



REGULATORY SERVICES COMMITTEE

REPORT

13 December 2012

Subject Heading:

P1290.12 – Rear of High Street
Hornchurch – Demolition of existing
building and garages and construction of
new building consisting of 8, 1-bed flats
with off street parking and amenity space
(received 16 October 2012)

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report concerns an application for the demolition of the existing building and garages and the erection of a block of 8 1-bed flats with ancillary parking and amenity space. Staff consider that the proposal would accord with housing, environment and highways/parking policies contained in the Local Development Framework Core

Strategy and Development Control Policies Development Plan Documents and approval is therefore recommended, subject to conditions and the completion of a Legal Agreement.

RECOMMENDATIONS

That the committee notes that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 447.55m² which equates to a Mayoral CIL payment of £8,951.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £48,000 to be used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 Agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the preparation of the Agreement, prior to completion of the Agreement, irrespective of whether the Agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the Agreement.

That Staff be authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the following conditions:

1. The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 (as amended).

2. Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the

development accords with the LDF Development Control Policies Development Plan Document Policy DC61 and DC68.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the local planning authority.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

5. Prior to completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

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

6. The buildings hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimal value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of the NPPF.

7. Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be approved in writing by the Local Planning Authority, 2 metres high shall be erected on the shared boundaries between the new properties and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority. In addition, until the proposed hedging to the eastern boundary attains the height of at least 1.8m, a screen fence of 2m in height shall be maintained on that boundary.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties in accordance with Policy DC61.

8. The development hereby approved shall not be occupied until external lighting has been provided in accordance with details which shall previously have been submitted to and approved by the Local Planning Authority in writing.

Reason: In the interests of residential amenity in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

9. No construction works or construction related deliveries into the site shall take place other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

10. Prior to the commencement of the development, a soft and hard landscaping scheme, which shall include full details of the proposed "Green Wall", shall be submitted to the Local Planning Authority. Once approved in writing the scheme shall be implemented in accordance with the approved details. All planting, seeding or turfing shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enhance the visual amenities of the development and in order that the proposal complies with Policies DC60 and DC61 and the SPD on Landscaping.

11. Before any development is commenced, a scheme for protecting the proposed dwellings from noise from adjacent commercial premises plant and activities shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings is first occupied.

Reason: To prevent noise nuisance to the proposed properties in accordance with Policy DC55 of the LDF Core Strategy and Development Control Policies DPD.

12. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (having previously submitted a Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model):

a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To ensure the safety of the occupants of the development hereby permitted and the public generally, and in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC54.

13. Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation can be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

14. Before commencement of the proposed development, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust management controls;
 - d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
 - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
 - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
 - g) siting and design of temporary buildings;
 - h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the submitted and approved plan) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

18. Archaeology - No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and

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

Reason: Important archaeological remains may exist on this site. Accordingly, the Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in Policy PPG16, and in order that the development accords with Development Control Policies Development Plan Document Policy DC70.

INFORMATIVES

1. Community Safety - Informative:

In aiming to satisfy Condition 13, the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

2. Archaeology – Informative:

The development of this site is likely to damage archaeological remains. The applicant should, therefore, submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage Guidelines.

3. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010:

No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

4. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP17, DC2, DC3, DC33, DC34, DC36, DC37, DC55, DC61, DC62, DC63 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and London Plan Policies 3.3, 3.5, 3.8, 4.7 and 7.3 and the NPPF.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A

fee of £97 per request (or £28 where the related permission was for extending or altering a dwellinghouse) is needed.

5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
- (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.

Mayoral CIL

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 447.55m² which equates to a Mayoral CIL payment of £8,951. This a fixed rate tariff calculated on the basis of the new floorspace formed. The payment required here is based on a gross internal floor area at £20 per square metre. This payment is secured by way of a Liability Notice which will be issued on discharge of the last pre-commencement condition should planning permission be granted.

REPORT DETAIL

Background

There is no change to the building envelope or footprint or the number of parking spaces provided since the planning approval earlier this year - P0257.12 (Demolition of existing buildings and garages and construction of new building consisting of 2 B1 (Office) units and 5 flats with 6 parking spaces and amenity space). However, the applicant has indicated that in his view, the approved scheme is not viable and that a purely residential scheme of 8 flats is a more commercially viable option.

1. Site Description

- 1.1 The application site, located to the rear of the existing shops/residential properties which front onto High Street, Hornchurch, comprises a building located to the eastern/southern boundary used previously as a garage for the repair of motor vehicles with garages/lock-ups to the rear (southern boundary) and hardstanding otherwise. The wall to the southern boundary of the application site is just under 3.3m high with the part adjacent to the commercial unit being 3.8m high. Access to the site is via a shared service road connecting to High Street to the east/north of the application site. The site is within the Hornchurch Major District Centre. The site area is 0.176 Acres.

- 1.2 The surrounding area is a mixture of buildings and uses with two- and three-storey commercial/residential properties to the north and west fronting onto High Street and Station Road, a swimming pool sales building to the east with Lodge Court (2-storey residential accommodation) further east and to the south are two-storey residential properties fronting onto Mavis Grove.

2. Description of Proposal

- 2.1 The proposal is for the demolition of the existing building and garages and the erection of a single 2-storey building to provide 8 flats with 2 to the ground floor, 4 at first floor level and two in the roofspace. All the flats would be 1-bedroom.
- 2.2 The building would be located across the site on a generally East-West orientation with the two end sections projecting towards the southern boundary. The building would be set back from the access way by approximately 11.5m (in part due to the existing electricity sub-station) and would have a maximum width of 33.5m with section depths of 10.7m, 7.8m and 13.4m (from west to east) and a mansard-style roof with a maximum ridge height of 8.15m. The nearest part of each section of the building to the southern boundary would be 3.7m, 9.3m and 0.5m (min.) (from west to east). In this respect there is no change to the building envelope or footprint or the number of parking spaces provided since the planning approval given earlier this year for a similar scheme (details set out below in history section).
- 2.3 There would be an area of communal amenity space to the rear (south) of the building of 290 sq.m. There would also be a single balcony/terrace at first floor to Flat 4 of 23 sq.m. Each of the ground floor flats (located where the previous B1 Units were) would have a separate outside area.
- 2.4 It is proposed to provide 6 parking spaces; 5 of which would be provided in an under-croft.
- 2.5 The main differences between the current scheme and that approved earlier in 2012 are:
 - loss of the two B1 Units to the ground floor
 - increase in number of residential units from 5 to 8 (two occupying the ground floor spaces and one additional one at roof level)
 - provision of additional velux windows in roof to additional roof level flat
 - provision of separate amenity areas for two ground level flats
 - proposal for a green wall between the bedroom window of the ground floor flat nearest the electricity sub-station

3. History

- 3.1 P1041.09 - Redevelopment of the site with a two storey flatted block to form 9 units consisting of 5x1-beds and 4x2-beds and parking spaces - refused 02-10-09; subsequent appeal dismissed 30-06-2010

In relation to the appeal for P1041.09 which was decided after the later scheme (P1563.09) was refused, the Planning Inspector considered that the 9 flat scheme was not acceptable:

- "Due to the poor outlook, inadequate amenity space, and the likelihood of significant noise and disturbance, I conclude that the proposal would not provide satisfactory living conditions for future residents and would fail to comply with policy DC61 of the Core Strategy."

- "I conclude that the proposal would harm the character and appearance of the surrounding area and would not comply with Core Strategy policies DC2, DC61 or the guidance in PPS3."

- 3.2 P1563.09 - Demolition of existing buildings and garages and construction of new building consisting of 8 units (6x1 bed and 2x2-bed) and off street parking for 8 cars and amenity space - Refused 11-01-2010

The reasons for refusal of the P1563.09 8-flat scheme are:

1. The proposed development would, by reason of its poor design, bulk and massing, appear as a visually intrusive and overly dominant feature in this backland location, harmful to the appearance of the surrounding area, contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document.

2. The proposal would, by reason of noise and disturbance and light overspill caused by users of the rear access road as well as prospective occupiers entering and leaving the site, vehicles parking and manoeuvring, particularly during the evening hours, be unacceptably detrimental to the amenities of prospective occupiers of the development, contrary to Policy DC55 and DC61 of the LDF Development Control Policies DPD.

- 3.3 P0257.12 – Demolition of existing buildings and garages and construction of new building consisting of 2 B1 (Office) units and 5 flats with 6 parking spaces and amenity space – Approved 22/6/12.

4. **Consultation/Representations**

- 4.1 74 neighbouring occupiers were notified of the proposal. There were 5 replies objecting to the proposal on the following grounds:

-insufficient parking of 6 spaces for 8 flats for both proposed flat dwellers and their visitors resulting in people parking in existing occupiers unmarked spaces or along the access driveway

- the access to High Street is the only access for all the existing businesses and flats and existing parking along the access already causes problems for larger vehicles to access

- overlooking/loss of privacy

- significantly larger development than previously approved scheme

- over dense proposal

- 4.2 Thames Water have written to advise that they have no objection with regard to waste providing that storm flows are attenuated/regulated through on or off site storage and that site drainage should be separate.

- 4.3 Essex and Suffolk Water have no objections regarding water supply.

- 4.4 The Metropolitan Police Crime Prevention Design Advisor has written to advise that the site's location is in an area of higher than the Havering average crime levels. He requests the addition of a condition and informative regarding Secured by Design and ones for external lighting and details of cycle storage if permission is granted.

4.5 English Heritage indicate that the site is within an Archaeological Priority Area and that it is likely that there are archaeological remains including from the original village and the industrial period when Hornchurch Brewery was located at the application site. They request a condition and informative are attached to any grant of planning permission.

4.6 The Fire Brigade (LFEDA) previously indicated that access should meet 16.3 of ADB Volume 2 but if this cannot be achieved a fire main should be provided in accordance with 15.3 and access meet 16.6. These are the Building Regulations documents and a separate Buildings Regulations application would be needed.

5. **Staff Comments:**

5.1 The issues in this case are the principle of development, its impact in the streetscene, on residential amenity and parking/highways/servicing. Policies CP1, CP2, CP17, DC2, DC3, DC33, DC34, DC35, DC36, DC53, DC55, DC61, DC62, DC63 and DC72 of the LDF Core Strategy and Development Control Policies DPD. The SPD on Residential Extensions and Alterations (as relevant), SPD on Residential Design, SPD on Sustainable Design and Construction and draft SPD on Planning Obligations. London Plan Policies 2.15, 3.3, 3.5, 3.8, 3.9, 4.2, 4.7, 6.9, 6.13, 7.3, 7.4 and 7.6, as well as the National Planning Policy Framework (NPPF) are applicable.

5.2 *Principle of development*

5.2.1 Policy CP1 indicates that housing will be the preferred use of non-designated sites. The site lies in the existing urban area. The National Planning Policy Framework (NPPF) indicates that such sites are “brownfield” sites and that the proposal would be acceptable in principle.

5.2.2 The NPPF indicates that sustainable development should normally be granted planning permission and the site would be in a sustainable location. The details of the scheme will be important in deciding whether the proposed development is acceptable.

5.2.3 Policy CP1 indicates that housing will be the preferred use of non-designated sites. The site is located within the Hornchurch Major District Centre where Policy DC16 promotes retail uses and a degree of service uses. The policy however does not specifically refer to redevelopment of vacant or brownfield land.

5.2.4 The site does border a residential area to the south and there are flats to the upper floors of ground floor commercial uses along High Street/Station Road. The proposal of new housing development therefore accords in principle with Policy CP1 and would be acceptable in principle in relation to The London Plan Policy 3.3 (increasing housing supply), subject to acceptable design and layout.

5.3 *Density/Site Layout*

- 5.3.1 The proposal is to demolish the existing building and replace it with a block of 8 flats each with 1 bedroom. The application site area is 0.0682 hectares and therefore the density would be approximately 117 units per hectare. Policy DC2 indicates that in this location, the range would be 80-150 units per hectare and this proposal would be within this range. However the main consideration is whether the scheme is of a high standard of design and layout in accordance with Policies DC2 and DC61.
- 5.3.2 The London Plan indicates at Policy 3.5 (and Table 3.3) that 1-bed units for 2 people should be a minimum of 50 sq.m (gross internal area). The minimum proposed flat size would be 50.5sq.m (Flat 4) which means that all 8 flats would be in excess of the minimum internal space standards.
- 5.3.3 In respect of the site layout, the vehicular access is to the north and access to the site and the car parking spaces is drawn from the northern boundary of the site. The amenity areas would be provided to the rear adjoining the amenity areas of the adjoining residential properties.
- 5.3.4 Unlike the previous approved scheme, two residential units would be provided to the ground floor. The one to the west would look out onto the car-parking access and shop access road with the eastern unit having a northern outlook facing the electricity substation which is an open paling-fenced facility. While both units would have an outlook to the rear to a private amenity space, it is proposed to provide a green wall between the bedroom window of the eastern unit and the electricity substation. Details of the proposed green wall will be required via a suitably worded condition attached to any grant of planning permission.
- 5.3.5 The Supplementary Planning Document on Residential Design states that every home should have access to suitable private and / or communal amenity space through one or more of the following: private gardens, communal gardens, courtyards, patios, balconies and roof terraces. Although the SPD does not stipulate any size requirements, the aim is to encourage developers to bring forward schemes involving imaginative and innovative provision of amenity space. The proposed separate amenity space for each ground floor property (of approximately 32 sq.m each) which would be together with the communal space of approximately 240 sq.m and the 23 sq.m balcony to Unit 4 are considered by staff to be appropriate to the nature and size of the proposed units such that this scheme would provide an acceptable level of amenity space.
- 5.3.6 Staff therefore consider that the proposed layout would be acceptable.

5.4 *Design/Impact on Street/Garden Scene*

- 5.4.1 The proposal would (as for the approved scheme P0257.12) be on two-storeys with a mansard-style roof with accommodation of two flats (previously one) within the roofspace. It would have exactly the same footprint and building envelope as the approved scheme.

- 5.4.2 There is a three-storey terrace with shops to the ground floor and mainly residential accommodation above to High Street and to the rear are 2-storey dwellings. Staff therefore consider that the proposed building would represent a stepping down from the three-storey development to the north and, as such would not be out of character with existing development in the town centre and beyond into the mainly residential area to the south.
- 5.4.3 In terms of impact in the street, given the backland development proposed and lack of any obvious building lines along this stretch of land, no material impact on a pattern of development would occur. Although the scheme would introduce a new development on a previously mainly open site, it would have minimal impact on the appearance of the streetscene. This is due to the fact that the development would not be visible from High Street and there would be limited views afforded to the site from Mavis Grove to the south, mainly due to the existing high rear wall which is to be retained. It is also considered that the building would be sufficiently set back from the existing access road and would not appear overly dominant and obtrusive along this frontage.
- 5.4.4 The proposed development would be located a minimum of 43m from houses to the south of the application site. Staff consider that while a section of the proposed building would be located less than 1m from the boundary, that the main section of the building would be located over 9m from the boundary and that due to the distances involved and the higher than normal height of the separating wall at 3.8m high and that the existing building which lies adjacent to the boundary is 6m high to its ridge (3.3m to eaves level), that there would be no significant undue impact on the rear garden environment of these existing dwellings. While there are no gardens associated with the flatted development to the north, there is rear access and, again due to the separating distances involved Staff consider that any amenity which the existing flat dwellers derive would not be adversely affected by the proposed building.
- 5.4.5 Staff therefore consider that the design and siting of the proposed block, given its location at the rear of a three-storey building and within this backland site, would not appear materially obtrusive in the street scene, nor would it have an adverse impact on the rear garden environment. It would be a large feature on this site, nonetheless Staff consider that it would not result in it being overbearing or intrusive.

5.5 *Impact on Amenity*

- 5.5.1 The development is proposed, as previously in the approved scheme, to be located to the north of the properties on Mavis Grove at an average distance of some 40m. The southern elevation as well as the other elevations which face inwards onto the rear amenity area each have at least one Juliette balcony and the (now two) flats at roof level have velux windows. However, given the distances/oblique angles involved and the height of the retained rear wall at a minimum of 3.3m/max 3.8m, Staff do not consider that the proposal would result in any loss of light or unacceptable levels of overlooking of these existing properties. Additionally, given the existing mature landscaping outside the

application site to the south and the three-storey building along High Street, no loss of outlook would occur sufficient to warrant grounds for refusal.

5.5.2 In relation to the properties along High Street, the proposed building is located to the south of these neighbours which could cause loss of southerly and easterly light. However, Staff consider that there would be sufficient separation distance (22m) between the application site (including the first floor Unit 4's balcony) and these properties which are located at first floor and above, and would therefore not cause any unacceptable loss of light or privacy.

5.5.3 In relation to the amenities of the proposed occupiers of this backland site, Staff consider that anyone buying a flat within the town centre would need to take into account that at this site would be in close proximity to the ground floor business uses which front onto High Street, with cars passing within the rear service road and large parking areas close to the proposed building and that the access road would be used not only by the occupiers but by all those servicing the business properties. It is considered that suitable sound insulation to the flats would help ameliorate noise and other disturbance for the future occupants.

5.5.4 While the outlook from north facing windows would be of the rear servicing areas and rear access to the shops/flats fronting onto High Street, the main outlook for the proposed flats including the roof flats with their near vertical hanging velux windows, would be to the rear onto the amenity area. Staff consider that the new occupiers would have a general level of amenity derived from this outlook and would also have access to the communal amenity area (even if not directly) with flat 4 benefiting from a large north-facing balcony/terrace.

5.5.5 Staff therefore consider that the proposed development would result in an acceptable level of amenity for the new occupiers whilst not affecting existing residential amenity to an unacceptable degree.

5.5.6 Noise during construction and general everyday noise and activities associated with new residential development of this scale are not reasons to refuse planning permission. Noise insulation details would be required by a suitably-worded condition to prevent the occupiers being affected by noise caused from outside.

5.6 *Highway/Parking/Servicing*

5.6.1 The car parking requirements for developments in this location is less than 1 parking space per residential unit. There has been no change to the physical envelope of the building or the number of parking spaces proposed since the scheme granted planning permission earlier this year such that the proposed 8-flat development would have 6 parking spaces. In view of the site's location within the town centre with a number of public car-parks, together with the high number of bus routes and reasonably easy access to the Railway Station to the south along Station Road, and given that the units would be 1-bedroom, Staff consider that the provision of 6 parking spaces for the proposed 8 units would, in this instance, be acceptable.

5.6.2 In respect of access, the proposed development would take access off the High Street frontage, which would be shared with the existing commercial and residential traffic in the area, to which no objection is raised by Streetcare staff, although an observation is made that the Borough's refuse vehicles currently service the flats above shops of 182-200 High Street from the access road. The plans indicate a shared bin store would be provided which would have a locked gate such that arrangements would be needed for occupiers to put their waste out on collection day. Details would need to be submitted and a suitable condition can be attached to any grant of planning permission.

5.6.3 The London Fire Brigade raise no objections to the means of access to the site for emergency vehicles, despite the reduced width of the access. It would appear that sufficient space is maintained adjacent to the electricity sub-station for access by EDF Energy and the proposed building is no closer than the existing vacant car repairs centre.

5.6.4 Although the development would result in an increase in traffic in this part of the town centre, no concerns are raised regarding congestion or overspill car parking. It is therefore not considered that the development would lead to pedestrian or highway safety concerns.

5.6.5 In line with Annex 6, cycle parking provision is made on site and would be subject to a suitable planning condition for its implementation and retention.

6. *Section 106 agreement*

6.1 The dwellings would result in additional local infrastructure demand such that a financial contribution is needed in accordance with Policy DC72 and the draft SPD on Planning Obligations, totalling £48,000.

7. *Mayoral CIL*

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 447.55m² which equates to a Mayoral CIL payment of £8,951.

8. *Other Issues*

8.1 The Secured by Design Officer asks that suitable conditions are attached in relation to Secured by Design (and an informative), external lighting, cycle storage, boundary treatment and landscaping.

8.2 The site lies in an Archaeological Priority Area and a suitable condition to enable investigation of possible archaeology would be attached to any grant of planning permission.

9. **Conclusions**

The proposal is for 8 self-contained 1-bed flats within Hornchurch Town Centre. Staff consider that the proposal would be acceptable in principle and that the details of the scheme are acceptable such that this would overcome the reasons for refusing the previously all residential schemes, in accordance with Policies DC2, DC33, DC36 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

IMPLICATIONS AND RISKS

Financial Implications and risks:

None

Legal Implications and risks:

A legal agreement would be needed to ensure that suitable contributions are made to local infrastructure arising from the proposed development.

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. Application forms and plans received 16 October 2012.