



REGULATORY SERVICES COMMITTEE

25 October 2012

REPORT

Subject Heading:

P0961.12 – 89-99 New Road, Rainham.

Demolition of existing buildings and redevelopment to provide 2 and 3 storey accommodation comprising 25 no. residential units with associated car parking, landscaping, amenity space and highway works. (Application received 30 July 2012, revised plans received 4 and 9 October).

Report Author and contact details:

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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 25 units, comprising 2 houses and 23 flats. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The development provides affordable housing in line with policy requirements and accords with the draft Planning Obligations SPD. 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 committee notes that the development is liable for a Mayoral Community Infrastructure Levy contribution in accordance with London Plan Policy 8.3 and that the applicable fee based on an internal gross floor area of 1814sq.m is £36,280.

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 12 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 £138,000 to be used towards infrastructure costs in accordance with the draft Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the preparation of a 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:

100 Rev A	Location plan
101 Rev B	Existing site plan
200 Rev F	Proposed site plan
210 Rev B	Ground floor
211 Rev C	First floor
212 Rev B	Second floor
213 Rev C	Elevations
214 Rev C	Elevations
220 Rev B	Sections & roof plan
230 Rev C	3D views
250 Rev B	Ground floor tenure plan
251 Rev B	First floor tenure plan
252 Rev B	Second floor tenure plan
SK/001 Rev D	Sketch landscape layout plan

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 – No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

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

6. 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.

7. 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.

8. Boundary treatment – Prior to the commencement of the development hereby approved, details of the proposed boundary treatment shall be 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.

9. 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.

10. 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.

11. Biodiversity –The development shall be carried out in accordance with the recommendations set out in Section 4 of the Ecological Scoping Survey submitted with the application and received on 30 July 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. Archaeology – A) 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.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part A.

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the shall only take place in accordance with the detailed scheme pursuant to Written Scheme of Investigation approved under Part A. and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest are likely to survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

17. 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.

18. 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.

19. 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.

20. Site Waste Management – The development hereby approved shall be carried out in accordance with the submitted Site Waste Management Plan received on 30 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.

21. Road Traffic Noise - Prior to the commencement of work on the development hereby approved, a scheme for protecting proposed dwellings from noise from road traffic shall be submitted to, and approved in writing by the Local Planning Authority. Such scheme shall conform to the report provided by Planning Solutions (reference 11351 R1) submitted and received on 30 July 2012. The approved works shall be completed before the units hereby approved are first occupied and shall be maintained permanently thereafter.

Reason: To protect future residents against the impact of road noise in accordance with the National Planning Policy Framework and Policy DC55 of the Local Development Framework.

22. 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 within the curtilage of the two dwellings hereby permitted 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.

23. Glazing Screen to Balcony: Prior to the commencement of development details of an obscure glazed privacy screen to the eastern side of the proposed rear balcony to unit number 18 shall be submitted to and approved in writing by the Local Planning Authority. The glazed screen shall be provided before unit 18 is first occupied and retained permanently thereafter in accordance with the approved details.

Reason: In the interests of maintaining future privacy and amenity and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

24. 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.

25. 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.

26. Sightlines: The development shall provide a 2.1 metre by 2.1 metre visibility splay on either side of the proposed accesses, set back to the boundary of the public footway. There shall be no obstruction or object higher than 0.6 metres within the visibility splay.

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 9 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.
4. The development of this site is likely to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines. Archaeological monitoring of any forthcoming geotechnical (particularly test pits) would be a suitable initial method of assessing deposit survival on the site. The findings would inform the requirement for archaeological trial trenching.

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 Policy SSA12 of the LDF Site Specific Allocations Plan, 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 0.28 hectares and is located to the northern side of New Road (A1306) at its junction with Askwith Road. There are no significant changes in levels across the site. The site currently has two points of vehicular access, one from Askwith Road and one from New Road.
- 1.2 The site is presently vacant and appears to have been unused for some years. There are some derelict single storey workshop and outbuildings within the site dating back from the former commercial use of the site, which appears to have been for some form of light engineering, possibly vehicle workshops, and car sales use. The site is overgrown and has suffered from fly tipping. The site also incorporates a vacant detached two storey building, originally constructed as a dwelling but apparently later used in connection with the commercial use of the site, as well as a pair of two-storey semi-detached houses.
- 1.3 The southern boundary of the site faces on to the A1306. To the east of the site is a commercial building (Wag Bennett), which sells vehicle accessories and spares and carries out associated fitting and repair works. Further east of this is a relatively recent flatted development. West of the site, on the opposite corner of Askwith Road, is a garage/repair workshop

with commercial warehouse behind. The remainder of Askwith Road, to the north of the application site, is residential in character. Dwellings are primarily two storey but the nearest dwelling to the site, no. 2 Askwith Road, is a bungalow.

2. Description of Proposal

- 2.1 The application is for redevelopment of the site to provide a total of 25 residential units. The existing vehicular access to the site from New Road would be retained but relocated slightly further east than its present position with a further existing access closed. Existing accesses to the site from Askwith Road would be closed and a new access created further northwards.
- 2.2 The proposals involve the construction of one pair of semi-detached houses at the northern end of the site fronting on to Askwith Road. These measure 13.5m wide overall, 9m deep, 5m to eaves and 7.7m to the ridge of a hipped roof. The dwellings have private rear garden of 40sq.m. and 63sq.m. respectively and two in curtilage parking spaces each. The dwellings have a relatively traditional, bay fronted design and are indicated to be predominantly red brick with a central yellow brick section and a metal roof. Each dwelling has three bedrooms.
- 2.3 The remainder of the development is arranged within three flatted blocks, which are predominantly three storeys high. One of the blocks faces on to Askwith Road, with a second block located at the junction of Askwith Road and New Road, and the third block fronting on to New Road. The block fronting New Road steps down in height to two storeys where it adjoins the eastern site boundary. To the rear of the blocks there is a parking area providing 17 parking spaces, together with a further 4 spaces and cycle storage. In addition to a further 2 parking spaces proposed to the New Road frontage of the site, the development comprises a total of 23 parking spaces for the 23 flats proposed. At the rear of the blocks there is a communal amenity area in excess of 360 square metres and all of the upper floor units have balconies, with the ground floor units having semi-private garden areas to the front.
- 2.4 The flats are designed with a semi-modern appearance, which are distinctive by reason of a sloping roof arrangement. The roofs appear as a series of inter-connecting, shallow slopes, which fall in differing directions. Otherwise, the flats are generally of conventional design to be constructed from red and yellow brick with a metal roof detail and glazed balconies. There are 6 no. 3 bed flats, 6 no. 2 bed flats and 11 no. 1 bed flats.
- 2.5 The development proposes 12 of the units as affordable housing, which equates to 48% of the units. These would comprise the two, three bed houses and 10 flats (3 no. 1 bed, 1 no. 2 bed and 6 no. 3 bed), which are proposed to be offered as a mix of social/affordable rent and intermediate units at a ratio of 60:40, with the remaining 13 flats being for private sale.

- 2.6 The application is accompanied by a suite of supporting documents including a planning statement, design and access statement, right of light and sunlight/daylight study, ecological reports, archaeological report, contamination ground investigation report, site waste management plan, noise assessment and energy reports.

3. Relevant History

- 3.1 The following planning history is considered relevant:

P1263.01 (93-97 New Road) 25 residential units – withdrawn.

P1915.01 (91-97 New Road) Redevelopment of site to provide 2, 3 and 4 storey buildings containing 36 dwellings with associated car parking and amenity space (outline) – refused. Appeal dismissed.

P1468.02 (91-97 New Road) Redevelopment of site to provide 2 & 3 storey buildings containing 21 dwellings and associated car parking (outline) – refused. Appeal withdrawn.

P1342.03 (89-97 New Road) Erection of 24 flats and associated car parking and amenity space (outline) – refused. Appeal dismissed.

P0135.06 (91-95 New Road) Change of use to provide residential accommodation for 23 dwellings - refused.

P2175.06 (89-95 New Road & garden r/o 97 New Road) Change of use to provide residential accommodation for 21 dwellings – refused. Appeal dismissed.

U0012.06 (91-95 New Road and garden r/o 97 New Road) Change of use to provide residential accommodation for 21 dwellings – withdrawn.

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 been sent to 43 local addresses. The applicants have also undertaken a community consultation event, held at the Orchard Estate community centre, prior to submission of this application. Further neighbour notification has been carried out following the receipt of revised plans. At the time of writing this report the consultation period had not yet expired but will have done by the time this report is considered by Members. At this time one letter of representation has been received, details of which are given below. Any further representations received will be reported verbally to the committee.
- 4.2 There letter of representation received acknowledges the site needs redeveloping but is concerned at the number of crossovers proposed and possible increase in on street parking, which would affect lorries getting in

and out of nearby yard. Concern is particularly raised during the construction phase and yellow lines are suggested in Askwith Road and only allowing construction traffic to access from New Road.

- 4.3 The Borough Crime Prevention Design Advisor has requested revisions relating to access arrangements, including the location of the gate and bin stores. Following the receipt of revised plans these issues have been dealt with to satisfaction and 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. It is acknowledged that parking provision is consistent with Policy SSA12.
- 4.6 Thames Water have not raised any objections but advise that they should be contacted if the development falls within 3m of pipes connecting to a public sewer and the developer should contact Thames Water in respect of surface water drainage proposals.
- 4.7 Essex & Suffolk Water advise apparatus does not appear to be affected by the development and consent to development provided a new water connection is made on to company network for each new dwelling.
- 4.8 The Fire Brigade (Access) has advised that access should comply with Section 11 of ADB volume 1 for the dwelling houses and 16.3 of ADB volume 2 for the flats. If this cannot be met then a dry rising main is to be provided and access to meet 16.6.
- 4.9 English Heritage (GLAAS) advise there may be remains of archaeological significance on the site and recommend a condition in respect of archaeological investigation if permission is granted.
- 4.10 Housing have indicated that they are supportive in principle of the proposals. The amount of affordable housing provided is just under 50% but is acceptable given the odd number of units proposed and the nature of the accommodation being offered as affordable, including the proposed 2 no. dwelling houses within the development.

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.

Policy SSA12 of the Site Specific Allocations Development Plan Document is a material consideration, as are 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.

- 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 within a part of Rainham that falls under the provisions of Policy SSA12 (Rainham West) of the Site Specific Allocations DPD. Policy SSA12 states that on the north side of the A1306 comprehensive residential redevelopment perpendicular to the A1306 will be encouraged. The proposed development is for residential development and incorporates a number of individual sites along the New Road frontage, such that the proposal is considered to comply, in principle, with the objectives of Policy SSA12. The proposed residential use of the site would also accord with Policy CP1 of the Local Development Framework (LDF) and would be compliant with Policies 3.3 and 3.4 of the London Plan.
- 6.2.2 The buildings to be removed from the site are not of any significant architectural or historical interest and there is no objection in principle to their demolition.

6.3 Density and Site Layout

- 6.3.1 The site is subject to the provisions of Policy SSA1, which sets the density range for development in this part of the Borough, of between 30 and 150 units per hectare. The application site has an area of 0.28 hectares and proposes 25 new dwellings. This equates to a development density of 89.3 units per hectare and is within the range specified in Policy SSA12. The density is also similar to a recent development approved and built at 105-109 New Road.
- 6.3.2 The development proposed is primarily flatted, although it also incorporates a pair of semi-detached houses. Policy SSA12 seeks a mixed development of houses and flats. It is considered that the approach taken for this development, with flatted development fronting New Road and at the site junction, reducing down to two storey housing where the site adjoins existing residential housing in Askwith Road is appropriate in this location. The development proposes a mix of one, two and three bed units, with eight of the 25 units providing three bedroom accommodation. Despite the predominance of flatted units within the scheme, it is considered that the accommodation provided 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. The majority of the units exceed the internal space standards set out in Policy 3.5 of the London Plan. Some of the one bed flats (units 4, 9, 12, 17, 20 and 25) at 49 square metres each are marginally below the 50 square metre requirement set out in the London Plan but not significantly far below to make them unacceptable.
- 6.3.3 In respect of site layout, the application proposes three flatted blocks within the development incorporating a corner block (block 2), flanked by a block facing Askwith Road (block 1) and a block facing onto New Road (block 3). The arrangement of the blocks within the site is considered to be acceptable in principle. To the north of block 1 is the principal access into the site from Askwith Road, beyond which are the pair of semi-detached houses. The vehicular access is gated for security and provides access to the rear part of the site, where there is the main parking area, cycle store and communal amenity space. The layout of the site is considered to provide a reasonably spacious arrangement, with access to a communal amenity area of just under 400 square metres. All of the upper floor flats have balconies, the majority of which are south or west facing, and a number of the units benefit from two balconies (both front and rear). The proposals have been revised to enlarge the depth of some of the balconies so they meet with the 1.5m minimum depth criteria set out in the Residential Design SPD. Staff are satisfied with the size of the balconies proposed. Each of the semi-detached dwellings has private rear garden. The areas are relatively small, at 40 sq.m. and 63 sq.m, although increased from that originally proposed. The Residential Design SPD does not set a minimum size for amenity space and the spaces provided are private and laid out in a useable configuration, such that they would provide a reasonably useable outdoor amenity area.

6.3.4 In considering the layout of the development, key issues for Staff have been how the development relates to the wider streetscene and issues of community safety. Staff have particularly considered issues such as how the layout of the parking areas works, boundary treatment, private amenity areas for the ground floor flats and how to provide safe, secure access to the blocks. Staff have therefore sought a number of revisions to the originally submitted proposals in respect of the following;

- to bring block 3 further forward in the streetscene
- improving the boundary treatment to the New Road and Askwith Road frontages of the development
- providing better defined, individual (rather than shared) front gardens for the pair of dwellings
- relocating bin stores and meter cupboards within the development and providing safer means of pedestrian access
- enhancing landscaping proposals to the site frontage
- providing much more clearly defined front doors and entrances to the development from the street.
- introducing direct access to the units from the street where possible.
- including a children's play area
- rearranging internal layouts so that habitable rooms benefit from the balconies.

6.3.5 Staff consider these changes have substantially improved the proposed layout of the site. Visually they create more traditional street frontages, with front entrance doors, low level boundary treatment and landscaped 'front gardens'. This is more in keeping with local character, visually more attractive and provides a safer living environment in accordance with the objectives of Secured by Design. The amenity for future occupiers is also improved with larger balconies, better relationship between internal and external living space and much more private ground floor garden areas. A children's play area will be included within the development, although specific details of this will be required by condition as the details shown on the submitted landscape drawing are not considered sufficient.

6.3.6 The Borough Crime Prevention Design Advisor has been consulted at pre-planning stage and has also been involved with discussions relating to the proposed revisions to the scheme. Following the amendments to the proposals, it is now 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.

6.3.7 The development is designed to Lifetime Homes standards and 3 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 At the northern end of the site, facing on to Askwith Road, the development proposes a pair of two storey houses. The scale, design and character of this pair of dwellings and position relative to the road frontage, is considered to be acceptable in the streetscene and in character with local development. Although taller than the neighbouring property, no. 2 Askwith Road, which is a bungalow, the proposed houses are generally consistent with the predominant two storey housing within the Askwith Road streetscene. The choice of materials, in particular the metal standing seam roof will need careful consideration but is not necessarily harmful to local character. The front gardens of the dwellings have been re-designed so that each dwelling has its own landscaped front garden and two parking spaces. This appears in keeping with the character of Askwith Road.
- 6.4.2 In terms of scale and massing, the proposed blocks are predominantly three storeys high, although they do reduce to two storeys at the eastern boundary of the site. Three storey development is acceptable in principle in this location and accords with Policy SSA12. It is also in keeping with other development permitted nearby at 105-109 New Road and judged acceptable in the streetscene. The flatted blocks are set back from the boundaries of the site within a landscaped setting. This is one of the elements which differentiates the current scheme from much earlier refused development proposals and is considered to give the development a softer edge, which is more characteristic with the residential character of surrounding roads and mitigates the impact of the height and mass of the blocks.
- 6.4.3 The proposed flats are of a semi-modern appearance. They are to be built of red and buff coloured brick with a metal roof and glass balconies. Staff consider the overall combination of materials is acceptable although samples should be required by condition to ensure the brick blend and colour of roofing selected is compatible with the locality. The blocks have a good use of articulation and the mono-pitched roof design is considered to provide the buildings with strong visual interest, whilst ensuring that the height and bulk of the development is not excessive.
- 6.4.4 A drawback of the design is that the flatted development relies on pedestrian access from the rear rather than the front of the blocks. In order to address this issue in terms of the design of the block a number of the ground floor units now benefit from dual access and the creation of semi-private front gardens with individual gated access onto Askwith Road and New Road. It is considered that this strengthens the ground floor elevations of the development, giving it an improved presence within the public realm and also increasing natural surveillance, thereby improving the security of the units. Whilst the provision of the principal access at the rear of the block is maintained, it is considered that the design and access measures now incorporated into the building frontage result in an acceptable form of development. Particular care will however have to be taken with the quality

of the boundary treatment and the landscaping of the semi-private gardens and it is recommended that further details of this be required by condition.

- 6.4.3 The internal facing elevations are considered to be acceptable. Whilst they do not have a strong degree of articulation, particularly the east facing elevations, interest is provided by a mix of brick colours and the internal facing balconies, as well as the full height glazing to the main stair core of blocks 1 and 2.

6.5 Impact on Amenity

- 6.5.1 In terms of the impact on amenity, the occupiers of the residential property to the immediate north of the site, 2 Askwith Road, are most directly affected by the proposals.
- 6.5.2 No. 2 Askwith Road is a bungalow, which is set in approximately 3m from the northern boundary of the application site. The bungalow has previously been extended to the rear by the addition of a single storey extension. The nearest part of the proposed development to this dwelling would be the pair of semi-detached houses. Block 1 is some 25m from the shared boundary and block 3 some 38m away, such that the flatted elements of the development are not considered to have any material impact on no.2 Askwith Road.
- 6.5.3 The pair of houses within the development are positioned perpendicular to the flank wall of no.2 Askwith Road. The footprint of the building does not project significantly beyond the rear of this dwelling. The houses are set in approximately 1.5m from the shared boundary and given the flank to flank separation distance of some 5m minimum the proposed dwellings would not have an overbearing impact on the neighbouring property or rear garden environment. There are no flank windows proposed to the north facing elevation of the new dwellings such that no direct overlooking of the neighbouring property would occur.
- 6.5.4 No. 2 Askwith Road has one window in the south facing elevation. A daylight/sunlight study, and a right of light report, have been submitted with this application. Staff have also visited the property at no.2 Askwith Road. The flank window serves a study area, although this is actually part of an open plan living room, which also benefits from glazed patio doors to the rear. The submitted report concludes that the window would continue to receive acceptable levels of daylight and sunlight and the proposed development would not result in unacceptable levels of overshadowing to the neighbouring property. Although the Council's planning policies do not specifically refer to the Building Research Establishment guidelines, which have been used for this study, they are an acknowledged industry standard and Staff therefore expect the conclusions of the report to be sound. Staff therefore consider sufficient work has been undertaken by the developer to demonstrate that the development would not be materially harmful to the amenity of the adjoining occupier and are satisfied that loss of light does not constitute material grounds to refuse the application. Windows to the front

and rear of the dwelling would not be materially affected owing to the position of the proposed building relative to these windows.

6.5.5 The layout of the proposed development places the main parking area in the north-eastern corner of the site, where it will be adjacent to the boundary with no. 2 Askwith Road. However, the parking is set off the boundary by 1m, enabling a buffer to be provided and a 1.8m high brick wall with trellis over is proposed along the party boundary. It is considered that these measures would prevent material harm to the amenity of the adjoining occupier through noise and disturbance and vehicle fumes.

6.5.6 To the east of the site is the Wag Bennett garage, which is in commercial use as a vehicle accessories and parts store with associated workshops. It is considered that these premises would not be materially affected by the development although Staff have considered whether the proposals could prejudice the opportunity to build on this site in the future. It is concluded that the limited projection of block 3 into the site and the distance of the rear of block 1, some 29m from the eastern site boundary would not preclude any future redevelopment of the Wag Bennett site. Furthermore, there are no flank windows to block 3 facing towards the site, which would be harmed by future development on the neighbouring site. There is a proposed first floor rear balcony proposed to unit 18 and it is recommended that a side glazing screen be added to the east facing flank of the balcony, details and provision to be secured through condition.

6.5.7 The site to the west of the development on the opposite corner of Askwith Road is in commercial use and would not be materially affected by the proposed development. Development on the south side of the A1306 is well separated from the development and in commercial use and not materially affected by the proposed development.

6.5.8 Staff have considered the living environment for future occupiers of the proposed development, in particular in relation to the road traffic noise on the A1306 and from the adjacent commercial premises. A noise assessment has been carried out and submitted with the application indicating that the development falls within Noise Exposure Category C, where development should only be approved subject to satisfactory mitigation measures. Environmental Health have raised no objection to the proposal in this respect subject to noise related conditions.

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 commercial premises. As referred to earlier in this report, a noise assessment has been carried out and submitted with the application and indicate that the development would fall within Noise Exposure Category C of the former PPG24. This category does 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 3, with the Energy element meeting code level 4. This is compliant with current LDF policy and the London Plan and It is recommended that the aims of these statements be secured by condition.
- 6.6.5 An Ecological Scoping Survey and bat survey have 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. However, there is potential for the site to support roosting bats due to the presence of existing buildings that provide habitat potential. There is also giant hogweed, which is an invasive plant species, growing on site. The report makes 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 27 parking spaces. This is arranged as one parking space per flat and two parking spaces for each of the semi-detached houses. The site is subject to the provisions of Policy SSA12, which gives a parking requirement of 1-1.5 spaces per unit. The proposed development is therefore in accordance with this policy and the amount of parking proposed does not constitute material grounds for refusal. The amount of parking is considered to be consistent with Policy 6.13 of the London Plan.

- 6.7.2 The development makes provision for cycle storage within a secure building in the grounds of the development. Cycle storage to meet the requirements of Annex 5 of the LDF can be secured by condition.
- 6.7.3 In terms of impact on road capacity and junctions Highways have no objections to the proposals. Highways have indicated they have no objection to the retention of the access from New Road. An adequate visibility splay is required and can be secured through condition. No objection to the proposals has been received from the Fire Brigade.
- 6.7.4 The proposal makes provision for refuse stores to serve the flats. Full details of the refuse storage and collection arrangements will be required through condition.
- 6.7.5 Parking and access for construction traffic is not a material ground on which to refuse planning permission. A condition is however recommended requiring details of the construction methodology to be submitted.

6.8 Affordable Housing

- 6.8.1 The application provides a total of 25 units, of which it is proposed that 12 units will be affordable housing, which equates to 48% of the units. These would comprise the two, three bed houses and 10 flats (3 no. 1 bed, 1 no. 2 bed and 6 no. 3 bed). It is proposed that the affordable units would be provided as a mix of social/affordable rent and intermediate units at a ratio of 60:40, with the remaining 13 flats being for private sale. This mix is the preferred approach of the Council's Housing Service and it is considered that this would accord in principle with national and local planning policies. The amount of affordable housing proposed would need to be secured through S106 Legal Agreement.

6.9 Infrastructure

- 6.9.1 In accordance with the Draft Planning Obligations Supplementary Planning Document a financial contribution of £138,000 to be used towards infrastructure costs arising from the new development is required. This is calculated on the net increase of 23 dwellings on the site (25 units less the 2 existing houses to be demolished). The contribution should be secured through a S106 Legal 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 development proposes a gross internal new build floorspace (GIA) of 2010 square metres but the development includes the demolition of a pair of semi-detached houses, which have a GIA of floor space of 200 square

metres. As these have been in use for at least six months of the part year, the GIA of the buildings to be demolished can be subtracted from the chargeable area. The CIL liable GIA of the development is therefore 1814 square metres (2010 sq.m. minus 196 sq.m.), which equates to a Mayoral CIL payment of £36,280.

- 7.2 However, as the development includes an element of affordable housing it is possible for the applicants to make an application for social housing relief. This will need to be calculated when/if an application for CIL relief is submitted.

8. Conclusion

- 8.1 The proposed residential development on the site is acceptable in principle and accords in principle with Policy SSA12. 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. Staff further consider the design, scale, bulk and massing of the proposed buildings to be acceptable and to be appropriate in the streetscene. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for 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 Section 106 Legal Agreement and conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None specifically arising from this development

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 and policies relating to wheelchair accessible housing. The development makes provision for affordable housing, which includes larger units and houses, 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 30 July 2012 and revised plans received 4 and 9 October 2012.