



# REGULATORY SERVICES COMMITTEE

21 February 2013

# REPORT

**Subject Heading:**

**P1070.12 – 37-39 Manor Road,  
Romford**

**The demolition of existing office building and the redevelopment of the site to provide a 5-/6-storey block with 42 residential units with associated parking and amenity space (Application received 7 September 2012; Revised plans received 11<sup>th</sup> October and 26<sup>th</sup> November 2012 and 11<sup>th</sup> January, 1<sup>st</sup> and 5<sup>th</sup> February 2013)**

**Report Author and contact details:**

**Helen Oakerbee, 01708 432800  
[helen.oakerbee@havering.gov.uk](mailto:helen.oakerbee@havering.gov.uk)**

**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**

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

## SUMMARY

This planning application relates to the demolition of the existing office building and the erection of block of 42 flats on 5-/6-storeys with parking and amenity space. The planning issues include the principle of development, design and impact on visual amenity in the street scene, impact on residential amenity, sustainability and affordable housing, parking and highway matters. These issues are set out in detail in the report below. Staff consider the proposal to be acceptable.

The application is recommended for approval subject to conditions and the applicant entering into a Section 106 Agreement.

## RECOMMENDATIONS

That it be noted that proposed development is for a fully affordable housing scheme. CIL is not liable, nonetheless it is for the applicant to claim for relief from the CIL and the CIL amount is calculated at £20 per sq.m. In this case, 3,966.8sq.m - 1,200 sq.m = 2,766.8sq.m giving a CIL figure of £55,236 for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3.

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 £252,000 to be used towards infrastructure costs.
- Affordable housing of 100% of units in accordance with Policy DC6 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. The affordable dwelling units shall be split between shared ownership (shared equity) – 19 units and affordable rented – 23 units.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement and if for any reason the agreement is not completed the Council's reasonable legal fees shall be paid in full;

- Payment of the appropriate planning obligation/s monitoring fee.

That staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, and that the Committee delegate authority to the Head of Development and Building Control to 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 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 Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made as shown on the approved plans Drawing Nos 4829-L(0)053 Rev B and 4829-L(0)052 Rev B and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking provision is made off street in the interests of highway safety.

4) Materials: Notwithstanding the details submitted, 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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

5) Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the

development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

6) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted and approved plans,) 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 (as amended or otherwise replaced) 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.

7) Wheel washing: Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32 of the LDF.

8) Cycle storage: Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

9) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

10) Construction Methodology Statement: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning 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 with the Development Control Policies Development Plan Document Policy DC61.

11) Highways Licence Agreement: 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 of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

12) Secured by Design: 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 might 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 PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

13) Refuse and recycling: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been 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

14) Ground Contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase II (Site Investigation) Report as the Phase I Report which had already been submitted 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 sites 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 of two parts:

Part A – Remediation Statement 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.

15) Boundary Treatment: Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

16) Noise Insulation: The buildings shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum 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.

17) Sustainable Homes Rating: No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

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

18) Renewable Energy System: The renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

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

19) Site drainage: Prior to first occupation of the proposed development, details of the site drainage system shall be carried out in accordance with the submitted Drainage Strategy Report together with the provision of petrol receptors in the car parking areas and shall be retained thereafter.

Reason: To mitigate against flooding and to prevent pollution of the water environment.

20) Lifetime Homes Standard: The new residential units hereby approved shall all be built to Lifetime Homes standards.

Reason: In order to comply with the requirements of Policy DC7 of the LDF Development Control Policies Development Plan Document.

21) obscure glazing: Secondary windows to the flank elevation of the shallower northern elevation on lower ground – 4<sup>th</sup> floor level shall be fitted with obscure glazing and apart from top-hung vents shall be fixed shut. The secondary windows to the fifth floor flank elevation shall be fitted with obscure glazing and all three windows to this floor shall be fitted with restrictors. These measures shall be implemented and retained in perpetuity.

Reason: to protect the privacy of occupiers of the adjoining flatted block.

22) Visibility splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason: In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

23) External Lighting: No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include the low level lighting of the access road. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

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

24) Construction hours: No construction works or 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 of Saturdays unless agreed in writing with the local planning authority. No construction works or 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.

25) screen trees: No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of trees close to the boundary with Marwell Close properties has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the



erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the screening trees close to the site boundaries

## **INFORMATIVES**

### 1. Reason for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC50, DC51, DC55, DC60, DC61, DC63, DC66 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document, Policies 3.3, 3.4, 3.5, 3.7, 3.8, 3.11, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 8.3 of the London Plan and Sections 6 and 7 of the National Planning Policy Framework (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.

### 2. 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.

### 3. The applicant is advised 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. 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

### 4. The developer, their representatives and contractors are advised that planning permission 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.

5. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
6. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
7. In aiming to satisfy Condition 12 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
8. 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 the National Planning Policy Framework 2012.

## REPORT DETAIL

### 1. Site Description

- 1.1 While the application site address is in Manor Road, the site itself is located to the southern side of Rushdon Close. The site comprises a 3-4-storey office building with ancillary parking. There is an access drive which exits onto Rushdon Close near its junction with Manor Road. The building on site is at the highpoint of the area, ground levels fall significantly across the site from west to east and ground level surrounding the site are significantly lower in Rushdon Close but only slightly lower to Manor Road and to the south of the application site. The site area is 0.28 hectares.
- 1.2 To the west of the application site is a nearly completed 5-storey residential block with houses/flats to the west and opposite side of Rushdon Close. To

Manor Road are mainly semi-detached two-storey housing and there are 3-storey flats to the south. Further to the west is a railway line.

## **2. Description of Proposal**

- 2.1 The application seeks planning permission for the demolition of the existing office building on the site and its replacement with a 42-unit flatted block of 5/6-storey height with ancillary parking and amenity space.
- 2.2 The proposal would be entirely for affordable housing and comprises 7 x 1-bed flats, 23 x 2-bed flats and 12 x 3-bed flats. The development would provide parking at surface level to the east of the building accessed from the existing access road with underground parking with a new access directly from Rushdon Close) totalling 63 spaces.
- 2.3 The affordable housing would be split between shared ownership – 19 units and affordable rented – 23 units. There would be two separate entrances for each section with the entrance for the former being to the eastern elevation and that for the latter to the northern elevation.
- 2.4 The proposed flatted block would be L-shaped and have maximum measurements of 34.6m wide and 41.4m deep (taken from Rushdon Close) with flat roofs with a height above ground level varying, due to the sloping ground levels across the site, nonetheless the maximum height would be 18.5m above ground level.
- 2.4 The two lower ground floor flats (west wing) and the two ground floor flats (east wing) would have a private garden area each with the other flats sharing a communal amenity area to the rear of the application site of 256 sq.m. Balconies would be provided to each flat with the 3 “penthouse” units to the east wing either having a large roof garden or partly wrap-around balconies.
- 2.5 It is proposed to provide 25 surface parking spaces to the ground level with cycle storage and a turning head at the end of the existing access drive with 38 parking spaces and further cycle storage under the building/under the proposed amenity deck area.
- 2.7 Other documentation submitted with the application is as follows: Transport Statement, Contamination Assessment, Energy Report, Code for Sustainable Homes Report and Planning Statement together with the Design and Access Statement.

## **3. Relevant History**

- 3.1 P0387.11 Part change of use from B1 to D1 (basement, ground and first floor), restricted to health centres, non-residential education and training centres – Approved 29-07-2011

#### **4. Consultations/Representations**

4.1 Notification letters were sent to 113 neighbouring properties, a site notice was posted and a press notice was placed in a local paper. There were 14 replies received raising objections to the scheme as follows:

- This is an elevated site which means that the development which will be the tallest in the area will appear even taller
- There is a waste water problem and the pumping station will not be able to cope with more dwellings
- Loss of privacy/overlooking
- Loss of light
- Unacceptable increase in noise
- Loss of value of surrounding properties
- Noise, disturbance, dirt, inconvenience etc. during the construction phase
- Occupiers of this block may not be suitable to existing occupiers
- Flats are not in character with the existing Victorian dwellings to Manor Road
- Flats destroy the historic market town
- Children will have nowhere to go and will therefore be a problem
- The building will be an eyesore
- The quiet Victorian ideal is being destroyed
- It is not fair to have such a long period of building works in one place
- The building will not be big enough for the proposed occupiers
- Overdevelopment/overpopulated area
- Unacceptable increase in volume of traffic

4.2 The Council's Environmental Health Service requested the part 2A condition to be added as the Desktop Study indicated that there are potential pollutant linkages present on the site. Environmental Health also requested a noise insulation and construction and delivery hours condition.

4.3 The Highway Authority has no objection to the proposals as parking meets the required standard.

4.4 The Borough Crime Prevention Design Advisor did raise concerns regarding certain elements discussed with the applicant which are reflected on the plans. A Secured by Design condition is requested to be attached.

4.5 Thames Water indicate that they have no objections with regard to sewerage infrastructure. In relation to surface water drainage they remind the developer that they need to make proper provision and that their prior approval is needed for any connection to a public sewer.

4.6 The London Fire and Emergency Planning Authority indicate that either the access should meet 16.3 of Volume 2 of the Building Regulations documents or a dry rising fire main should be provided. This would need to be resolved at the Building Regulation Application stage.

## **5. Relevant Policies**

- 5.1 Policies CP1 (housing supply), CP2 (sustainable communities), CP9 (reducing the need to travel), CP10 (sustainable transport), CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC6 (affordable housing), DC7 (lifetime homes and mobility housing), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC50 (sustainable design and construction), DC51 (renewable energy), DC53 (land contamination), DC55 (noise), DC60 (trees and hedges), DC61 (urban design), DC63 (crime), DC66 (Tall Buildings and Structures), DC70 (archaeology) and DC72 (planning obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents,,Draft Planning Obligations SPD and the Residential Design SPD are also relevant.
- 5.2 Policies: 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.7 (Large Residential Developments), 3.8 (Housing Choice), 3.11 (Affordable Housing Targets), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) and 8.3 (Community Infrastructure Levy) of the London Plan (2011) and the Mayor's Supplementary Planning Document on Residential Design (November 2012).
- 5.3 National Planning Policy Framework (NPPF) Section 6 "Delivering a wide Choice of Homes", and Section 7 "Requiring Good Design".

## **6. Staff Comments**

- 6.1 The main issues to be considered are the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, and parking and highways issues.
- 6.2 *Principle of Development*
- 6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The site does not lie in a designated area and, in line with Policies CP1 and DC11 (non-designated employment land), the redevelopment of the land for residential is considered to be acceptable in principle in land use terms. The provision of additional housing is consistent with the National Planning Policy Framework (NPPF).
- 6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks (reiterated in the SPD) should incorporate minimum space standards. The Mayor has set these at 86m<sup>2</sup> for

a 3 bed 5-person flat; 74m<sup>2</sup> for a 3 bed 4-person flat, 70m<sup>2</sup> for a 2-bed 4-person flat, 61m<sup>2</sup> for a 2-bed 3-person flat and 50m<sup>2</sup> for a 1-bed 2-person flat. The proposed flats would be in line with these minimum guidelines and are considered acceptable.

- 6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The site is presently occupied by an office block. Previous commercial sites closer to the railway line have now been replaced by housing development with the existing use of the land for commercial purposes being somewhat out of character. The proposal is therefore an opportunity to remove this use from a residential area and replace it with a land use more compatible with the surroundings. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and Policy 3.3 of the London Plan which seeks to increase London's housing supply.
- 6.2.5 As the site/surrounding area has a history of commercial use and the Contaminated Land Report submitted by the applicant confirms, land contamination is present. It is recommended that issues of land contamination be dealt with by condition in the event that planning permission is granted.

### 6.3 *Density and Site Layout*

- 6.3.1 The application site is ranked as being within a low Public Transport Accessibility Level Zone (PTAL 1-2), with the density range of 30-50 units per hectare. The proposed development of 42 units on the 0.28ha site represents a density of 150 units per hectare. This is considerably above the recommended density range but may not be unacceptable given that flatted development is normally of higher density. Furthermore, the advised density ranges are only one of a number of criteria employed to assess the appropriateness of a proposal and it is the overall quality of the development and its layout which is of greatest importance.
- 6.3.2 In terms of site layout, the proposed development has a larger overall footprint than the existing office building. It would have a similar appearance to the adjoining flatted block which is nearing completion and would mirror its L-shape with the amenity areas appearing joined up.
- 6.3.3 There would be 256 sq.m of communal amenity space with the flats all having either access to a private garden area or balcony. Staff therefore consider the development to have a reasonably spacious setting.
- 6.3.4 It is proposed to provide units to Lifetime Homes standards with 4 to wheelchair accessible standards in order to ensure that the proposal meets the provisions of Policy DC7 in respect of Lifetime Homes.

#### 6.4 *Design and Visual Impact in the Streetscene*

- 6.4.1 The proposed building would be on 5-/6-storeys and have a maximum height above ground level of 18.5m. Policy DC66 of the LDF indicates that buildings or structures of 6 storeys or above 18m in height above ground level, will normally only be granted planning permission in Romford Town Centre and elsewhere, that exceptional circumstances would need to exist and that the proposal meets a list of criteria.
- 6.4.2 There is a significant slope across the application site with the existing building, Service House and its parking area, being located at the highest point in the locality. Rushdon Close has been cut down to the railway line, between properties in Manor Road such that it is significantly lower than natural ground levels which rise from Manor Road to the application site then fall sharply down to Rushdown Close itself. As such, from the highest ground level adjacent to the east wing of the building, the building would be on 5 storeys with a maximum height of 15.3m. The west wing would be located on the lower ground level (i.e., relates to Rushdon Close) and would have a maximum height in relation to this road of 15.88m above ground level. The point at which the west and east wings link at a stairwell, is the only point at which the building is taller than 18m. Staff consider that in this context where ground levels differ a whole storey across the application site that the proposed building can be considered to be acceptable providing it meets the criteria listed.
- 6.4.3 The criteria listed require that the building is attractive, is clustered with other buildings of a similar scale and massing, preserves or enhances the natural or historic environment, local amenity and local character, act as a catalyst for regeneration, preserves/enhances views from Havering Ridge, does not mar the skyline, doesn't not have a significant adverse impact on the amenity of nearby occupiers, is appropriate to local transport infrastructure and capacity in the area. The building should also be of exemplary high quality and inclusive design.
- 6.4.4 The proposed building would be located directly adjacent to a recently constructed 5-storey building and would have a similar scale and massing as this building. The office itself has failed to find a suitable tenant for some years and this proposal would remove this building, replacing it with much needed residential development, as has happened in Rushdon Close generally over the last 10 years where commercial development has been replaced by residential. The site is far from Havering Ridge and would not specifically affect views from it, nor mar the skyline unduly.
- 6.4.5 The proposed 5-/6-storey building replaces an existing 3-/4-storey office building and would be directly adjacent to an existing 46 unit flatted residential block which is itself on 5 storeys. The existing block is also L-shaped and the proposed development would mirror this part of the former The Build Centre development such that its shallower section would be adjacent to the shallower section of this building with the deeper section at the outer extent creating a similar two level amenity courtyard area to the

rear with parking underneath the decked area and matching each other for height above ground level. The proposed block's east wing (shallower section) would be 16m high compared with the existing adjoining flatted building's 16m height above ground level. Staff consider that the rise to 18.5m for the deeper section of the proposed building, at over 20m from the existing flatted block's nearest point, would appear appropriate in terms of its impact on visual amenity as the existing application site's ground levels step up a full storey height at this point. Staff consider that the proposed development would have a similar impact in the streetscene to Rushdon Close as the existing 46 unit and that this would be acceptable and in accordance with the SPD on Residential Design.

- 6.4.6 The proposed east wing's flank elevation facing this adjoining 5-storey flatted building would be located just over 3m away (5m at fifth floor level) from the 5-storey block. Staff consider that the proposed building would not appear overly dominant as it would be of a similar depth and the main outlook from these existing flats is to the front (to Rushdon Close) and rear. In addition, the proposed rear landscaped deck would be located at the same relative height and distance away from the building as exists at this new development. It is considered that the proposal would have an acceptable relationship in terms of visual amenity in the streetscene to this side of Rushdon Close, in line with the SPD on Residential Design.
- 6.4.7 In relation to the existing mainly 2-storey properties in Manor Road, the proposed 5-storey west wing would replace the existing 3-storey office block (as viewed from these properties). The west wing is proposed to be located some 53m (excluding balconies) from the existing rear elevations; a similar distance away as the existing block. Staff consider that at this distance, with the fifth floor set back, the proposed development would not appear overbearing or overly dominant in the rear garden environment. As the building would be located to the east/north of properties fronting Manor Road at the junction of Rushdon Close, Staff consider that it would not result in any significant loss of light or overshadowing to these properties
- 6.4.8 In relation to 3-storey flatted block properties on the opposite side of Rushdon Close, the proposed building would be to the south. Nonetheless given that it would be on the opposite side of the road way and that the nearest point of the new building would be 24m away, it is not considered that the proposed building would appear out of character.
- 6.4.9 In relation to the 3-storey flatted properties to the south of the application site in Marwell Close, the proposed building's west wing would be approximately 16m away from their nearest point. This would be significantly closer than the existing building, Service House, and the proposed building would be 5-storey rather than the existing 3-storey. At this distance and as the west wing of the proposed building would have a similar width as the existing Service House and given the existing intervening boundary tree screen within the Marwell Close flats' grounds, Staff consider that the proposed development would not appear unduly overbearing or overly dominant in the communal gardens to the flats, particularly as these



gardens encircle the flatted blocks. This is a matter of some judgement and Members may wish to place different weight on this element of the scheme, nonetheless Staff consider that this would be acceptable.

6.4.10 Staff therefore consider that the proposal would only in part be considered to be a tall building but nonetheless would be of a suitable size and massing in relation to existing buildings, such that it would have an acceptable impact on visual amenity in the streetscene and on the rear garden environment.

## 6.5 *Impact on Residential Amenity*

6.5.1 The nearest residential properties would be the flatted blocks to Marwell Close which would be within 16m of the proposed west wing. There are currently windows to all the elevations of the existing Service House building. It is proposed to have balconies and a landscaped deck area. While the proposed balconies would be closer to the Marwell Close flats than these existing windows and would be to residential rather than office accommodation, Staff consider that as there would be no principal windows in the elevation facing the Marwell Close flats, that at a distance of 16m away, there would be no significant loss of privacy or outlook as a result. The proposed block would be located to the north of these flats and there would be no loss of light or overshadowing from the proposed development.

6.5.2 The properties to Manor Road will be located over 50m from the proposed development (14m from the rear boundary fences). While the block will be visible from the rear elevations and gardens of these properties Staff consider that at this distance the proposed 5-storey west wing at a maximum height of 18.5m above ground level in Rushdon Close would not appear visually intrusive or adversely affect outlook. The balconies to the west wing facing the rear of properties in Manor Road would be located a minimum of 12m from the nearest rear fence; a similar distance away as existing windows to Service House. Staff therefore consider that no undue loss of privacy or overlooking would occur as a result.

6.5.3 The properties on the opposite side of Rushdon Close would be located approximately 24m away from the proposed building which would have a maximum height of 18.5m. It is considered that as the proposed building would be wider and taller than the existing Service House and located to the south of these existing properties, that there would be likely to be some loss of direct sunlight. Nonetheless Staff consider that as the proposal would not affect direct sun-light in the afternoon or evening and probably not at all during the summer months, that there would be no significant loss of light to these occupiers. There would be windows and balconies to the elevation fronting onto Rushdon Close and a new pedestrian entrance/vehicular access would be formed to the proposed under building car park area. At a distance across a public highway where noise and activity would be greater than to the rear of the flatted block and at a distance of 24m, Staff consider that there would be no undue loss of residential amenity to these existing occupiers.

6.5.4 Windows would be located in the east wing's elevation facing the existing, newly built flatted block at a distance of 3m away. The existing block has a series of secondary windows to bedroom (ground floor) and kitchen areas (2<sup>nd</sup> - 4<sup>th</sup> floor) and secondary bedroom and a primary window to a small bedroom at 5<sup>th</sup> floor level. Staff consider that while most windows to the proposed development would be secondary and could therefore be fitted with obscure glazing, there is a window to a habitable room (bedroom) on each floor. Except on floor 5, these windows would be opposite the kitchens of the existing block and Staff consider that a degree of interlooking would occur; nonetheless it is considered that given the arrangement of windows this would be at an oblique angle and that this would not result in a substandard of accommodation for either proposed or occupiers of the recently completed development. At the 5<sup>th</sup> floor level the proposed three windows would be located further away at just over 5m and could be fitted with obscure glass and fitted with restrictors to prevent any undue loss of privacy. This is a matter of judgement and Members may place different weight such that they may consider that the outlook of the existing flats would be unduly compromised, nonetheless, Staff consider that the arrangements would be suitable and not result in any significant loss of amenity.

## 6.6 *Sustainability/Renewables*

6.6.1 The proposed development is considered capable of gaining Code for Sustainable Homes Level 3, which is in accordance with Policy DC49. In the event that Members were minded to grant planning permission this could be secured by condition to ensure the development attains this standard.

6.6.2 It is indicated that predicted carbon dioxide emissions from the development could be reduced by 20% through the use of on-site renewable energy equipment. The development would therefore accord with the target set out in the London Plan. The Council's Energy Officer is satisfied with the proposal in respect of sustainability subject to suitable conditions. The proposal is therefore considered acceptable in this respect and conditions could be imposed to ensure the development demonstrates this level of reduction of CO<sub>2</sub> emissions is met.

## 6.7 *Highways / Parking Issues*

6.7.1 The existing access into the site would be retained and a new vehicular/pedestrian access to be formed from Rushdon Close. This is considered to be acceptable, and meets the access and servicing needs of the development.

6.7.2 The development proposes a total of 63 parking spaces, which is a ratio of 1.5 spaces per unit overall. The application site is located in a low PTAL area (PTAL 1-2) where the expected parking provision range is 1.5-2 spaces per unit. In view of this, the proposed parking provision is considered to be within the acceptable range and would accord with the density matrix in Policy DC2.

6.7.3 The proposal includes cycle storage provision for the flats in the parking area at lower ground floor level. This would accord with Policy DC36 and would encourage alternative means of transport. Staff consider, having regard to the package of measures proposed and the location of the site, that the parking provision is acceptable.

6.7.4 Policy DC40 advises that planning permission will only be granted for developments where suitable waste and recycling storage facilities are provided. In this case the proposal would see the provision of a refuse storage enclosure in the parking area at ground level and near the entrance at lower ground floor level which are considered suitable.

## 6.8 *Affordable Housing*

6.8.1 The proposal results in development for which an affordable housing contribution is required in accordance with the National Planning Policy Framework and the London Plan. Policies CP2 and DC6 set out a borough wide target of 50% of all new homes built in the borough to be affordable. The applicant has indicated that the proposal would be for 100% affordable housing.

## 6.9 *The Mayor's Community Infrastructure Levy*

6.9.1 The proposed development is for a fully affordable housing scheme may not be liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. Nonetheless it is for the applicant to claim for relief from the CIL and the CIL amount is calculated at £20 per sq.m. In this case,  $3,966.8\text{sq.m} - 1,200\text{ sq.m} = 2,766.8\text{sq.m}$  giving a CIL figure of £55,236.

## 6.10 *Planning Obligations*

6.10.1 In accordance with the Draft Planning Obligations Supplementary Planning Document a financial contribution of £6,000 per dwelling to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement for the amount of £252,000.

## 6.11 *Other Issues*

6.12.1 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect, subject to the imposition of conditions and an informative requested by the Borough Crime Prevention Design Advisor.

## 7. **Conclusion**

7.1 In conclusion, residential development on the site is considered to be acceptable in principle and would result in the removal of an existing

commercial use. The proposal is considered to be acceptable in terms of scale, form, massing and visual impact. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues and in all other respects. It is recommended that planning permission be granted, subject to a financial contribution towards infrastructure costs.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

Financial contributions are required through a legal agreement

### **Legal implications and risks:**

Legal resources will be required to prepare and complete the legal agreement.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

The proposed dwellings would be constructed to meet the Lifetime Homes Standard with some capable of adaptation to wheelchair units which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

## **BACKGROUND PAPERS**

Application forms and plans received on 7<sup>th</sup> September 2012 and subsequent revisions on 11<sup>th</sup> October and 26<sup>th</sup> November 2012 and 11<sup>th</sup> January, 1<sup>st</sup> and 5<sup>th</sup> February 2013.