



Havering
LONDON BOROUGH

**Strategic Planning
Committee
7 October 2021**

Application Reference:	P0755.21
Location:	NEW CITY COLLEGE, ARDLEIGH GREEN CAMPUS, LAND OFF NELMES WAY
Ward	GOOSHAYS
Description:	ERECTION OF 2/3 STOREY 87 BEDROOM AND SUITES CARE HOME FOR THE FRAIL ELDERLY (CLASS C2 USE) WITH ANCILLARY AND COMMUNAL ACCOMMODATION, TOGETHER WITH ASSOCIATED LANDSCAPING, ACCESS ARRANGEMENTS, CAR AND CYCLE PARKING, SERVICING, REFUSE AND RECYCLING.
Case Officer:	RAPHAEL ADENEGAN
Reason for Report to Committee:	<ul style="list-style-type: none">• Call-in application by ward councillor.• The application is of strategic importance and therefore must be reported to the Committee.

1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 1.1 The application which seeks the construction of an 87 bed care home is being brought forward in order to facilitate the New City College's future Masterplan proposals. The application would not be detrimental to the character and appearance of the street-scene.
- 1.2 The site is not within the Metropolitan Green Belt and as matter of judgement there is no in principle objection to the land being brought forward for redevelopment to provide this type of residential home in lieu of the loss of parking spaces, which is to be provided on another part of the college site, and to which planning permission has been granted. A further part of the car park will be released for residential

development which will provide three self-build plots. This is the subject of a separate planning application submitted by New City College.

- 1.3 The decision to grant planning permission has been taken having regard to the National Planning Policy Framework (2019), the policies of The London Plan (2021), Havering's Core Strategy and Development Control Policies Development Plan Document (2008) the emerging Local Plan, as well as to all relevant material considerations including the responses to consultation.

2 RECOMMENDATION

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

1. agree the reasons for approval as set out in this report, and
2. delegate authority to the Assistant Director Planning in consultation with the Director of Legal Services for the issue of the planning permission subject to minor amendments to the conditions or the legal agreement and the prior completion of the Section 106 Agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) and all other enabling powers on Heads of Terms covering the following matters:

i. Carbon Offset

Provision of actual carbon emissions and payment of any additional contribution if the on-site carbon reductions stated in the strategy are not achieved - carbon offsetting payment in accordance with Policy SI 2 of the London Plan: Contribution of £217,432 towards carbon reduction programmes within the Borough, duly Indexed.

ii. Highways Works

Contribution towards s278 Highway works.

iii. Legal Costs, Administration and Monitoring

A financial contribution (to be agreed) to be paid by the developer to the Council to reimburse the Council's legal costs associated with the preparation of the planning obligation (irrespective of whether the planning agreement is completed) and a further financial obligation (to be agreed) to be paid to reimburse the Council's administrative costs associated with monitoring compliance with the obligation terms.

- 2.2 That the Assistant Director Planning is delegated authority to negotiate the legal agreement indicated above and that if not completed by the 31st December 2021 the Assistant Director of Planning is delegated authority to refuse planning permission or extend the timeframe to grant approval.
- 2.3 That the Assistant Director Planning is delegated authority to issue the planning permission and impose conditions [and informatives] to secure the following matters:

Conditions

1. Time Limit

2. In Accordance With Approved Drawings
3. Material Samples
4. Landscaping
5. Landscape Management Plan (Including biodiversity benefits of the scheme)
6. Secured by Design
7. Wheelchair Adaptable Dwellings
8. Window and Balcony Details
9. Photovoltaic Panels
10. Boundary Treatments
11. Water Efficiency
12. Energy Statement Compliance
13. External Lighting Scheme
14. Noise Protection
15. Air Quality
16. Contaminated Land
17. Surface Water Drainage
18. Sustainable Drainage Systems (SUDs)
19. Maximum 105 litres of water per person per day
20. Car Parking Plan
21. Disabled Parking Plan
22. Electrical Charging Points
23. Vehicle Access Prior to Occupation
24. Cycle Storage
25. Travel Plan
26. Demolition, Construction Management and Logistics Plan
27. Construction Hours (8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.)
28. Highway Works
29. Wheel Washing
30. Visibility Splays
31. Fire Brigade Access
32. Detail of Fire Hydrants
33. Refuse and Recycling
34. Site Levels
35. Construction Ecological Management Plan (Updated)

Informatives

1. Highway approval required
2. Secure by design
3. Street naming and numbering
4. Community Infrastructure Levy (CIL).
5. NPPF positive and proactive

3 SITE AND SURROUNDINGS

- 3.1 The application site is located within the Squirrels Health Ward. The overall site, including the college, is bounded by Nelmes Way and Ardleigh Green Road. Entrance into the site is primarily via Ardleigh Green Road. The application site comprises approximately 0.8 hectares.

- 3.2 The Site has historically been used as a car park (206 spaces) associated with the New City College, Havering Campus. The car park is due to be re-provided on an alternative part of the college campus. A separate planning permission (P0285.21) has been granted for this.
- 3.3 There is a large landscaped green space in front of the College on Ardleigh Green Road and a second large green open space between the parking and eastern boundary with a large bank of earth running its length. Ardleigh House Community Association and green open space sits adjacent to the application site. There is a Tree Protection Order covering the open space.
- 3.4 There is an existing unused site access off Nelmes Way, which will be opened up and utilised to serve the new Care Home. The existing access consists of a 6.2m wide dropped kerb crossover arrangement, located 90m west of the Garland Way junction at the south west corner of the development site.
- 3.5 The area around the site is predominantly residential in character with a predominance of detached and semi-detached houses and a small number of commercial units towards the station.
- 3.6 The site does not fall within a conservation area and there are no listed buildings on site. The site is also identified as falling within a possible contaminated land and landfill. The site falls within Flood Zone 1. The properties on the south side of Nelmes Way opposite the site fall within the Emerson Park Policy Area.
- 3.7 The application site also has a PTAL rating of between 1(Worst) and 2(Poor).

4 PROPOSAL

- 4.1 The applicant seeks planning permission for the construction of a new 3-storey care home (C2 use class) which will provide circa. 87 care suites, including 24 dementia suites with associated parking, refuse area, electricity substation and landscaping.
- 4.2 The new care home will have communal facilities including: a village hall, garden room, café, restaurant, bistro; family room, lounge/activity/hobby rooms, cinema room and salon/therapy rooms.
- 4.3 The proposed building would be set centrally within the site and would have an H-shaped footprint (approximately 2,274sq.m) of mainly three-storeys in height; creating a landscape entrance forecourt and parking area to the south facing Nelmes Way and courtyards to the east and west. The proposed access to the development will be from the existing access off Nelmes Way. Communal garden areas surround much of the building's footprint with reinforced boundary planting proposed. The building will have a pitched roof which varies in height from approximately 10.3m to 13.7m. A total of 46 car parking spaces are proposed for employees and visitors.
- 4.4 A 16.5sq.m electricity substation is proposed to the southwest end of site close to the access. A refuse storage building is proposed close to the southern boundary in the front courtyard in the parking area. Cycle storage are located to the side and front area of the site.

5 PLANNING HISTORY

5.1 The following planning decisions are relevant to the application:

P0285.21 – Revised access arrangements, relocated car parking, new cycle parking involving demolition of P Block and associated landscaping.
Approved. Decision notice to be issued

P0762.21 - Outline application for the erection of 3 detached houses with garages and access.
Awaiting Decision

P0196.15 – Erection of a part two, part three storey 'Construction and Infrastructure Skills and Innovation Centre' with covered pedestrian link, external alterations to the existing building and alterations to the existing servicing arrangements and car parking provision along with associated landscaping and a cycle/pedestrian path.
Refused 27/07/17

P0642.13 – Single storey temporary building for education (class D1) use.
Approved 23/07/13

P0913.12 Extension of Time Limit on application P0683.09-Demolition of up to 6,550sqm of existing floorspace and the re-development of 9,450sqm new educational floor space (Class D1) together with associated landscaping and access – Outline
Approved 05-10-2012

P0752.11 - Extension of time to P1047.08 - for the provision of a basketball court, artificial 5- a-side football pitch with perimeter fencing and erection of acoustic boundary fence.
Approved 14-07-2011

P0683.09 - Demolition of up to 6,550sqm of existing floorspace and the re-development of 9,450sqm new educational floor space (Class D1) together with associated landscaping and access – Outline.
Approved 14-08-2009

Pre-Application Discussion

Prior to the submission of this planning application, the applicant has engaged with LBH planning and design officers over the last 24 months. Officers agree that the site comprises previously developed land and the principle of a residential care home development is acceptable subject to the application submission demonstrating that massing, height layout, access and landscaping are acceptable. In respect of the design of the proposals, the scheme has also been subject to post submission discussions with Officers as well as a QRP Chair Review. Officers expressed throughout the pre-application process that the quantum of development, layout arrangement will carry significant weight in the determination of an acceptable proposal.

The design has evolved in order to maintain the level of greenery at the front of the site and create a more suburban form of development to reflect the surrounding

character of Emerson Park. This matter is discussed in the Principle section of the report.

Summary of QRP Comments and Response from Applicant

QRP Comment	Officer Remark
<p>Response to Context: The panel feels that further thought needs to be given to how the scheme relates to the streetscape of Nelmes Way. The character of this relationship, in terms of openness, the tree line and the quality of the forecourt, is not yet clear.</p>	<p>The predominantly tree-lined and vegetative boundary along Nelmes Way are to be retained. Semi-mature new trees are to be planted in place of the trees to be removed. The overall tree-lined character will be preserved. The nature of the arrival court and the architectural treatment of the street façade has been improved, and now helps create a more clearly defined link with the streetscene.</p>
<p>Drawing on the suburban character of Nelmes Way, and in particular the green verge along the street, would help to create a successful relationship here.</p>	
<p>Architectural approach: The panel feels that referencing the Arts and Crafts language of Ardleigh House is a good starting point in developing the scheme's architectural approach, but it encourages the design team to also draw on the local suburban character.</p>	<p>The revised design creates a good blend of local suburban character influenced by the precedent of Ardleigh House.</p>
<p>The initial thoughts on the three blocks, each with a distinct identity, are interesting, but the panel would like to see the design team develop the building as a single composition, using bay windows and projecting elements drawn from Arts and Crafts precedents, to manage the articulation of the building's façade.</p>	<p>The Nelmes Way elevation has been revised to give the appearance of a single, well-articulated building rather than 3 linked buildings. There is now a consistency of materials but with variety in terms of articulation, eaves and ridge levels. Landscaping has been enhanced across the scheme and now reads as part of the building character.</p>
<p>Attention should be focused on the primary entrance – the secondary, service entrance could be masked from the street by trees – signalling arrival within the building's communal spaces.</p>	<p>The delivery entrance and turning head have been pulled further back from Nelmes Way and more space has been created for planting along the boundary to screen views of this end of the building.</p>
<p>Internal arrangement and quality of accommodation: The internal layout creates long corridors which can create difficulties with wayfinding and recognition, and the panel encourages the design team to develop more generous, differentiated spaces, and to ensure that entrances are distinct.</p>	<p>The care suites are generously sized compared to most UK care homes, with Studios of 25sqm and 1-Bed Suites of 40sqm. These enjoy high levels of natural daylight and natural ventilation. Communal areas are also spacious and well-lit. Throughout the home residents enjoy a high quality environment with lots of natural daylight throughout the day.</p>
<p>The panel notes that initial thought has been given to providing facilities for entertaining the children of visiting friends and relatives,</p>	

and it would like to see thinking on this developed.	Landscape proposals have been rationalised to accommodate this. It has been designed with activity areas, a sensory garden and familiar garden ornaments and features. A generous balcony terrace is provided at first floor level directly accessed from the first floor communal space.
Layout, landscape and public realm: The panel feels that the two orientations of amenity space, each with different identities, is a strength of the scheme. Microclimate analyses of the amenity spaces should guide the refinement of their design.	
In particular, this arrangement is likely to be beneficial to residents with dementia and the panel would welcome further differentiation of the spaces and greater attention to dementia-friendly layout and design. For example, circular routes around the spaces, and between them, would be helpful here.	
The panel questions the quality of the forecourt and feels that the pedestrian experience of arrival, which is routed around and through a car park and cycle racks, is likely to be unsatisfactory. The forecourt should be reconsidered to address this.	A new pedestrian access from Nelmes Way, leading directly to the main entrance, with a gateway in the boundary wall is now incorporated in the scheme. This will provide a better arrival experience through a small garden area and reduce the potential for conflict created by a single access point into the site and sets up a framed view of the entrance from the street.
The panel notes that the scheme has a high number of car parking spaces. If these are genuinely necessary then the area could be broken up, with different surfaces and planting, to integrate it into the landscape.	A case for the level of parking provision has been made and officers are satisfied with the location of the parking areas and proposed landscaping to mitigate any potential visual impact in the streetscene.

Following previous Pre-App and QRP comments, the design team attended a post submission meeting with Council urban design officers to address previous concerns raised. Through this process the design team made updates to improve the quality of the scheme. Urban design officers are satisfied that these updates have created a scheme of acceptable quality that integrates appropriately within the surrounding context

Summary of SPC Comments and Response from Applicant

SPC Comment	Officer Remark
Parking: The need to have a full justification for the parking levels proposed.	A detailed Transport Statement has been submitted as part of planning application which justifies the level of parking being proposed
Landscape: The need to have full details about the level of landscaping to be provided including species and size and details of root protection for existing trees that are going to be retained.	A detailed Landscape Masterplan has been submitted as part of the planning application. This includes specification of tree and hedge species and sizes for the public-facing areas, other areas being dealt with by condition. A detailed Tree Report has been submitted as part of the planning

	application which includes details of root protection for existing trees being retained.
Sustainability: A wish to see a building with strong green/carbon credential	An Energy Statement has been submitted with the application and found to be compliant with relevant policies. Compliance is to be secured through s106 and condition which is recommended.

Community and Stakeholder Engagement

A Statement of Community Involvement (SCI) accompanies the application and this document explains the programme of public consultation and community engagement carried out prior to the submission of the application. As part of its programme of community engagement, the applicant has initiated a number of public consultation exercises including leaflets distribution, video and phone calls, public consultation (exhibition) event during the day and evening, engaging with Local Councillors to invite to a preview of the public consultation, writing to local groups, consultation website where all of the exhibition materials could be viewed, questions asked and comments submitted, as well as undertaking one Strategic Planning Committee Developer Presentation.

The applicant's response to the issues raised in the course of the public engagement contained in the SCI is as follows:

Environment:

- The applicant takes great care of the long-term management of their facilities so there will be no littering or other anti-social behaviour issues from a new care home here. The site is staffed 24/7 and a General Manager is appointed well in advance of any of the applicant's sites opening to ensure they are and continue to be well managed.
- In terms of the wider environment, as many existing trees on the site that can be retained will be, and more trees will be planted to replace any that are lost. Furthermore, new trees will be semi-mature so that new residents can enjoy them from the first day the care home opens.

Traffic:

- Compared to alternative uses for this site, such as C3 residential, care homes are low generator of traffic movements. As such, there will only a limited uptick in traffic using Nelmes Way to access this care home. Importantly, shift patterns will be staggered to avoid the morning and evening 'rush hour', and many staff members will access the site by public transport, walking or cycling.

Parking:

- Our proposals match the parking standards the Council has set down for a care home. We therefore believe that all staff and visitor car parking can be accommodated in the car parking spaces we are proposing.

GP Practice:

- Many people who move into Signature Senior Lifestyle care homes do so from locations within the immediate local area and are already on local GP Practice lists. Furthermore, Signature ensure that GPs visit the care home frequently to address the medical needs of a range of residents at one time, meaning GPs time is used as efficiently as possible. Also, with a range of other medical staff employed at the care home itself, the need for GP time is often reduced when compared to if the resident remained in their existing home.

Staff and Jobs:

- The proposed care home will create between 100 and 120 full and part time posts, and Signature Senior Lifestyle's aim with all new care homes is to employ people who already live locally. Indeed, they are also looking to link with New City College's social care students and create clear pathway for those who are interested from their studies into this care home.

6 CONSULTATION RESPONSE

6.1 Statutory and Non Statutory Consultation

6.2 A summary of the consultation responses received along with the Officer comments

LBH Highways – The developer must enter into S278 agreement with the local council due to proposed new entrance, egress. The property must not be occupied until S278 has been agreed with London Borough of Havering (LBH) design standard.

Overall, no objections relating to the development.

Officer comment: Noted and appropriate condition and informatives suggested.

LBH Environment Health – (Noise) No objection on noise grounds subject to further noise conditions including a pre-commencement condition.

LBH Environment Health – (Contamination) The submitted Geoenvironmental Ground Investigation identified some localised elevated contaminant levels. No fundamental objection is raised subject to pre-commencement conditions.

LBH Environment Health – (Air Quality) The development is located within a designated Air Quality Management Area (AQMA) due to high concentration of nitrogen dioxide and particulate matter. Based on the submitted Air Quality Assessment, no objection to the proposal subject to pre-commencement condition.

Officer comment: Noted and appropriate condition and informatives suggested.

LBH Ecology Consultant – We have reviewed the Preliminary Ground Level Bat Roost Assessment of Trees (Middlemarch Environmental, August 2021) relating to the likely impacts of development on designated sites, protected species and Priority species / habitats.

We are satisfied that there is sufficient ecological information available for determination. No objection subject to securing biodiversity mitigation and enhancement measures through imposition of applicable condition(S)

LBH Landscaping Consultant –The Urban Green Factor should be revised to achieve the 0.4 score from its current 0.38 in line with any design progression and is included with any further landscape related submissions . A prior to commencement of development: Landscape Scheme condition is recommended

Officer comment: Noted and appropriate condition and informatives suggested

London Fire Brigade – Following the submission of additional information, we no longer have any fundamental objection to the scheme.

Officer comment: Noted and appropriate condition and informative suggested.

Thames Water – (Foul Water and Surface Water) no objection to the application based on the information provided. However, approval should be sought from the Lead Local Flood Authority.

Anglian Water – It falls outside of our statutory sewage boundary – we have no comment.

Essex & Suffolk Water – No objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection for the new dwellings is made onto our Company network for the revenue purpose.

Designing Out Crime Officer – No fundamental objection subject to conditions.

Officer comment: Noted and appropriate condition and informatives suggested.

8 LOCAL REPRESENTATION

8.1 The application was advertised via a Press Notice and Site Notice displayed at the site for 21 days.

8.2 A total of 47 consultation letters were sent to neighbouring properties regarding this application.

8.3 10 representations (9 objection, 1 comment with condition) have been received.

Representations

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

Objections

- i. The size of the proposed development will dominate the street view and impact negatively on the character of Nelmes Way;

- ii. The proposal is out of character
- iii. This is a residential area and cannot cope with a large care home facility
- iv. Concerned about the level traffic to be generated as a result;
- v. Not enough parking facility;
- vi. A 3 storey building that can accommodate 87 bedrooms will be impossible to screen sufficiently and will cause issues with privacy in overlooked rooms at the front of our property;
- vii. We believe that the original traffic monitoring survey at the site was carried out during the Corona virus lockdown when no one was out and the college was closed. This does not reflect the true daily situation. Parking and traffic in this section of Nelmes Way is already very busy when the college is open and we think that this will be made worse by the number of employees and visitors generated by such a large facility;
- viii. Both Nelmes Way and Platford Green would adversely affected by this development with increased traffic from relatives and staff visiting residents;
- ix. We are in a residential area and we have terrible traffic already with all the visitors and parents picking up children from Nelmes School and Champion School as they park along Tyle Green to pick them up. A care home will only mean more traffic, more people and we do not want to live in such a busy area;
- x. Its excessive depth and height, result in an unsatisfactory relationship between building blocks leading to loss of outlook;
- xi. This is an overdevelopment of the site;
- xii. More trees should be planted instead.

Comment with condition

- xiii. Overall plans look ok but we have a major concern regarding being over looked as we are one of the houses backing onto the land

Emerson Park & Ardleigh Green Residents' Association (EPAGRA):

- xiv. While the site is outside the Emerson Park, its relationship with it requires the proposal be assessed against similar policies governing Emerson Park. Since it would represent an institutional residential development, we do not believe that this proposal would comply with current relevant planning policies. Should an exception be made, the development should seek to ensure that it would maintain and enhance the character of the area;
- xv. A 3-storey scale building would be unique in the area, and as such out of character;
- xvi. We support the proposed elevation which divides the frontage into 3 elements, thereby creating a scale more sympathetic to that of large detached houses;
- xvii. A substantial and attractive boundary treatment is essential and should include an appropriate, attractive boundary enclosure, of sufficient height to screen the site;
- xviii. Lighting should be well designed;
- xix. The open vista to be created from Nelmes Way across the car park and building should be reduced to allow for more planting within the car park;

Officer comment: The issues raised are addressed in the context of the report.

Cllr Roger Ramsey:

Having been contacted by EPAGRA on behalf of residents I would wish the following matters in particular to be considered by officers and by the committee:

1. The impact on surrounding dwellings because of its scale and nature.
2. The impact on existing mature trees, and if the development is allowed the need for landscaping and suitable screening to mitigate the visual impact.
3. The need for restrictions on signage and lighting to mitigate the impact on the surrounding housing.
4. Such a development should not be commenced until sufficient alternative car parking is available for college use.
5. Provision should be made on site or elsewhere for vehicles associated with the construction works or construction workers in order to safeguard the local road network.

Officer comment: The issues raised are noted and are considered in the context of the report.

9 Relevant Policies

9.1 The following planning policies are material considerations for the assessment of the application:

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) sets out Government planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced. Themes relevant to this proposal are:

- 2 - Achieving sustainable development
- 5 - Delivering a sufficient supply of homes
- 8 - Promoting healthy and safe communities
- 9 - Promoting sustainable transport
- 11 - Making effective use of land
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change
- 15 - Conserving and enhancing the natural environment

London Plan 2021

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- D2 Infrastructure requirements for sustainable densities
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D11 Safety, security and resilience to emergency
- D12 Fire safety

- D14 Noise
- G5 Urban greening
- H13 Specialist older persons housing
- G1 Green infrastructure
- G9 Geodiversity
- SI1 Improving air quality
- SI2 Minimising greenhouse gas emissions
- SI3 Energy infrastructure
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI6 Digital connectivity infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T9 Funding transport infrastructure through planning

Sustainable Design and Construction (2014)

This SPG contains advice on natural resource management, climate change adaptation and pollution management. It reinforces similar policies contained within national and local planning policy.

Character and Context SPG (2014)

This document sets out the principles of site responsive design that should inform the Design and Access Statement to be submitted with the application, helping to promote the right development in the right place.

Accessible London SPG

This and the document Design and Access Statements: How to write, read and use them (Design Council, 2006) guidance from Design Council CABE will also help to inform preparation of the Design and Access Statement needed to accompany the application.

Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document (2008)

The following policies are considered relevant to the proposed development:

- CP1 - Housing Supply
- CP2 - Sustainable Communities
- CP5 - Culture
- CP8 - Community facilities
- CP9 - Reducing the need to travel
- CP10 - Sustainable transport
- CP15 - Environmental Management
- CP17 - Design

- DC3 - Housing Design and Layout
- DC5 – Specialist Accommodation
- DC27 – Provision of Community Facilities
- DC32 - The Road Network
- DC33 - Car Parking
- DC34 - Walking
- DC35 - Cycling
- DC36 – Servicing
- DC49 - Sustainable Design and Construction
- DC50 - Renewable energy
- DC51 - Water supply, drainage and quality
- DC52 - Air Quality
- DC53 - Contaminated Land
- DC55 – Noise
- DC60 - Trees and Woodland
- DC61 - Urban Design
- DC63 - Delivering Safer Places
- DC62 - Access
- DC66 - Public Realm

Havering Emerging Local Plan (2018)

The following policies should inform design of the proposed development:

- 3 - Housing supply
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- 6 – Specialist accommodation
- 7 - Residential design and amenity
- 12 - Healthy communities
- 16 - Social Infrastructure
- 23 - Transport connections
- 24 - Parking provision and design
- 26 - Urban design
- 27 - Landscaping
- 29 - Green infrastructure
- 30 - Nature conservation
- 33 - Air quality
- 34 - Managing pollution
- 35 - On-site waste management
- 36 - Low carbon design, decentralised energy and renewable energy

Havering Supplementary Planning Documents (SPDs)

Aspects of the following documents apply to the proposed development though need to be read in combination with newer mayoral guidance:

- Residential Design (2010)
- Sustainable Design and Construction (2009)

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

- Principle of Development
- Design, character and setting of the building
- Impact on the residential amenity of neighbouring occupiers
- Access, the impact on the highway network and parking provision
- Flood Risk and Development
- Sustainability
- Noise and Air Quality
- Statement of Community Involvement
- Archaeology and Contamination
- Ecology and Biodiversity

10.2 **Principle of Development**

10.2.1 The application site forms part of the New City College. The College, as part of its Masterplan for the campus delivering an innovative education facility, have identified underutilised parts of the campus which could be sold in order to secure a capital receipt for reinvestment in the campus. This includes modern fit for purpose buildings.

10.2.3 As part of the Masterplan process, 476 car parking spaces currently provided has been assessed to be surplus to the requirement to meet the needs of its students, staff and visitors. The southern part of the car park, along Nemes Way, has been identified as an area which could be released for alternative development and this plot is the subject of this application and a separate outline application for three new self-build detached dwellings. Planning application (P0285.21) for relocating the car park area to another part of the college campus was approved at the 1st July 2021 Planning Committee. As such, the principal of redeveloping the application site for non-educational uses has been established.

10.2.4 The proposal is sited on a brownfield site. Local Plan policies CP2, CP8 and DC5 state among other things that development proposals for community facilities and specialist accommodation will be permitted where it can be demonstrated that the principles of sustainable development are satisfied and that they will accord with the objectives and policies of the Local Plan. Policies CP1 and DC2 requires development to take place on previously developed land. These objectives are consistent with the London Plan and National Planning Policy Framework (NPPF), which encourage the provision of more housing and the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through decision-taking. Paragraph 11 (a) of the NFF states that:

“All plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.”

- 10.2.5 The proposed development represents an important employment investment in the area creating up to 100 jobs (70 full time and 30 part time). The jobs created would comprise a variety of positions and skill sets including carers, catering, housekeeping, administration and management roles. A number of construction jobs would also be created during the construction phase of the project. A number of supplier related jobs associated with both the construction and operational phases of the development will also be created to the benefit of the Hornchurch area and the wider area.
- 10.2.6 The provision of specialist housing accommodation is welcomed and is consistent with the aims of the emerging Local Plan Policy 6 and London Plan Policy H13 and the NPPF to deliver housing for older people. The site has not been allocated for additional housing supply and as such comes forward as a windfall residential site. The Council expects a significant amount of new housing to be from 'windfall' supply which is consistent with the London Plan which expects borough's to maximise housing supply.
- 10.2.7 The application site is located within an existing residential area where the infrastructure has capacity to absorb further development. The application site is also located within an area which is accessible by non-car modes of transport and where there are services and facilities available within walking distance of the site. Furthermore, there are no known physical or environmental constraints at this site.
- 10.2.8 In conclusion, the principle of housing for older people on a previously developed site in Hornchurch is supported subject to other relevant policy considerations including the wider impacts of this proposal on the highway network, parking provision, building layout & design, environment and residential amenity. These are now discussed in turn below.
- 10.3 **Design, scale and setting of the building**
- 10.3.1 The NPPF 2021 attaches great importance to the design of the built environment. Paragraph 126 states *'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'*
- 10.3.2 The NPPF states (paragraph 134) that "development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents". Paragraph 133 states that 'applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community' and this is reinforced in London Plan Policy D2, which seeks the involvement of local communities and stakeholders in the planning of large developments.
- 10.3.3 Policies D3 and D4 of the London Plan require that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion, appearance, shape and form.

- 10.3.4 Core Strategy policy CP17 states that new development to 'maintain or improve the character and appearance of the local area in its scale and design'. Core Strategy policy DC61 states that 'Planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must therefore: respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context.' These policies are expanded upon in the Council's Supplementary Design Document (SDD) which requires the impact of a development to be assessed giving regard to the bulk, scale and design of the proposal and how it harmonises with the existing building and area.
- 10.3.5 The scheme before the Council has been developed through detailed pre-application discussions held with Officers and Chair's Review - Quality Review Panel, as well as members of the Strategic Planning Committee.
- 10.3.6 It is evident that the design of the building has been influenced by the immediate context of the site in terms of its situation within the Emerson Park, Hornchurch whilst the layout of the site has regard to the residential area to the south (Nelmes Way) as well as the historic charm of Ardleigh House to the west and the northeast of the site as discussed in detail earlier in this report.
- 10.3.7 The accompanying Design and Access Statement provides a detailed description of the proposals and demonstrates that the proposed development can be satisfactorily accommodated across the site given the surrounding context.
- 10.3.8 The scheme proposes a varied palette of high quality traditional materials combined with a contemporary form of detailing, which would create a well-articulated and visually interesting building of an appropriately high standard for this location. The external wall treatment comprises a range of brick finishes, including textured detailing, deep set reveals and a celebratory expression of chimneys referencing the materials and handsome detailing seen on Ardleigh House. Notwithstanding the information submitted with this application, a planning condition requiring the approval of materials would be appropriate to ensure that the detailed design of the proposed building can be properly assessed and agreed.
- 10.3.9 The building features a strong and clear public entrance which will ensure that the building delivers a legible form. In terms of its scale and massing the proposed development represents an efficient use of the land whilst still sitting comfortably within the site. It is considered that the building's design, scale and massing and site layout would result in a scheme which reflects the locality and the function of the building without resulting in an overly dominant form of development when viewed from surrounding public vantage points.
- 10.3.10 The proposal has also been considered against Local Plan Policy DC61 and Policy 27 of the emerging Local Plan require landscaping to form an integral part of the overall design. Landscaping can protect and enhance the existing visual character of the area and reduce the visual and environmental impacts of a development. In this case, a landscaping scheme is proposed for the site, which should assist in setting the development within the context of its wider surroundings and further act to soften the scale and visual impact of the building.

- 10.3.11 The Council's Landscape advisor has confirmed that the submitted Arboricultural Impact Assessment (AIA) clearly identifies the existing vegetation to be retained and protected and justifies proposed removals. The proposed scheme has sought to reinstate and enhance the remaining trees with the addition of new tree planting to screen along boundaries and provide amenity and ecological enhancement throughout the site. The proposed level of tree planting is welcomed and, subject to further details coming forward regarding species and installation size, the provision is considered to be sufficient.
- 10.3.12 The general arrangement of the site is acceptable, however, the schedule of species needs minor amendments. Some identified species are inappropriate for their allotted locations due to their natural growth form and some trees specified on the schedule are not obtainable in the sizes specified. These are minor amendments which can be resolved through a condition requiring a detailed landscaping scheme to be approved.
- 10.3.13 The landscaping scheme pays particular attention to the treatment of the southern and south-eastern site boundary with Nelmes Way and property on Garland Way. Here, a linear planting scheme will reduce the impact of the development on residential amenity and will comprise a mixture of dense tree planting, hedging and shrubbery.
- 10.3.14 The proposals also recognise that accessible and functional outside amenity areas will be very important to the health and wellbeing of the future occupants of the care home. To this end, the garden has been designed to include several distinctly separate areas, which have various functions, situated along a footpath which wraps around the building. This layout is designed to encourage users to walk alongside and touch, see and smell the plants, with raised planters, which are to be designed and specified in such a way as to be wheelchair accessible; accessing straight, without twisting. The largest garden area includes a pergola with climbing shrub to act as the focal point and destination with seating areas. Planting either side will provide some privacy. Lawns are to be planted with a variety of tree species to act as a mini parkland. Benches would be provided at various locations to enjoy different aspects of the garden in sunshine and shade.
- 10.3.15 The external areas at the front of the proposed building would have planting beds and shrubs designed to provide an attractive entrance and to soften the visual impact of the car park.
- 10.3.16 On balance, and although outside the Emerson Park boundary, it is considered that the proposals accord with the Urban Design Principles outlined in the adopted Emerson Park Policy Area Supplementary Planning Document and will assist in the overall aim of creating a high quality environment, establishment of a much needed private residential care home and the creation of employment opportunities in the area. The proposal also accords with the stated national, London and local plan policies.

10.4 **Impact on the residential amenity of neighbouring occupiers**

- 10.4.1 London Plan Policy D6 *Housing quality and standards* states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.
- 10.4.2 Core Strategy Policy CP17 requires development to respond positively to the local context in terms of design, siting, density and spacing. Policy DC61 requires all development to achieve a high standard of privacy and amenity, and sets out a number of criteria for the consideration of the same. In addition, development should be designed, orientated and positioned in such a way to minimise overlooking between dwellings. The Council's Residential Design Guide supplementary planning document is also relevant.
- 10.4.3 Policy DC55 deals specifically with noise and vibration pollution and states that proposals will be refused if the development is likely to generate unacceptable noise or vibration for other land users.
- 10.4.4 In assessing the environmental impacts of the proposal it is clear that a balance has to be made between ensuring that residents are adequately protected from noise, whilst at the same time not placing unreasonable restrictions on the nearby college.
- 10.4.5 There is a college next door with at least 400 parking spaces. The impact from the use of the college car park, the closest residential façade to the site and the assessment of the impact of the site operation on nearby residential properties can be seen from the noise readings taken for the noise impact assessment which accompanied the application. The noise assessment demonstrates the site is located within Noise Risk Category 1 which suggests a low level of risk for daytime and night time levels but further mitigation level will be required at Stage 2. It suggests that the development should be designed with a 4mm glass / 6 - 16mm air gap / 4mm glass double glazed windows and a Titon V50 Window Vent or similarly approved to all to ensure that the internal noise levels stipulated within BS8233:2014 are not exceeded. The measured noise levels will also need to be taken into account when choosing the glazing specification to ensure that sleep disturbance is minimised. Outside amenity areas must comply with the 55dB WHO Community Noise Guideline level.
- 10.4.6 Given the site's proximity to the sensitive boundary of Nelmes Way the site layout has been designed to minimise any environmental impact on the surrounding properties. In particular, the car parking areas and building service areas are sited away from the residences to the north of Garland Way and Russetts. The building's orientation is such that it would provide a visual and acoustic barrier to the servicing activities. Notwithstanding this, noise from deliveries at unsociable times would have the potential to cause a loss of amenity at the closest residential properties to the site. As such, a condition restricting delivery times is recommended.
- 10.4.8 .No details of actual plant or equipment to be installed has been provided, it is therefore recommended that a condition be placed on the application requiring any plant to be 10dB below the background noise level at the nearest sensitive receptors.
- 10.4.9 Environmental Health were consulted on the proposal and did not object subject to conditions to ensure that the development is carried out and completed in accordance

with details to be approved by the Local Planning Authority relating to noise attenuation/mitigation measures and the proposed mechanical ventilation systems.

- 10.4.10 With regards to odour from the kitchen extract system, although sufficient odour dissipation is likely due to the distance to the nearest residential properties, Environmental Health have suggested a planning condition requiring details of odour abatement measures for the kitchen extract system to be approved by the Local Planning Authority.
- 10.4.11 In terms of external lighting, a condition is recommended to protect neighbouring residents from the potential impact of the proposal.
- 10.4.12 The distance between the adjacent housing on Russetts and the proposed new housing on Garland Way and the proposed care home is approximately 23 metres. The height of the care home, although partly 2-storey, is predominantly 3 storeys, which is higher than the residential properties opposite but the overall height of the building is similar to the adjacent college buildings. The maximum height of the nearby residential property on Russetts is 8.1m whereas the 3 storey elements of the care home would range be between 12.4m and 13.8m in height. However, the element closest to the properties on Russetts is mainly two storeys and approximately 10.3 in height set some 23m away and 5m from their rear boundary fence. The elevations and roof are staggered in order to break the building's elevation and soften the visual connection with Nelmes Way. The variety and subdivision of the building into a series of stepped blocks with a change of heights avoids the creation of a large continuous built form. For the reasons above, the proposal would have no significant impact on neighbour amenity in terms of access to day/sun/sky light, privacy or overbearing impact.
- 10.4.13 In terms of screening, the site boundary with Nelmes Way is buffered by structured landscaping which is comprised of a footpath, grass verge and some bordering trees and shrubs. The proposal includes a comprehensive landscaping scheme which would soften the visual impact of the development when viewed from Nelmes Way.
- 10.4.14 The northern site boundary with the college would also be screened by a mixed species hedge and the canopies from a mix of trees. In terms of privacy and the inter-visibility between the care home and the adjacent college, the nearest windows are approximately 10 metres apart, whilst others are up to 28 metres apart. This is due to the staggered footprint of proposed building. However, it is noted that there are no windows in the flank wall of the college building closest to the proposed care home. The nearest windows facing adjoining residential properties would be set approximately 50 metres apart. This separation distance and orientation, together with the proposed landscaping, is sufficient to ensure that there will be an acceptable degree of privacy for the future occupants of the care home and the occupants at adjacent properties.
- 10.4.15 Giving consideration to the scale of the proposal, it's siting and the separation distance from neighbouring properties, it is considered that the development would not have an unreasonable impact on the residential amenity of neighbouring properties or the future occupiers of the care home subject to appropriate conditions.

In this respect, no objections are raised with regard to London Plan Policy D6, Local Plan policies DC55 and DC61 the SPD or the NPPF.

10.5 Access, the impact on the highway network and parking provision.

- 10.5.1 London Plan policy T4 states that 'when required in accordance with national or local guidance, transport assessments/statements should be submitted with development proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Transport assessments should focus on embedding the Healthy Streets Approach within, and in the vicinity of, new development. Travel Plans, Parking Design and Management Plans, Construction Logistics Plans and Delivery and Servicing Plans will be required having regard to Transport for London guidance'. Policies T2 and T5 relate to healthy streets, the provision of cycle and pedestrian friendly environments, whilst policy T6 relates to parking standards. Core Strategy policy CP9 seeks to 'secure enhancements to the capacity, accessibility and environmental quality of the transport network', whilst policy CP10 reinforces the aims of London Plan Policy T4, which aims to contribute to modal shift through the application of parking standards and implementation of a Travel Plan. These aims are also reflected in Policies 23 and 24 of the emerging Local Plan. These objectives are broadly consistent with a core principle of the NPPF that planning should seek to secure high quality design.
- 10.5.2 Vehicular access into the site is provided from Nelmes Way, where there is an access established by the existing College on site. This leads to a parking court towards the north and western corner of the site. A 2m wide footway would be provided along the south western side of the access and road from the existing footway on Nelmes Way. This would continue via an internal crossing to the main building entrance. A second pedestrian access is proposed some 15m east of the vehicular access with a 2m wide footpath providing an internal route from the footway on Nelmes Way directly to the building entrance.
- 10.5.3 The proposals seek to widen the access to 7.2m from 6.5m and provide a footway to the southern side. The width of the new access route is suitable to enable two way vehicle flow and visibility along Nelmes Way. The access shall be of the form of a vehicle crossing, thereby retaining pedestrian priority across the frontage of the site and ensuring that a new minor access is not created which would introduce difficulties in terms of junction spacing.
- 10.5.4 It is not intended that the access be gated. The setback of the buildings is sufficient that any ingress and egress of vehicles shall not interfere with the highway, nor shall vehicles waiting for delivery/service and emergency vehicles to manoeuvre within the site obstruct the carriageway whilst undertaking this activity.
- 10.5.5 The development proposals are considered by the Highway Authority to have a net impact of additional vehicle movements in the weekday AM peak and in the weekday PM peak over and above the existing situation. The level of additional vehicle movements would not result in a severe impact on the operation of the local highway Network taking into account the current use of the site as a higher college of education and the resultant level of parking from the proposed Master Plan which will be less than the existing. From the existing 476 parking spaces to 452

- 10.5.6 In terms of sustainable transport, the site is well located within walking distance of a range of shops and services and benefits from immediate access to footways, cycleway and public transport. It is observed that bus stops on Ardleigh Green Road exist adjacent to New City College site and these serve the number 256 bus service which operates between Noak Hill and St George's Hospital in Hornchurch typically every 8-13 minutes during the day. The southbound stop is a 250m walk from the site and has a shelter, seat and timetable and the northbound stop is a further 120m to the north and has a flag and timetable information. Gidea Park railway station is some 1.4km (0.870miles) west of the site on Station Road and serves the line between Liverpool Street and Shenfield with trains typically every 8- 10 minutes. Emerson Park railway station is some 1.3km south of the site on Butts Green Road and serves the TfL Overground line between Romford and Upminster with trains typically every 30 minutes. Bus services 256, 165 and 370 stop adjacent to Emerson Park railway station. The site is therefore considered to be one of sustainable locations in the Borough given that it is highly accessible for local amenities and accessible to a number of modes of transport other than by use of a private car.
- 10.5.7 Notwithstanding the above, given that the average age of residents of Signature care homes (85 years old), amenities and services have been provided on-site where possible to provide easy access for those with mobility issues. Residents are not provided with their own kitchen for meal preparation, with all meals taken in the on-site restaurant. Personal care is also taken in house. This means that there is little need for residents to do their own regular food shopping or access local services. In addition, a range of local shops and services is provided on Ardleigh Green Road some 430m north of the site. These include a Tesco Express food store, pharmacy, newsagent, homeware shop, takeaways, hairdressers and a restaurant.
- 10.5.8 In terms of parking, Policy T6 of the London Plan relates to parking standards while Policy 24 of the emerging Local Plan requires all developments to provide sufficient parking provision in accordance with the maximum parking standards in the London Plan. Paragraph 107 of the NPPF states that if setting local parking standards authorities should take into account the accessibility of the development, the type, mix and use of the development, availability of public transport; local car ownership levels and the overall need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
- 10.5.9 There are no specific car parking standards for care home developments provided in the London Plan 2021. Local Plan Policy DC33 sets out maximum parking standards in Annex 5 and for nursing homes/C2 uses indicates a provision of 1 car space per 4 resident bedspaces. On this basis, 22 on-site parking spaces would typically be required for a residential development of this scale. In this case it is proposed to provide 46 parking spaces for residents, visitors and staff in two car parking areas including three disabled bays. In addition, the applicant has advised that a minibus would be based at the care home for transporting residents to and from offsite activities, local facilities and medical centres as required. Trips out would be organised as part of the residents' daily activity programme.
- 10.5.10 In this regard the application is supported by a detailed Transport Statement which sets out the applicant's case that the level of parking space to serve the development

is appropriate given the lower demand generated specifically by care home accommodation of this kind. This evidence draws on the company's experience in constructing other care home housing schemes across the country and profiling the typical resident of an apartment Signature UK. The provision of 46 parking spaces on the site should therefore be adequate to accommodate parking demand within the site given the sustainable location of the site.

- 10.5.11 Notwithstanding the above, on-street parking is permitted within this stretch of Nelmes Way, albeit limited. The Highway Authority have advised that any potential for overspill on-street parking is not considered to have a prejudicial impact on the operation of the highway network.
- 10.5.12 On balance, given that accessibility by non-car modes of transport is relatively good and a wide range of regularly required services and facilities are within a short walking distance and the intended residents are frail and elderly, it is considered that the future residents of the development would not be dependent upon car ownership to meet most of their daily required needs. Whilst some staff and visitors are likely to be car owners, the consequence of this would not result in a significant adverse impact on either the highway network or the living conditions of neighbouring occupiers.
- 10.5.13 Subject to the mitigation measures to be secured through conditions, as referred to above, the proposal is considered to be acceptable and no objections are raised with regard to relevant national, London and local policies.

10.6. **Flood Risk and Development**

- 10.6.1 Local Plan Policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised, whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed.
- 10.6.2 The Council's Strategic Flood Risk Assessment maps show that the site is not located in a higher risk flood zone London Plan policies SI12 and SI13 state that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and this objective is reiterated in Policy DC48.
- 10.6.3 A Flood Risk Assessment and surface Water Drainage Assessment (carried out by Clark Smith Partnership, April 2021) was submitted with this application. Having consulted the Lead Local Flood Authority – the Council flood risk and drainage management team, no objections have been raised with regard to the impact on surface water flooding either on site or further afield and the proposed development has been found to be acceptable in principle, subject to suggested planning conditions including appropriate mitigation (including adequate warning procedures) can be maintained for the lifetime of the development, in accordance with Local Plan Policy DC48, policies SI12 and SI13 of the London Plan and the NPPF.

10.7. **Sustainability**

- 10.7.1 Paragraphs 155 - 158 of the NPPF relate to decentralised energy, renewable and low carbon energy. Chapter 9 of the London Plan contains a set of policies that require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions ,where the residential

element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide emissions beyond Part L Building Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. . Specifically, Policy SI2 sets out an energy hierarchy for assessing applications, as set out below:

- 1) *Be lean: use less energy*
- 2) *Be clean: supply energy efficiently*
- 3) *Be green: use renewable energy*

10.7.2 Core Policy DC48 requires development proposals to incorporate sustainable building design and layout.

10.7.3 The applicant has submitted a Sustainability and Energy Report. The energy report sets out that a 51% reductions in regulated CO2 emission is predicted to be achieved onsite.

10.7.4 The Energy Strategy sets out the following approaches to be taken to achieve the London Plan CO2 target reduction:

“Be Lean” – sustainable design and construction measures will be used to improve air tightness, high performance glazing and efficient lighting;

“Be Clean” – highly efficient, individual low NOx boilers (The site is not situated near to an existing or planned district heat network, and on-site CHP and community heating is inappropriate for a development of this nature); and

Be Green” – the installation photovoltaic panels (PV) at roof level and the use of air source heat pumps.

10.7.5 Whilst a detailed design will be necessary to demonstrate that the proposed development will achieve the overall CO2 reduction, it is anticipated that through the above measures the proposal will achieve an overall CO2 reduction of 51%. In terms of carbon offset, it is estimate that 120.8 tonnes of domestic CO2 emissions would need to be offset through of site contributions. This is estimated at £217,432. The final offset contribution would be determined after a completed SAP certificate has been provided. The mechanism to secure this would be through the section 106 agreement.

10.7.6 In conclusion, the development would accord with development plan policies. To ensure compliance with these standards, a condition is attached requiring a post occupation assessment of energy ratings, demonstrating compliance with the

10.8 **Noise and Air Quality**

10.8.1 The proposed development is located within a designated Air Quality Management Area (AQMA) due to high concentrations of nitrogen dioxide and particulate matter. Paragraphs 112 & 186 of the National Planning Policy Framework and The London Plan policies SI1, SI3, T61 seeks to ensure that development proposals minimise increased exposure to existing poor air quality and make provision to address local problems of air quality, particularly within air quality management areas (which the

site is) and where the development is likely to be used by large numbers of people vulnerable to poor air quality (such as children or older people). Development proposals should be at least air quality neutral and should not lead to further deterioration of existing poor air quality.

- 10.8.2 An Air Quality Assessment has been submitted in support of this planning application to assess the air quality impacts of the proposals. The assessment concluded that following the successful implementation of the suggested mitigation measures during the construction phase, the residual effects of construction dust and emissions from construction activities upon the local area and sensitive receptors although adverse, will be temporary and not significant. And that during the operational phase, the operational assessment has demonstrated that the proposals will have a net positive impact upon existing air quality concentrations compared to the current use. Air quality for future residents is predicted to be good.
- 10.8.3 The Environmental Health Officers has advised that the Air Quality Assessment for the construction phase has shown that the site is Medium to High risk, in relation to dust soiling and Low risk in relation to human health effects. Based on this risk assessment, appropriate mitigation measures need to be set out in a Dust Management Plan, to ensure the air quality impacts of construction and demolition are minimised. This is to be secured by conditions.

Noise

- 10.8.4 Local Plan Policy DC55 states that planning permission will not be granted if it will result in exposure to noise or vibrations above acceptable levels affecting a noise sensitive development such as all forms of residential accommodation, schools and hospitals.
- 10.8.5 A Noise Impact Assessment has been submitted with the application. The acoustic report demonstrates the site is located within Noise Risk Category 2 which suggests a medium level of risk for daytime levels and Noise Risk Category 1 which suggests a low level of risk for night time levels. As a result, the report suggests a series of mitigation measures, all of which are to be incorporated into the scheme to meet the aims of Policy DC55. Again, the Environmental Health officer has not raised any objection to the proposal on noise grounds subject to conditions.
- 10.8.6 Based on the above and with the suggested mitigation measures in place, it is considered that the proposed development would accord with national, regional and local planning policies in relation to noise and air quality

10.9 **Archaeology and Contamination**

- 10.9.1 An Archaeological Desk Based Assessment has been submitted with the application in accordance with current and emerging planning policy, which concludes that in terms of relevant designated heritage assets, no World Heritage Sites, Scheduled Monuments, Historic Battlefield or Historic Wreck sites have been identified within the vicinity of the site. And in terms of relevant local designations, the study site does not lie within an Archaeological Priority Area or an Archaeological Priority Zone as defined by the London Borough of Havering and GLAAS. The study site can be considered likely to have a generally low archaeological potential for all past periods

of human activity and on the basis of the available information, no further archaeological mitigation measures are recommended for this site

- 10.9.2 Based on the above, it is considered that the proposal accords with the guiding principles of the NPPF, Policies HC1 of the London Plan, DC70 of the LDF, 28 of the emerging Local Plan and the Heritage SPD with regards to archaeology and cultural heritage matters.

Contaminated Land

- 10.9.3 The proposed care home use is more domestic in nature to that of the adjacent College site and the outside area may receive more use as a consequence, including gardening activities. On this basis, the Council's Environmental Health officer has recommended a Phase III Remediation Strategy report to be prepared subject to the approval of the Local Planning Authority to ensure that there is no risk of contamination in accordance with Local Plan policies CP15 and DC53 the NPPF

10.10 Ecology and Biodiversity

- 10.10.1 Policies CP16, DC58 and DC60 of the Havering Core Strategy seek to safeguard ecological interests and wherever possible, provide for their enhancement. The emerging Local Plan, Policy 30 states that the Council will protect and enhance the Borough's natural environment and seek to increase the quantity and quality of biodiversity by ensuring developers demonstrate that the impact of proposals on protected sites and species have been fully assessed when development has the potential to impact on such sites or species. The policy goes on to state that it will not permit development which would adversely affect the integrity of Specific Scientific Interest, Local Natural Reserves and Site of Importance for Nature Conservation, except for reason of overriding public interest, or where adequate compensatory measures are provided. The Council has also adopted the 'Protecting and Enhancing the Borough's Biodiversity' SPD (2009). This requires ecological surveys of sites to be carried out prior to development.

- 10.10.2 The presence of protected species is a material consideration, in accordance with the Framework (paragraphs 179-182), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations 2010 (and amended 2012) as well as Circular 06/05.

- 10.10.3 Ecological Walkover Survey Report RT-MME-154285-01 dated April 2021 and Biodiversity Enhancement Strategy Report RT-MME-154285-02 dated April 2021 (by Middlemarch Environmental) was submitted in support of this application. A Preliminary Ecological Appraisal found no evidence of roosting bats; however a low number of potential suitable roosting features were identified and, following Bat Conservation Trust best practice guidelines, further surveys were recommended to inform the need for mitigation measures in relation to bats.

- 10.10.4 The follow-up bat surveys (Preliminary Ground Level Bat Roost Assessment of Trees Report dated August 2021) were carried out on 16th August 2021 and low numbers of Common Pipistrelle bats were recorded foraging and commuting within 1km of the site. The Assessment shows that numerous trees were present throughout the site, predominantly associated with the site boundary features and car park. The majority of these trees on site were young or semi-mature, with several mature and early mature

trees present along the northern and eastern site boundaries. Two trees, T30 (early mature ash) and T70 (mature horse chestnut), were classed as having high potential to support roosting bats, due to the presence of a range of potential roosting features such as rot holes, knot holes and branch socket cavities extending into the principal leader. The remaining trees were generally in good condition, with some possessing dense ivy cover in places, but no obvious potential roost features when observed from ground level. These trees were classed as having low or negligible potential to support roosting bats.

- 10.10.5 The survey area is considered to be of moderate suitability for roosting, foraging and commuting bats, supporting numerous trees and hedgerows associated with the boundary features on site, which provide connectivity to the wider landscape and further suitable roosting, foraging and commuting habitats.
- 10.10.6 The development proposals, which include removal of some existing tree, will result in the loss of potential known bat roosts. However, suitable mitigation has been provided to safeguard bats and ensure their conservation status is maintained. With these mitigation measures in place, the Local Planning Authority has sufficient information to deal adequately with bats from a planning perspective, and can apply and satisfy the third test of the Conservation of Habitats and Species Regulations 2010 (as amended) prior to determination.
- 10.10.7 It is acknowledged that a European Protected Species (EPS) licence will be required to proceed lawfully. Natural England may require a number of up-to-date activity surveys for a licence to be issued, consequently these need to be factored in to any development timescale.
- 10.10.8 Havering Council Ecology Advisors were consulted and have advised that on the basis of the above, bats should not be regarded as a constraint to these development proposals and the application can be determined accordingly. Subject to suggested conditions and informatives in accordance with Local Plan policies CP16, DC58 and DC60, Policy 30 of the emerging Local Plan and the relevant paragraphs of the NPPF.

11 **Financial and Other Mitigation**

- 11.1 The heads of terms of the section 106 agreement have been set out above. These are considered necessary to make the application acceptable, in accordance with Policy DC72 of the Havering Local Development Framework Core Strategy and Development Control Policies Development Plan Document (2008) nor meet the objectives of policies SI2 and DF1 the of London Plan.
- 11.2 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- The London Borough of Havering's CIL was adopted in September 2019. Therefore financial contributions for infrastructure will be secured via this mechanism. Based on the figures provided by the developer in the submitted CIL form in good faith, and assuming the application is approved this year, the CIL would be:
 - Havering CIL: @£125/m² (5,621.7m² net)= £ 702,712.50*

- Mayoral CIL: @£25/m2 (5,621.7m2 net)= £140,542.5*
*subject to indexation.

12 **Other Planning Issues**

Designing Out Crime

12.1 Policy CP17 on 'Design' and Policy DC63 on 'Delivering Safer Places' from LBH's '*Development Plan Document*' 2008 falls in line with national and regional planning guidance which places design at the centre of the planning process. The above mentioned policy piece together reasoned criteria's for applicants to adopt the principles and practices of Secure By Design (SBD). More detail on the implementation of the above policy is provided from LBH's SPD on '*Designing Safer Places*' 2010, this document which forms part of Havering's Local Development Framework was produced to ensure the adequate safety of users and occupiers by setting out clear advice and guidance on how these objectives may be achieved and is therefore material to decisions on planning applications.

12.2 The submitted Design and Access Statement has referenced a management and security strategy, benefits of this approach provide a sense of security to its residents and the local community and discourage antisocial behaviour. The statement outlines that the design has been developed with SBD principles in mind following subsequent consultation response by the Designing out Crime Officer. Points raised include improved residential areas (secure access and access control), residential amenity spaces, refuse collection and bicycle storage areas. The Designing Out Crime Officer has raised no fundamental objection to the proposal subject to conditions.

13 **Conclusions**

13.1 At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF outlines, in its introduction, three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; as well as a an environmental role which includes protecting and enhancing the built environment.

13.2 The NPPF does not require development to jointly and simultaneously achieve planning gain in each of the three considerations. It is sufficient for all three to be considered and for a balance between benefit and adverse effects to be achieved across those three areas. In this instance, the proposal makes effective and efficient use of a car park site considered to be surplus to requirement and part of the master plan to self-finance future development and improvement to the college, the location of the development would be highly accessible for local amenities and public transport, and would provide additional accommodation in the area to support local shops and services, all in line with the NPPF. In addition, the development would have the potential to offer a special range of accommodation which would have some social benefit and encourage diversification of community, as required by Paragraph 130 of the NPPF. At the same time it will deliver inward investment to the Borough providing economic development and employment opportunities.

- 13.3 The impacts of the proposal have been considered in terms of access, highway capacity, parking provision, neighbour amenity and design. Other material considerations have also been considered.
- 13.4 Subject to the imposition of relevant conditions and the satisfactory completion of a Section 106 Agreement, to secure the listed obligations, the proposal is considered acceptable in terms of the above and is not contrary to the aims and objectives of National Planning Policy Framework 2021, the policies and proposals in the London Plan (2021), the Havering Core Strategy and Development Control Policies Development Plan Document 2008, the emerging Local Plan, having regards to all relevant material considerations, and any comments received in response to publicity and consultation. It is therefore recommended that planning permission be granted.