



REGULATORY SERVICES COMMITTEE

REPORT

Subject Heading:

P1276.12: Land adjacent to Hilldene Avenue, Hilldene Close, Bridgwater Road, Darlington Gardens and Northallerton Way, Harold Hill Romford.

Report Author and contact details:

Redevelopment of the part vacant Hilldene 'North' site to provide 100 residential units (58% affordable housing), with ancillary car parking and associated landscaping (application received 25 October 2012, revised plans received 13 and 17 December 2012).

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Policy context:

Local Development Framework

Financial summary:

None

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

Ensuring a clean, safe and green borough	[]
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

The application is for the redevelopment of this site to create 100 units, comprising 56 houses and 44 flats. 58% of the units are proposed as affordable housing. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The proposal is therefore judged to be acceptable and, subject to the prior completion of a Legal Agreement and conditions, it is recommended that planning permission is granted.

RECOMMENDATIONS

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

The provision of a minimum of 50% of the units within the development as affordable housing in accordance with Policies CP2 and DC6 of the LDF Core Strategy and Development Control Policies Development Plan Document with a 36:64 split affordable rent to shared ownership.

- A financial contribution of £600,000 to be used towards infrastructure costs in accordance with the draft Planning Obligations Supplementary Planning Document.
- The provision of a training and recruitment scheme for local people to be employed during the construction period.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans and documents:

PL002 Revision M

PL100 Revision G

PL102 Revision H

PL103 Revision F

PL106 Revision F

PL110 Revision E

PL115 Revision E

PL116 Revision F

PL131 Revision A

PL132 Revision B

PL136 Revision A

PL154 Revision F

PL155 Revision G

PL156 Revision G

PL157 Revision C

PL158 Revision B

PL159 Revision F

PL160 Revision F

PL161 Revision F

PL203 Revision A

PL204 Revision A

PL205 Revision A

PL206 Revision A

PL254 Revision B

PL255 Revision B

PL256 Revision B

Reason: To accord with the submitted details and LDF Development Control Policies Development Plan Document Policy DC61.

3. Phasing plan- The development shall be carried out in accordance with the phasing plan shown on drawing number sps0757/1A unless otherwise submitted to and approved in writing by the Local Planning Authority. No phase of the development shall commence until all relevant prior to commencement conditions are approved in respect of that phase.

Reason: To ensure that full details of conditions pursuant to the relevant phase of the development are submitted and to accord with the submitted details.

4. Car parking - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose. .

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

5. Materials - No phase of development (as identified in accordance with condition 3) shall be commenced until samples of all materials to be used in the external construction of the buildings within that phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Landscaping – No phase of development (as identified in accordance with condition 3) shall be commenced until a detailed scheme for the hard and soft landscaping of that phase of the site has been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised within the approved scheme/s shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

7. Refuse and recycling - Prior to the first occupation of each phase of the development hereby permitted (as identified in accordance with condition 3), provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the

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

8. Cycle storage - Prior to completion of each phase of the development hereby permitted (as identified in accordance with condition 3), cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

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

9. Boundary treatment – No phase of development (as identified in accordance with condition 3) shall be commenced until details of proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be installed prior to occupation of that phase of the development and retained thereafter in accordance with the approved plans.

Reason: In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

10. Secure by Design - No phase of development (as identified in accordance with condition 3) shall be commenced until details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included have been submitted to and approved in writing by the Local Planning Authority. Each phase of 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 and DC63 of the LDF Development Control Policies Development Plan Document.

11. External lighting - No phase of development (as identified in accordance with condition 3) shall be commenced until a scheme for the lighting of external areas of that phase of the development, including any access roads, has been submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of that phase of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document

12. Biodiversity – No phase of development (as identified in accordance with condition 3) shall be commenced until details have been submitted to and approved in writing by the Local Planning Authority showing how the development will comply with the recommendations set out in Section 6.2 of the submitted site Ecological Assessment, carried out by MLM Environmental. The development of that phase shall then be carried out in accordance with the approved details.

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

13. Hours of construction - No construction works or construction related deliveries into the site shall take place on any phase of the development 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.

14. Wheel washing - No phase of development (as identified in accordance with condition 3) shall be commenced until details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during that phase of the construction works has been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

15. Construction methodology - No phase of development (as identified in accordance with condition 3) shall be commenced until a scheme has been 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 that phase on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;

- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

16. Land contamination - No phase of development (as identified in accordance with condition 3) shall be commenced until the developer has submitted for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

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

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

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

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

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

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

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

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

17. Travel Plan - Prior to the commencement of development a travel plan showing measures to be undertaken to encourage the use of sustainable modes of transport and reduce reliance on use of private cars shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To protect public health and the occupiers of the development from potential effects of poor air quality and to accord with Policy DC52 of the Core Strategy and Development Control Policies Development Plan Document.

18. Archaeology – A) No development shall take place on any phase of the development (as identified in condition 3) until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved in writing by the Local Planning Authority.
B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part A).
C) Each phase of the Development shall not be occupied until the site investigation and post investigation assessment has been completed for that phase in accordance with the programme set out in the Written Scheme of Investigation approved under Part A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic building recording) in accordance with the recommendations given by the Borough and in the NPPF.

19. Sustainability - No phase of development (as identified in accordance with condition 3) shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design of the relevant phase achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the relevant phase of the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the

Local Planning Authority in order to ensure that the required minimum rating has been achieved.

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

20. Renewable energy - The renewable energy system for each phase of development (as identified in accordance with condition 3) shall be installed in strict accordance with details previously submitted to and agreed in writing by the Local Planning Authority and shall be made operational to the satisfaction of the Local Planning Authority prior to the residential occupation of each and any phase of the development. Thereafter, it shall be permanently retained.

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

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

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

22. Site Waste Management – The development hereby approved shall be carried out in accordance with the submitted Site Waste Management Plan received on 25 October 2012 unless otherwise submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

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

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

26. Stopping up of Highway: Prior to the commencement of development an application to stop up that part of the application site which comprises adopted highway shall be submitted to the Council as highway authority and development shall not commence until and unless a stopping up order is confirmed by the Council as highway authority or the Secretary of State (on appeal) as appropriate.

Reason: To fully consider the impact of the proposed development in respect of public highway.

27. Details of ground levels – No phase of the development hereby approved (as identified in accordance with condition 3) shall be commenced until details of the proposed finished ground levels of the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

28. Replacement community facilities – No development shall commence on the redevelopment of the site marked on drawing number sps0757/1A as site 'C' (Harold Hill Library) until details of how replacement community facilities will be secured have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development does not result in a loss of community facilities and to accord with Policy DC27 of the Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVES

1. In aiming to satisfy condition 10 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. The services of the Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety conditions.
2. The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
3. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
4. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of NPPF

Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP14, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC27, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document. The proposal does not fully comply with Policy DC7 in that 10% of the units are not wheelchair adaptable. However, in combination with planning application P1279.12 the proposals will provide 10 fully adapted wheelchair units on the Hildene 'East' site. In view of the size and type of units to be provided, and as they will be provided fully adapted for immediate occupation by wheelchair users, the exception to policy is considered to be justified.

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

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

Planning Obligations:

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

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

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises three parcels of land situated to the north of Hilldene Avenue. The overall site area is approximately 1.53 hectares. The largest of these (referred to on the submitted site plan as area 'E') is located between Bridgwater Road and Darlington Gardens. Northallerton Way lies to the west and Darlington Path to the east. Ground levels fall from the north of the site towards the south. This part of the development site is now vacant and cleared for development.
- 1.2 The other two parcels of land forming part of the application site are referred to on the submitted site plan as areas 'A', 'B' and 'C'. Area A is located to the south of Bridgwater Road, on the western side of Hilldene Close. It is a former petrol filling station, now used as an open air hand car wash. Area 'B' is a single storey building, used as a gym, located at the junction of Bridgwater Road and Hilldene Close and area 'C' is the existing Harold Hill library, a part single, part two storey building fronting on to Hilldene Avenue.
- 1.3 To the north, west and east of the development site the locality is primarily surrounded by residential development, principally comprising two storey terraced housing. However, some exceptions to this are Abercrombie House, which is a community residential building, to the east of sites 'B' and 'C' and a church building to the west of site 'A'. To the south of the site, on the opposite side of Hilldene Avenue, are commercial properties, which form part of the Harold Hill Minor District Centre.

2. Description of Proposal

- 2.1 The application will involve the demolition of the remaining buildings within the development site and the construction of a new residential development of 100 units, comprising 44 flats and 56 houses. Of these, 58 units will be provided as affordable (21 affordable rent and 37 shared ownership). The affordable units consist of 12 no. 1 bed flats, 10 no. 2 bed flats, 16 no. 2 bed houses, 18 no. 3 bed houses and 2 no. 4 bed houses. The remaining 42 units will be for private sale, comprising 12 no. 1 bed flats, 10 no. 2 bed flats, 12 no. 2 bed houses and 8 no. 3 bed houses.
- 2.2 The development on the most northerly portion of the site (site 'E') will principally comprise a perimeter development of dwellings fronting out onto the surrounding streets. There is however a flatted block to the central section of the northern site boundary facing onto Darlington Gardens. Further flatted blocks are sited perpendicular to Bridgwater Road, clustered around the central part of the site facing east and west respectively, arranged around a central parking and landscaped area.
- 2.3 The proposed units on the north part of the site (Site 'E') are two and three storeys high. They are typically arranged as short terraces, principally two storey but 'bookended' with three storey units. The flatted elements within the development are all two storey.
- 2.4 The development on this site also proposes opening up the eastern site boundary with Darlington Path. This enables the creation of a shared surface access, which provides vehicular access to three of the proposed dwellings within the development, as well as an additional nine parking spaces. This part of the development site is served by front curtilage parking for the majority of the units, together with some shared parking areas in the centre of the site and courtyard parking provision.
- 2.5 Of the more southerly sites, site 'A' (former petrol filling station) comprises a flatted block fronting Hilldene Avenue, wrapping round the junction with Hilldene Close. This will abut a pair of semi-detached houses, with terraced housing to the northern site boundary fronting on to Bridgwater Road. An identical arrangement is proposed for the combined sites 'B' and 'C'. To the Hilldene Avenue frontage, the development will present primarily as three storeys, although the buildings reduce to two storeys high at the end. The buildings reduce from three storeys to two as they extend northwards along Hilldene Close and are predominantly two storey within Bridgwater Road. Parking is primarily provided either as in curtilage parking for the dwellings or within parking courts located to the rear of the blocks.
- 2.6 Although the development is spread over three separate land parcels, in combination they will read as one development. The proposed buildings have a fresh, modern appearance, albeit that they are constructed of traditional materials, such as brick and render and tiled roofs. The modern element of the design is drawn principally from elements such as the asymmetrical roof design, use of floor to ceiling height windows, contrasting entrance porches, glazed balconies and 'pop out' window features, as well as the palette of materials.

2.7 The application is accompanied by a suite of supporting documents including a planning statement, design and access statement, transport statement and travel plan, affordable housing statement, flood risk assessment, ecology and arboricultural assessment, daylight/sunlight analysis, contamination ground investigation report and energy reports.

3. Relevant History

3.1 There is no previous planning history which is of direct relevance to these proposals. The proposal does however form a part of the Harold Hill Ambitions Programme, further details of which will be explained later in this report.

3.2 Z0007.12 Environmental Impact Assessment screening opinion – EIA not required.

4. Consultations/Representations

4.1 Prior to submission of the application, the proposals were the subject of pre-application consultation with the local community, including a public exhibition held in May 2012. Following receipt of the application, the proposals have been advertised on site and in the local press as a major development and neighbour notification letters have also been sent to 303 local addresses. Two letters of representation have been received raising the following issues:

- plans indicate trees within boundary of neighbouring church to be removed
- what boundary treatment will there be to the church?
- adverse impact caused by parking and timing of construction traffic
- hours of working
- blocks view from neighbouring flats
- restricts light and privacy to flats
- lack of parking
- additional noise

4.2 English Heritage (GLAAS) advise that there is potential for hitherto unknown archaeological remains to be affected by the proposal and request a condition to secure archaeological evaluation and mitigation if permission is granted.

4.3 Environmental Health request conditions relating to air quality, contaminated land and noise if permission is granted.

4.4 Essex & Suffolk Water raise no objection but require new properties to be connected to their existing network.

4.5 The Fire Brigade have advised that there are insufficient details to assess if the access complies with ADB volumes 1 & 2.

4.6 At the time of writing this report, the Environment Agency object to the proposals on the grounds that an acceptable Flood Risk Assessment has not

been submitted and it has not been demonstrated that there is not an increased risk of flooding from surface water.

- 4.7 Highways raise no objections in principle to the proposals. It is noted that as part of the proposal the designer has included an area of hard standing opposite the junction of Bridgwater Road and Hilldene Close. It is unclear whether this area is to be adopted although the Authority will not adopt any parking spaces as highway as per the above. The proposals also include a widening of Darlington Path which the Authority supports given the anti social problems involved in this area. This will require the developer to enter into an agreement under the Highways 1980. This agreement will also encompass the new driveways and vehicle access points on the development. It is further noted that some stopping up of the highway will be required.

5. Relevant Policies

- 5.1 Policies CP1, CP2, CP9, CP10, CP14, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC27, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

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

- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations) of the London Plan are material considerations.
- 5.3 The provisions of the National Planning Policy Framework are also a material consideration.

6. Background

- 6.1 This planning application is an important element of the Council's Harold Hill Ambitions Programme (HHA). HHA is a regeneration programme, which commenced in 2008, with the aim of transforming the quality of life and living environment of Harold Hill residents over the next 20 years. One of the key objectives of HHA was to provide improved local housing and this site, together with the Hildene East site, which is the subject of a separate planning application for residential development (reference P1279.12). Although the two applications are separate, the background to these is interlinked.
- 6.2 In 2009 the Council prepared a development brief covering its requirements for the redevelopment of the site and, in 2009, selected developer partners. Whilst it is for Members of this committee to assess the proposals against national and local planning policies, Staff consider that the proposal is, in principle, in line with the objectives of the HHA programme.

7. Staff Comments

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

7.2 Principle of Development

- 7.2.1 The application site is not within a designated land use area and therefore its redevelopment for residential purposes is considered to be acceptable in principle and to accord with Policy CP1 of the Local Development Framework (LDF), as well as the objectives of the HHA programme.
- 7.2.2 The former buildings on the northern part of the site have already been demolished. The remaining buildings comprise a former petrol filling station, community building and a library. None of these buildings are of any particular heritage interest and there is no objection in principle to their demolition. The development site would involve the loss of an existing library facility. However, the Council is committed to ensuring that a new library would be provided if the existing facility is lost and Staff are therefore confident that no loss of community facilities would result in the long term. However, to ensure that this is the case it is proposed to control this via a condition so that the development complies with Policy DC27 of the LDF. The proposal will contribute to the provision of housing within the Borough and therefore complies in principle with Policy CP1 of the LDF and Policies 3.3 and 3.4 of the London Plan.

7.3 Density and Site Layout

- 7.3.1 With regard to Development Control Policy DC2, this site is outside the PTAL zone identified on the proposals map and therefore is classified as 'rest of the

borough' where a density range of 30-50 units per hectare applies. The application site has a combined area of 1.53 hectares and proposes 100 new dwellings. This equates to a development density of 65.4 units per hectare, which is above the range specified in Policy DC2. The development density is however not necessarily unacceptable per se if the development is judged to be acceptable in all other material respects. It should further be noted that this site is located in close proximity to the Harold Hill Minor District Centre, so is well served by local facilities, as well as having good levels of access to local bus routes.

- 7.3.2 Of the 100 units, 44 are flats and the remaining 56 units are family housing. There are 24 no. 1 bed units, 48 no. 2 bed units, 26 no. 3 bed units and 2 no. 4 bed units. The development is considered to provide an acceptable mix of unit types and sizes, which complies in principle with the aims of Policy DC2 in respect of dwelling mix and Policy 3.8 of the London Plan relating to housing choice. Internal unit sizes comply with Policy 3.5 of the London Plan.
- 7.3.4 In respect of site layout, the development will sit across three separate sites. However, the sites share a similar arrangement of perimeter development fronting out onto the surrounding roads, with in curtilage parking to the front gardens and shared parking courtyards at the rear of the blocks. The layouts of the sites are generally reasonably spacious and, for the more northerly site, conform to established building lines. Whilst the proposed development to the Hilldene Avenue frontage generally sits forward in the streetscene, it is considered that this is appropriate given the wide nature of Hilldene Avenue, the wide landscaped area opposite the side and its status as a local commercial area. It is therefore considered that the overall height and degree of prominence of the proposed buildings would not appear overly dominant or intrusive in the Hilldene Avenue streetscene.
- 7.3.5 The majority of trees will be removed from the site. However, the landscaping proposals indicate that this will be compensated for by the planting of around 77 new trees and Staff are satisfied that this would result in a development of acceptable quality and appearance. It is recommended that detailed landscape proposals be secured by condition.
- 7.3.6 In terms of amenity space provision, each of the dwellings has its own private rear garden area. These vary in size and depth but typically are between 8m and 9m in depth on the larger site and around 7m deep on the two smaller sites. The gardens for the dwellings are well configured, private and useable and are considered to comply with guidance in the Residential Design SPD. The flats have a communal landscaped setting and each of the flats has a decent balcony of at least 1.5m in depth, which also accords with the Residential Design SPD. Additionally, the development makes provision on site for informal play areas with play equipment for younger children. The site is within an 800m radius of Central Park, where the Council is intending to upgrade the play facilities. The proposal is therefore considered to have adequate provision for amenity and play facilities.

- 7.3.7 The overall height, scale and position of the units within the site is considered to be compatible with the local area. Whilst there is a prevalence of two storey housing in the locality, three storey development is not uncommon (i.e to the north side of Darlington Gardens). The layout of the site and the set back of development from road frontages is considered to be in keeping with the locality. The proposal also opens up Darlington Path, which is located to the east of the site. The residents of Darlington Path presently only have pedestrian access to their dwellings and the proposal to widen this is considered to improve the security of the footpath, as well as to provide enhanced opportunities for residents parking. This aspect of the development is therefore welcomed in principle.
- 7.3.7 The Borough Crime Prevention Design Advisor has been consulted and it is considered that reasonable measures have been undertaken to make the development as safe as possible. It is however recommended that conditions relating to Secured by Design and other community safety measures be imposed if permission is granted.
- 7.3.8 The development is designed to Lifetime Homes standard. There are no wheelchair accessible units within this development, which is contrary to Policy DC7, which requires 10% of units to meet this criteria. However, there are 10 fully adapted wheelchair units to be provided on the Hilldene East site. Whilst numerically the total number of wheelchair units falls below that required by Policy DC7 (17 units across both sites), LBH Housing have agreed to the proposals in principle, as the units will be supplied fully adapted, rather than just capable of adaption as allowed for by the policy, and immediately available for occupation by wheelchair users. A good mix of units is also offered as wheelchair adapted housing, including 4 no. 2 bed flats, 2 no. 3 bed flats, 2 no. 3 bedroom bungalows and 2 no. 4 bed houses. Housing are therefore satisfied that the provision of wheelchair accessible housing that has been secured is superior to what would be achieved by simply applying the numerical requirements of Policy DC7. Accordingly the scheme is acceptable in principle in this respect.

7.4 Design and Visual Impact

- 7.4.1 In terms of scale and massing, turning first to the northern part of the site, the perimeter blocks are principally two storey and are compatible with the local streetscene. The proposals indicate that ground levels will continue to fall in a north/south direction but a condition in respect of proposed levels is recommended to ensure this will be the case. Although the northern site includes three storey development, this is interspersed with the lower housing and does not appear materially out of scale and character, particularly given the three storey nature of existing development in Darlington Gardens.
- 7.4.2 The two smaller sites contain a more significant element of three storey housing, although to the Bridgwater Road frontage this is limited to just two of the units. The scale of development is considered to be suited to the predominant two storey nature of existing housing in Bridgwater Road. The three storey scale of the development to the Hilldene Close and Hilldene

Avenue frontages of the site is considered to be compatible with local character as the width of the carriageway is wider and is suited to a larger scale of development. Combined with the shopping centre character of Hilldene Avenue and existing four storey development and a more civic feel to this part of the locality, it is considered that the scale and massing of the proposed buildings does not appear intrusive or overbearing.

7.4.3 As with the Hilldene 'East' planning application, the proposed development includes variation on the height of buildings. Staff have no objection in principle to the varying scale and bulk of the buildings and consider they provide visual interest in the streetscene, whilst respecting local character. Staff do consider that there is a degree of judgement to be made about how successfully the transition in the building heights will be achieved and the resultant visual impact of this. This is essentially a matter for Members to consider and apply judgement. However, examples of 'stepped' development are given in the submitted Design and Access Statement and Staff consider, on balance, that this aspect of the development can work successfully.

7.4.4 Architecturally, the proposed units have adopted a traditional building form and given it a modern twist. Materials are principally proposed to be a light coloured brick with contrasting grey brick entrance porches and 'slate' roof tiles. This palette of materials is different to the reddish brick which prevails in the locality but it is considered that it would be acceptable and give a modern degree of contrast to the prevailing local housing character. The proposed dwellings also have features such as rendered sections, full height glazing and windows of varying form, such as pop out and wrap around windows. Combined with the asymmetrical roof forms and modern glazed balconies to the flats, the proposal is considered to have a bold visual impact but with sufficient traditional elements to complement the locality. Staff consider the development need not necessarily fully reflect the height or architecture of surrounding buildings and would have an acceptable visual impact in its own right. Details of materials are given in the application but it is considered that the submission of samples for approval should be required by condition.

7.5 Impact on Amenity

7.5.1 Turning first to the northerly site, the application site does not share a direct boundary with any neighbouring property. Relationships between the site and nearby dwellings will therefore be across public highways (Darlington Gardens, Bridgwater Road and Northallerton Way) and this distance is considered sufficient to prevent material harm to neighbouring amenity.

7.5.2 The relationship between Darlington Path and the application site will change, following the opening up of the pedestrian link. Nonetheless there will remain a separation distance of some 16m between the front elevation of the existing houses and those proposed, as the Darlington Path houses have relatively deep front gardens. Subject to details of lighting, surfacing, boundary treatment etc. which can be secured by condition, Staff consider the proposal would have an acceptable relationship with the dwellings in Darlington Path.

- 7.5.3 There is a church adjacent to the former petrol filling station site. Although the church is a relatively small scale building in relation to those proposed on the application site, the proposed dwellings fronting Bridgwater Road are set in off the party boundary and lie to the side of this building, such that material harm to amenity is not considered to result. The flatted element of the new development sits well away from the party boundary and does not have an unacceptable impact on the neighbouring site.
- 7.5.4 Similarly, the relationship of the proposed development on the library site with the adjacent Abercrombie House is considered acceptable given the extent to which the development is set away from the shared party boundaries. No material harm to the amenity of residents of Abercrombie House is therefore considered to result.
- 7.5.5 The proposal is not therefore considered to result in material harm to the amenity of local residents and to comply with LDF policy DC61. Within the development the relationship between residential units is generally acceptable. There are some tight relationships, where the flank wall of proposed dwellings abuts the rear boundary of other dwelling plots (such as the relationship of plot 9 with plots 7/8 and plot 36 with plots 19/20). Staff have however secured revisions to the layout, which repositions the relevant dwellings such that the impact on amenity is lessened. There has also been some swapping of house types between plots so that the proposed dwellings now have improved relationships with those adjacent. Whilst the siting of a two storey flank wall directly on the rear boundary of proposed dwellings is not ideal, in view of the revisions made to the layout Staff consider, as a matter of judgement, that the proposed dwellings would still enjoy a reasonable level of amenity, such that the proposals do not give rise to materially unacceptable living conditions.

7.6 Environmental Issues

- 7.6.1 The application site is located in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted and concludes that the development is appropriate in flood zone 1. At the time of writing this report the Environment Agency has objected to the proposals on the basis that they are not satisfied there is no increased risk of surface water flooding. Members will be updated on this issue verbally.
- 7.6.2 A land contamination desk top and site investigation study have been carried out. A condition is recommended in respect of land contamination issues.
- 7.6.3 Environmental Health have advised that an air quality assessment will be required owing to the number of parking spaces within the development. It is proposed to deal with this by a condition requiring the submission of a travel plan aiming to reduce private car use as a more practical means of encouraging a reduction in air pollution.
- 7.6.4 An energy strategy and sustainability statement have been submitted with the application. The energy strategy indicates that the development will achieve a

minimum meet Code for Sustainable Homes Level 4. It is recommended that the aims of these statements be secured by condition but the condition will require a minimum of Code level 3 to accord with current LDF policy.

7.6.5 An ecology assessment has been submitted with the application. There is no indication of the presence of any rare or protected species, including bats on the site. The report does make recommendations relating to the impact of development on nesting birds and opportunities for bio-diversity enhancement. It is therefore recommended that a condition be imposed requiring the development to be carried out in accordance with the requirements and recommendations of the ecological report.

7.6.6 English Heritage (GLAAS) advise that the proposal may affect remains of archaeological significance and should be subject of a condition requiring a programme of archaeological work to be undertaken. This will accord with Policy DC70 of the LDF and Policy 7.8 of the London Plan.

7.7 Parking and Highway Issues

7.7.1 The proposal provides a total of 132 parking spaces, which has been marginally increased from the 130 spaces originally proposed. The amount of parking provided equates to a ratio of 1.32 spaces per dwelling. Whilst this falls below the LDF parking requirements of 2-1.5 spaces per dwelling Highways have advised that the amount and configuration of the parking is acceptable on this site. The proposal will also create the opportunity for frontage parking to those dwellings in Darlington Path, which is an improvement on the current situation. The proposals also make provision for cycle parking, which shall be secured by condition.

7.7.2 Highways raise no objection in principle to the road layout within the development and are satisfied that it makes acceptable provision for access to the site and has an acceptable impact on the highway network. The proposal is considered to make suitable provision for the collection of refuse.

7.8 Affordable Housing

7.8.1 The application provides a total of 100 units, of which it is proposed that 58% will be provided as affordable accommodation (21 affordable rent and 37 shared ownership) This is equivalent to a 36:64 split. The development proposed would be in excess of the minimum requirement of 50% affordable housing required by national and local planning policies and is considered to provide an acceptable mix of homes for affordable rent and intermediate accommodation. The amount of affordable housing proposed would need to be secured through S106.

7.8.2 As part of the ongoing objectives of the Harold Hill Ambitions Programme, the Council has been insistent that the redevelopment of this and the nearby Hilldene 'East' site achieves predominantly mixed tenure housing with the majority of homes being social units for rent. Taken in conjunction with

planning application P1279.12, the proposal is consistent with these objectives and is therefore supported in principle by the LBH Housing Service.

7.9 Infrastructure

7.9.1 In accordance with the Draft Planning Obligations Supplementary Planning Document a financial contribution of £600,000 to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement.

8. The Mayor's Community Infrastructure Levy

8.1 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 7861m² less the area of existing building in use to be demolished (939 m²). This equates to a Mayoral CIL payment of £138,440.00.

8.2.1 However, as some of the development is proposed as affordable housing, it is open to the applicants to make an application for social housing relief on the affordable element of the proposals.

9. Conclusion

9.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is generally considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. Staff further consider the design, scale, bulk and massing of the proposed buildings to be acceptable. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues. The proposal is considered to be consistent with the aims and objectives of the Harold Hill Ambitions Programme.

8.2 The proposal makes provision for affordable housing within the development in excess of the requirements of local and national planning policy and will include a requirement to meet infrastructure costs associated with the development in accordance with the draft Planning Obligations SPD. The proposal is therefore judged to be acceptable, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

The application site comprises land which was in the ownership of the Council.

Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreements; Section 106 and highway agreement and to deal with any application for a stopping up of highway.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and is designed to meet Lifetime Homes criteria. The development provides affordable housing in excess of the minimum requirements, including both affordable rent and social housing and thereby contributes to the provision of mixed and balanced communities and access to quality housing for all elements of the community. The development accords with the objectives of the Harold Hill Ambitions programme, which seeks to promote equality of opportunity to all residents of the Borough.

BACKGROUND PAPERS

Application forms and plans received 25 October 2012; revised plans received 13 December and 17 December 2012.