

REGULATORY SERVICES COMMITTEE

REPORT

13 December 2012

Subject Heading:

R0001.12 – Rail Depot at Jutsums Lane, Romford (Date received 24/08/2012)

Proposal

Prior Approval Request for the Relocation of the Maintenance Delivery Unit to Jutsums Lane

Report Author and contact details:

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Policy context

Local Development Framework
London Plan
National Planning Policy Framework

Financial summary

None

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

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

SUMMARY

This request is for prior approval for the relocation of the Network Rail Maintenance Delivery Unit from its current location on land to the west of Waterloo Road and south of the railway, to land north of the Crow Lane Gas Works accessed from Jutsums Lane. This new building would provide replacement facilities to ensure that the MDU can continue to operate from Network Rail land west of Romford Station. The building would be 2 storeys in height and 55 jobs would be relocated, operating the facility 24/7 on a shift basis.

An Environmental Statement for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 was submitted with the Prior Approval request and also with the application P1048.12 for the development of a Rail Operating Centre on the site of the existing MDU considered elsewhere on this agenda. This considers the potential environmental impacts arising from the development both from the construction and operational phases of the development, measures to mitigate them and potential alternatives. The environmental information contained in the Environmental Statement has been taken into consideration in reaching the recommendations contained in this report.

As this is a prior approval request for the exercise of permitted development rights the main issues to be considered by Members are restricted to consideration of the location of the proposed development on the site, the design and appearance of the building and whether it would be harmful to the amenity of the area and consideration of the means of access thereto..

Staff conclude that there is no justifiable reason to oppose the development and that prior approval should be granted.

RECOMMENDATIONS

That the Committee resolve that having taken account of the environmental information included in the Environmental Statement, that no objection be raised to the request for prior approval subject to the imposition of the following conditions:

1. *External Lighting* - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

Reason: In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

2. *Accordance with Environmental Impact Assessment and Mitigation Measures* - The development shall be carried out in accordance with the environmental standards, mitigation measures, requirements and methods of implementing the development contained in the environmental statement relevant to the application, appendices thereto submitted in August 2012, and any additional submission documents.

Reason: To ensure that the development is carried out in accordance with the appropriate standards, measures, requirements and methods as set out in the Environmental Statement and the mitigation measures identified therein.

REPORT DETAIL

1.0 **Site Description and Background**

- 1.1 The proposed MDU site is located on an elongated 3.89ha area of land west of Nursery Walk and the site of the proposed Rail Operating Centre (ROC) and east of Jutsums Lane. The site is a largely undisturbed tract of rail-side land which is identified as a Grade II Borough Site of Nature Conservation Importance, as well as land to which Crossrail safeguarding applies.
- 1.2 Surrounding land uses comprise a mixture of commercial, industrial and residential buildings. Romford Gas Works/Gas Holder Station and the Royal Mail depot in Sandgate Close are adjacent to and south-east of the site, Residential properties are present directly to the south-west in the area of Beechfield Gardens, beyond which to the west lie further commercial and industrial premises. The mainline railway tracks lie directly north of the site, with houses in Sheringham Avenue present on the opposite side of the tracks.
- 1.3 The application site is situated on a slightly raised embankment that extends to the east beyond Nursery Walk where the difference in height is even more marked. The site is inaccessible to the general public, although a poorly maintained public footpath runs alongside the fenced boundary of the site from Jutsums Lane to Nursery Walk. Two high pressure gas pipelines run through the site aligned with the southern boundary.
- 1.4 The identification of the site for the MDU arises from the proposed construction of the ROC on the site of the existing MDU and the wish to retain the MDU function at Romford. The MDU is responsible for a geographical area of railway covering London and other areas of the Anglia Region. The maintenance of the railway is carried out 24 hours a day so

different teams work shifts ensuring that there is full 24 hour cover in case of accidents or track faults.

2.0 **Description of Proposal:**

- 2.1 This request for prior approval is submitted under Part 11 of the General Permitted Development Order (GPDO) for the relocation of the Network Rail Maintenance Delivery Unit to a new site accessed from Jutsums Lane. Part 11 of the GPDO relates to permitted development which is authorised by, amongst other things, a local or Private Act of Parliament. In this instance the applicants are relying upon the original legislation under which the railway was constructed, namely the Eastern Counties Railway Act 1836 which contained equivalent provisions in relation to development as those contained in Section 16 of the Railway Clauses Consolidation Act 1845, neither of which have been repealed.
- 2.2 The proposed MDU building would be located to the north of the eastern end of Sandgate Close in a position approximately half way along the boundary with the former Gas Works site. The building would comprise a two storey structure up to 8.2m in height, 67m in length and 21m deep, with the long axis orientated on an approximate east-west direction. The building would have a gross internal floor area of 2,604m² accommodating offices where proposed maintenance is planned, meeting rooms, training rooms, mess room, changing and toilet facilities, records storage and materials stores.
- 2.3 The building would be flat roofed with a ground floor material comprising brick slip panelling up to the top of the ground floor windows, a micro rib insulated cladding panel system above and powder coated aluminium windows.
- 2.4 Other facilities at the MDU site would include a weighbridge and scrap metal storage delivery area, both of which are currently present on the existing MDU site.
- 2.5 Vehicular access to the site would be taken from Jutsums Lane where various Network Rail storage facilities are accessed from. The majority of the access from this point will utilise existing hard surfaced areas, but from a point 100m to the west of the end of Beechfield Gardens a new access will be constructed to be aligned to run along the top of the embankment and at its closest point, 16m from the flank boundary of 47 Beechfield Gardens and would provide access to the employee and operational parking area, weighbridge and scrap storage area. The existing private footpath from Romford Station accessed via Platform 2 would be extended alongside the ROC site to ensure continued access on foot for those employees arriving by train.
- 2.6 The building, car park and access route would be lit by lighting columns 4m and 5m in height with directional lighting heads providing an average luminance of 20-30 lux..

2.7 A comprehensive package of landscaping and habitat enhancement measures is proposed.

3. **Relevant History**

3.1 There are no previous planning decisions of particular relevance to this application.

4. **Consultations and Representations:**

4.1 The proposals have been advertised as request for prior approval accompanied by an Environmental Statement by the display of site notices and by an advertisement in the Recorder. A total of 145 individual properties were notified directly of the proposals. Two representations have been received objecting on the basis that the embankment to the railway land gives rise to direct overlooking of adjacent gardens. This has been exacerbated by the site clearance which has been carried out. Concern is expressed about the potential for cars and lorries to pass close to their property with little or no screening to be provided and creating additional noise. It is also queried why the new access road could not be constructed further away from the residential boundary.

Consultee Responses

Environment Agency – Have not responded at the time of report preparation. Any subsequent response will be reported orally.

National Grid – Advise that they have identified that it has apparatus in the vicinity of the development.

Natural England – No response.

5 **Relevant Policies**

5.1 The development plan for the area consists of the Havering Local Development Framework (Core Strategy, Development Control Policies and Site Specific Allocations) and the London Plan 2011

5.2 Policies CP3 (Employment), CP9 (Reducing the need to Travel), CP10 (Sustainable Transport), CP15 (Environmental Management), CP 16 (Biodiversity and Geodiversity), CP17 (Design), of the Local Development Framework Core Strategy are considered relevant

5.3 Policies DC11 (Non-Designated Sites), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Management), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable Energy), DC51 (Water Supply, Drainage and Quality), DC53 (Contaminated Land), DC58 (Biodiversity and Geodiversity), DC59 (Biodiversity in New Developments), DC61 (Urban Design), DC62 (Access) and DC63 (Delivering Safer Places) of Local

Development Framework Development Control Policies Development Plan Document are also considered to be relevant.

- 5.4 London Plan policies: 2.8 (Outer London Transport), 4.1 (Developing London's Economy), 5.1 (Climate Change Mitigation), 5.2 (Minimising Carbon Dioxide Emissions), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 5.11 (Green Roofs) 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.21 (Contaminated Land), 6.2 (Providing Public Transport Capacity and Safeguarding Land for Transport), 6.4 (Enhancing London's Transport Connectivity), 6.5 (Funding Crossrail and Other Strategically Important Transport Infrastructure), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.3 (Designing Out Crime), 7.4 (Local Character), 7.6 (Architecture), 7.15 (Reducing Noise and Enhancing Soundscapes) and 7.19 (Biodiversity and Access to nature) are considered to apply.
- 5.5 The National Planning Policy Framework is a further material consideration.

6.0 Staff Comments

- 6.1 This request has been submitted for prior approval under condition A1 of Part 11 of the GPDO which requires details to be submitted to the Council for the prior approval to the design and siting of the proposed works, including the formation or alteration of a means of access. Members should note that under Condition A2 of Part 11 that prior approval cannot be refused unless Members are satisfied that the development ought to be and could reasonably be carried out elsewhere on the land, or the design or external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification so as to avoid such injury.
- 6.2 The issues arising from this application are therefore limited to consideration of those matters on which the Council could legitimately have concerns as detailed above and those over which the Council may wish to impose reasonable conditions.
- 6.3 The proposed relocation of the MDU to the west of the existing site has been chosen on the basis that it will ensure the continued delivery of maintenance functions from the site and the existing levels of employment. It will maintain the link to Romford Station for workers, utilise an existing hard surfaced route through existing depot area served from Jutsums Lane and also maintain good access to existing rail sidings which are used for maintenance purposes. The proposed positioning of the building to the north of the Crow Lane Gas Holder Station results in the main locations where the building would be visible from being Sandgate Close and Nursery Walk.
- 6.4 In design terms the proposed MDU, although more utilitarian in appearance than the proposed ROC, does represent a significant improvement upon the existing portacabin structures which it will replace. The closest buildings to the MDU are those located on Sandgate Close (including the Post Office Sorting Office) and the Gas Holder Station, none of which are environmentally sensitive. Visibility from residential properties in Beechfield

Gardens to the west and Stockland Road and Sheringham Avenue to the north of the railway lines is limited and either is, or is proposed to be, largely screened by existing vegetation and proposed habitat enhancement and landscaping works.

- 6.5 The nature of the functions carried out from the site and the proximity of the building to the operational rail lines dictate that the building has to be of durable quality and easily maintained. Staff are therefore satisfied that the building is acceptably located on the site and that its design and external appearance will not cause harm to the amenity of the area.
- 6.6 The relocation of the scrap rail storage area to the site is an operation that is being undertaken under other permitted development rights applicable to Network Rail and is not therefore part of the development for which prior approval is sought.
- 6.7 The access to the site necessitates the creation of a new vehicular route in relatively close proximity to residential properties at the end of Beechfield Gardens. The location of the route in relation to Beechfield Gardens is nevertheless considered to be at the maximum distance possible to ensure the efficient working of the site and good access to the rail sidings. Predicted use of the access is set out in the Transport Assessment included as part of the Environmental Statement which suggests a peak hour flow of 10 vehicles in either direction which is not likely to cause unacceptable harm to the residential amenity of properties in Beechfield Gardens or give rise to any perceptible increase in noise.
- 6.8 The potential for the site to be accessed from Sandgate Close has been evaluated by Network Rail but was not preferred for a number of reasons. The change in levels between Sandgate Close and the MDU site would necessitate considerable earthworks and a ramp which in turn would require a larger turning areas for HGV's entering the site which would result in the shifting of the position of the car and vehicle parking area bringing this closer to properties in Beechfield Gardens. An entrance from this point would also require a crossing of the High Pressure Gas Pipelines and would cut across the wildlife/ecological corridor which is to be maintained along the southern edge of the site. Furthermore, such an access would introduce a further potential route into the ROC site, which is a sensitive high security infrastructure site that British Transport Police are keen to minimise access to.
- 6.9 The proposed lighting of the access route, the building and its surrounds has the potential to impact upon residential amenity and the function of the area as a wildlife corridor. Whilst the Prior Approval Statement emphasises that the design of the lighting is intended to minimise light spill, it is considered reasonable that a condition be imposed to ensure that a scheme for the lighting be submitted and approved in advance of the commencement of construction.
- 6.10 Works to mitigate the impact upon the nature conservation importance of the area are specified within the Environmental Statement which

accompanied this request and the application for the ROC, P1048.12. As a result selective site clearance and the trapping and relocation of reptiles, most notably, lizards, has been undertaken. These works and associated improvements to the habitats on this and the adjacent ROC site area have been undertaken and form part of a 10 year management plan for the enhanced areas of retained habitat on this and the adjacent ROC site. Given the SINC status of the site is considered reasonable that a condition be imposed requiring that the mitigation measures described within the ES be carried out.

7 **Conclusions**

- 7.1 Overall Staff are of the opinion that the proposal would not detract from the appearance of the area and that it would have a negligible impact upon residential amenity. The building is also considered to be of acceptable design and in an appropriate location. The development will ensure that the current levels of employment associated with the MDU are retained in the Borough. Subject to the imposition of conditions as detailed in the report it is recommended that Prior Approval be granted.

IMPLICATIONS AND RISKS

8. **Financial implications and risks:**

- 8.1 None arising.

9 **Legal implications and risks:**

- 9.1 None arising.

10 **Human Resources implications and risks:**

- 10.1 None arising.

11 **Equalities implications and risks:**

- 11.1 The Council's planning policies are implemented with regard to equality and diversity. The development makes full provision for disabled parking close to the main entrance to the building.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.

3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
6. The relevant planning history.
7. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
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