apportioning of the parking spaces is acceptable. Staff consider the parking spaces to be acceptably laid out within the site and to be adequate to serve the proposed development. The amount of parking is considered to be consistent with Policy 6.13 of the London Plan.
- 6.7.2 Each dwelling has individual provision for cycle storage within metal cycle storage sheds to be provided in the rear garden of each dwelling. The flats have a separate enclosed cycle store, with total provision for the site of 56 cycle stores.

- 6.7.3 In terms of impact on road capacity and junctions Highways have no objections to the proposals. There is an existing pedestrian crossing on New Road adjacent to the site, which will slow traffic speeds in the vicinity of the site access and a right turn lane into the site (approaching from the east) will be marked out. The existing site access is to be upgraded and a raised table provided within the site to reduce traffic speeds. A Stage 1 Road Safety Audit has been carried out and submitted with the application. There have been some minor modifications to the road layout within the site to meet Highway requirements and the proposal is now considered to be acceptable in this respect.
- 6.7.4 Staff are aware that the local ward councillor has raised the suggestion of the provision of speed humps in Lambs Lane North to be funded through Section 106 Agreement contributions. The development includes a requirement for £6,000 per unit to be paid to cover infrastructure costs arising from the new development under the terms of the draft Planning Obligations SPD. This could, for example, be used to fund highway improvements where justified through the development. Staff have however discussed with Highway officers whether such a requirement would be justified and it is concluded that the relatively small size of the development, 28 units, combined with other highway works that are proposed in connection with the proposed improvements to the access, would not specifically justify the undertaking of such works.
- 6.7.5 Streetcare have been consulted in respect of the proposals and raise no objection to refuse collection arrangements. A condition will however be required so that details of the refuse bins for the flats, which will be located in a purpose built enclosure forming part of the building, can be agreed. No objections have been received from the Fire Brigade in terms of access.

6.8 Affordable Housing

- 6.8.1 The application provides a total of 28 units, of which it is proposed that 22 units (all 2, 3 & 4 bed houses) will be provided as affordable rented accommodation and 6 units (all 2 bed flats) will be shared ownership. The development proposed is therefore 100% affordable housing, to be developed by Estuary Homes, and would therefore accord in principle with national and local planning policies. The amount of affordable housing proposed would need to be secured through S106.
- 6.8.2 The LBH Housing service has advised that it is supportive of the proposals, which exceed the minimum 50% affordable housing required by local and national planning policies and provided an acceptable tenure mix of affordable rent and shared ownership units. Housing advise that the mix of two, three and four bed houses and flats fit well with established demand for affordable housing in Havering. The proposal includes 2 fully adapted wheelchair units, which have been the subject of discussion between the applicants and the Council's Partnerships & Development and Occupational Therapy staff.

6.9 Infrastructure

- 6.9.1 In accordance with the Draft Planning Obligations Supplementary Planning Document a financial contribution of £168,000 to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement.

7. The Mayor's Community Infrastructure Levy

- 7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 2,668m² which equates to a Mayoral CIL payment of £53,360.
- 7.2 However, as the development is entirely proposed as affordable housing, the applicants have made an application for social housing relief. The CIL will not therefore be payable providing there is no material change to the claim for relief.

8. Conclusion

- 8.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is generally considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. However, Members are invited to apply judgement to the consideration of whether the layout of the houses on plots 4-8, facing inward, is considered to be acceptable. Staff further consider the design, scale, bulk and massing of the proposed buildings to be acceptable but it is acknowledged that this is also a matter of judgement for Members. 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.
- 8.2 The proposal makes acceptable provision for affordable housing within the development and will include a requirement to meet infrastructure costs associated with the development in accordance with the draft Planning Obligations SPD. The proposal is therefore judged to be acceptable, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

The application site comprises land which has been disposed of by the Council.

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 equality and diversity. The development includes a mix of unit types and is designed to meet Lifetime Homes criteria, as well as including wheelchair units designed in consultation with the Council's Occupational Therapists. The development is for 100% affordable housing, including both affordable rent and social housing and thereby contributes to the provision of mixed and balanced communities and access to quality housing for all elements of the community.

BACKGROUND PAPERS

Application forms, plans and supporting statements received 6 July 2012 and revised plans received 13 August 2012.