



**Havering**  
LONDON BOROUGH

**Strategic Planning  
Committee  
6 October 2022**

**Application Reference:**

**P0112.22**

**Location:**

**Hall Lane Miniature Golf Course, Hall Lane, Upminster**

**Ward:**

**Cranham**

**Description:**

**Application for reserved matters seeking approval of appearance, landscaping, layout and scale pursuant to Condition 1 of Outline Planning Permission (P0248.19) dated 16 September 2021 for the demolition of all buildings and structures on site, and redevelopment of the site providing up to 37 residential dwellings, creation of a new highway access, public open space and landscaping and related infrastructure. Details are provided to satisfy Conditions 12, 13, 14, 15, 16, 26 and 30 of the Outline Planning Permission.**

**Case Officer:**

**John Kaimakamis**

**Reason for Report to Committee:**

- A Councillor call-in has been received which accords with the Committee Consideration Criteria.**
  - Members of the Strategic Planning Committee resolved that any reserved matters application be determined by committee**
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## **1 BACKGROUND**

- 1.1 An outline planning application was presented to Havering's Strategic Planning Committee in July 2020 and it was resolved to grant planning permission subject to conditions and a section 106 legal agreement.
- 1.2 The application has been called-in to committee by three ward Councillors for a member decision, however, subsequent to the recent local elections one Councillor was not re-elected.

## **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 The proposed reserved matters under Condition 1 of the outline planning permission with regard to appearance, landscaping, layout and scale of the site would accord with a series of key documents, parameter plans and Design Code that were secured under Condition 6 and 10 of the outline planning permission.
- 2.2 Furthermore, information submitted for the approval of details regarding Conditions 11 (Materials), 12 (Car Parking), 13 (Site Levels), 14 (Refuse and Recycling), 15 (Cycle Storage), 16 (Road/Carriageway/Footway Details), 26 (Boundary Treatments) and 30 (Drainage Strategy) would also accord with the matters requested under the outline planning permission.
- 2.3 The reserved matters submission does not result in any significant additional impact, compared to the outline approval nor does the submission raise any other significant issues.

## **3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT CONSENT for the reserved matters application and approval of details in relation to Conditions 12 (Car Parking), 13 (Site Levels), 14 (Refuse and Recycling), 15 (Cycle Storage), 16 (Road/Carriageway/Footway Details), 26 (Boundary Treatments) and 30 (Drainage Strategy) of Outline Planning Permission (P0248.19).
- 3.2 That the Assistant Director of Planning is delegated authority to issue the reserved matters consent and impose conditions [and informatives] to secure the following matters:

### **Informatives**

1. Accordance with the plans
2. Notification of conditions discharged with this notice

## **4 PROPOSAL AND LOCATION DETAILS**

### **Site and Surroundings**

- 4.1 The site is located on the east side of Hall Lane and is largely open space formerly used as a pitch and putt facility with a crazy golf area and kiosk building. The site measures approximately 3.5 hectares in area. The site is now closed, having been sold. The site has a wide open frontage to Hall Lane and elsewhere is bounded by residential properties – to the west by 62 and 84 Hall Lane, to the north by 2 to 26 The Fairway, to the east by 3 to 11 Holden Way and to the south by 1 to 45 Ingrebourne Gardens. There is also an electricity substation immediately north of 62 Hall Lane.
- 4.2 There are a number of significant trees on the site as well as dense vegetation to most of the boundaries of the site. A tree preservation order (TPO) is in place protecting the most significant trees and groups of trees on the site.
- 4.3 The surrounding area is predominantly residential with detached and semi-detached houses set in spacious plots. Surrounding the site, the residential areas are designated as within the Hall Lane Policy Area.

### **Proposal**

- 4.6 The Reserved Matters Application (RMA) relates to the whole site and seeks approval of details relating to appearance, landscaping, layout and scale for the following proposal.
- 4.7 Although the outline planning permission granted consent for up to 37 dwellings, the reserved matters propose 35 dwellings comprising of 4 X 3-bedroom houses, 11 X 4-bedroom houses and 20 X 5-bedroom houses. Each dwelling would have 2 car parking spaces. The dwellings are set along a centrally located access road with areas of public open space at either end of the site.
- 4.8 The one reserved matter that was secured under the outline permission related to access, whereby a new junction would provide access into the site in the form of a bell-mouth junction with pedestrian island separating lanes. The current reserved matters submission maintains the details relating to the consented access with no divergence from what was previously approved.
- 4.9 Consent is also sought for the approval of details in relation to Conditions 12 (Car Parking), 13 (Site Levels), 14 (Refuse and Recycling), 15 (Cycle Storage), 16 (Road/Carriageway/Footway Details), 26 (Boundary Treatments) and 30 (Drainage Strategy) of Outline Planning Permission Reference P0248.19, as the wording of each of these conditions requires submission alongside an RMA application.

### **Planning History**

- 4.10 The following planning decisions are relevant to the application:

- **P0248.19:** Outline planning application for the demolition of all buildings and structures on site, and redevelopment of the site providing up to 37 residential dwellings, creation of a new highway access, public open space and landscaping and related infrastructure. – ***Approval with conditions and S106 legal agreement 16<sup>th</sup> September 2021.***

## 5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 The following were consulted regarding the application:
- ***Thames Water:*** No representations received.
  - ***Anglian Water Authority:*** No representations received.
  - ***London Fire Brigade:*** No observations to make.
  - ***London Fire (Water Team):*** The site must have a private fire hydrant in accordance with Building regulations.
  - ***LBH Waste and Recycling:*** No objections.
  - ***Place Services (Landscaping):*** Sought a number of clarifications and recommended further details with regard to hard and soft landscaping.

## 6 LOCAL REPRESENTATION

- 6.1 The application was advertised via a Press Notice and Site Notice displayed at the site for 21 days between 04 January and 25 January 2022.
- 6.2 A formal neighbour consultation was also undertaken with neighbouring properties being notified of the application and invited to comment. Twenty (20) objections have been received to the reserved matters submission.
- 6.3 The following local groups/societies made representations:
- None
- 6.4 The following Councillors made representations:
- The application has been called in by Councillors Ford, Tyler and former Councillor Van Den Hende on the following grounds:
    - This application is not in accordance with the adopted Local Plan and should therefore be refused. The updated Policies Map (North),

published in November 2021, identifies this site as 'Parks, Open Spaces, Playing Fields, and Allotments' (Policy 18).

- There is reduced open space at the east end of the development, compared to granted outline planning permission (P0248.19).
- The proposed housing mix does not meet local needs i.e., 20 x 5-bed, 11 x 4-bed and 4 x 3-bed
- A comprehensive street lighting plan should be submitted, which takes in likely effect of any proposed trees, to meet relevant British Standards.
- A planning condition should be included, requiring the development to be built to Secured by Design (SBD) standards.
- A planning condition should be included, requiring the development to be built with sustainable materials.
- No energy rating has been provided.
- There is no evidence of sustainability and net zero design to meet Havering's 2030 carbon neutral target.
- Out of 35 properties, only 7 will be provided with Electric Car Charging points. All properties should be provided with EV charging points.
- The application fails to recognise the November 2020 TPO plan, proposing the removal of T16, T17, T18, T19, T21, T22.
- Street trees are proposed to be planted within the boundaries of the new development. This provides no security for their retention or mitigation against the loss of trees proposed elsewhere on the site.
- The density and visual impact of the development is not in keeping with the open aspect of Hall Lane housing.
- The application represents overdevelopment, offering insufficient amenity space for each space appears insufficient for the number of bedrooms.

## Material Representations

6.5 The following material issues were raised through neighbour notification of the proposed development:

- Loss of privacy and impact on sunlight/daylight  
*(OFFICER COMMENT: these matters were considered at outline application stage and the consented Design Code stipulated mandatory requirements of all new dwellings to be at least 10 metres from boundaries and no dwelling to be higher than 2.5 storeys (i.e. 2 storeys in height with accommodation in the roofspace) in height so as to ensure that there would not be amenity impacts on the neighbouring properties. The Design Code also ensures that existing and new vegetation between boundaries is maintained to ensure a buffer between new and existing dwellings.)*
- Noise from the pumping station in south east of the site  
*(OFFICER COMMENT: Condition 20 of the outline permission seeks details of the pumping station with regard to these matters and would need to be submitted prior to the installation of the water pump)*
- Noise emanating from children's play area  
*(OFFICER COMMENT: Requirements for children's play space are required by development plan policies and an appropriate amount was secured by the outline planning permission. This has been suitably located in the public*

*open space area to the west and appropriate planting and vegetation is proposed between the site and neighbouring properties.*

- Proposed dwellings have distorted roofs which are larger than properties in the area.

*(OFFICER COMMENT: The different building types accommodate floorspace within the roof in the form of either, hipped, half-hipped and gabled roofs depending on the design of each dwelling. The initially submitted drawings contained roofscapes that were slightly elongated and these have been amended to reduce the overall height of each building type so as to respect the character of the site and wider Hall Lane area.)*

6.6 There were also a number of issues raised that were previously highlighted at outline planning application stage, and were taken into account during the determination and consent granted to that application process.

- Loss of open space
- Loss of existing use
- Increased pollution and reduced air quality
- Unacceptable impact during construction
- Development out of character with surrounding area
- Local roads are already busy
- Lack of visitor parking
- Increase pressure on local infrastructure
- Lack of affordable housing
- Impact upon mature trees
- Effect upon biodiversity; wildlife and ecology.
- Alternative uses other than housing should be considered
- Flood risk
- The proposal would exacerbate youth crime and anti-social behaviour
- Flats are inappropriate
- Brownfield sites should be considered first
- The site is part of the heritage of Upminster
- Lack of retirement apartments and first time buyer homes in Upminster
- Existing resource should be replaced
- Should be more flats for young people and elderly

6.7 There were also some representation in support, however were previously highlighted and considered at outline planning application stage.

- This type of housing is what is required in the area encouraging families to move to the area.
- The new development includes trees, green space and play space.

## **7 MATERIAL PLANNING CONSIDERATIONS**

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

- Principle of Development
- Consideration of Reserved Matters
  - Access;
  - Appearance;
  - Landscaping;
  - Layout; and
  - Scale,
- Conditions
- Financial and Other Mitigation
- Equalities and Diversity
- Conclusion

### **Principle of Development**

- 7.2 The principle of development has already been established under outline planning permission Ref: P0248.19.
- 7.3 As such, the present reserved matters submission does not necessitate a consideration of the principle of development as this was fully considered previously, for which this reserved matters application relates. The proposed development is in line with the approved phasing plan and the proposal does not raise any concerns regarding the principle of the development.

### **Consideration of Reserved Matters**

- 7.4 A series of key documents, parameter plans and Design Code are secured under Conditions 6 and 10 of the outline planning permission and future reserved matters applications are required to be in compliance with these. The parameter plans control land use, scale, access and movements, landscape and amenity, whilst the Design Code sets out further mandatory, recommended and discretionary elements relating to the above matters.
- 7.5 Condition 1 of the outline planning permission states the following:

*“Details of the appearance, landscaping, layout, and scale, (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.*

*Reason: - This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.”*

- 7.6 Therefore, the following matters reserved under the outline consent will be considered in turn:
- Access;
  - Appearance;
  - Landscaping;

- Layout; and
- Scale.

## **Access**

### Outline planning consent requirements

- 7.7 The one reserved matter that was secured under the outline permission related to access. However, further to the already consented access arrangements the Design Code also included a number of mandatory, recommended and discretionary elements that require adherence with regard to 'Dwelling Entrances' and 'Level Access' and these were to be considered at reserved matters stage.

### Assessment of proposals

- 7.8 With regard to dwelling entrances, the Design Code included a mandatory requirement for all houses to face the street to form an active frontage and to provide passive surveillance across the site, as this is the prevailing condition of housing in the Hall Lane Policy Area. The submitted plans demonstrate how all of the proposed 35 dwellings would be orientated to face the street. It was also recommended that entrances should be perpendicular to the street creating an organic layout and increased privacy, whilst any development facing Hall Lane should have an entrance facing the road to ensure it matches the site context. In this instance, all entrances are perpendicular to the street they are served from with the plots in the west part of the site fronting the newly created side streets and that these plots would have their entrances also facing Hall Lane beyond the open space areas that separate these dwellings from the main road.
- 7.9 The Design Code also stipulated a mandatory requirement that the approach to all dwellings must be level, gentle sloping or ramped to adhere to accessibility requirements. The development zone contained within the consented parameter plan had a slope which is defined as gently sloping within Part M of the Building Regulations. In this instance, all of the proposed dwellings would feature access into the individual plots that comply with the requirements of Part M of the Building Regulations.
- 7.10 As such, the access arrangements comply with both the parameter plans and the Design Code requirements.

## **Appearance**

### Outline planning consent requirements

- 7.11 None of the parameter plans strictly relate to the appearance of the development; however, the Design Code provides detailed requirements on the expected architectural character and appearance of the reserved matters submission. In terms of appearance, the Design Code sets out mandatory, recommended and discretionary elements relating to 'Roof Profile', 'Façade Articulation' and 'Materiality'.

### Assessment of proposals

- 7.12 With regard to roof profiles, the local character consists primarily of hipped and gable end roofs. Many of the neighbouring properties have had loft conversions and introduced dormer windows. The Design Code contains a mandatory requirement that the detailed proposals must have similar roofscapes and architectural features to suit this local character. The proposed 35 dwellings would consist of 9 different building types that would all be 2.5-storeys in height and include floorspace within the roof in the form of either, hipped, half-hipped and gabled roofs, as well as dormer windows, depending on the design of each dwelling. The 9 dwelling types would reflect those that are located within the vicinity of the site and as such would complement the local character.
- 7.13 The Design Code also recommends that dwellings with a longer front elevation could have hipped roofs, whereas dwellings with a shorter front elevation could have gable end roofs. In this instance, hipped roofs have been proposed on the wider fronted properties and the two dwellings located near corners in the eastern part of the site. The other properties consist of varying gabled roofs with articulation expressed with the use of different gabled features.
- 7.14 In terms of façade articulation, the architectural characteristics in the local area include bay windows and porches. The Design Code has a mandatory requirement that such features are incorporated within building frontages. The submitted Design and Access Statement with the reserved matters submission has conducted a detailed study of the local characteristics and incorporated these into the design of the new dwellings. These include single and double height bay windows, oriel windows, Tudor boarding, render, tile hanging, decorative brick detailing, different porch designs, a range of window styles, decorative ridge tiles and finials.
- 7.15 Furthermore, the Design Code recommends that where houses are located on corners, they should be dual frontages to face both roads and/or open space to ensure natural surveillance of the public realm is achieved. Discretionary guidance suggests that this could be demonstrated by facing the bay window onto the primary road and the porch facing the secondary road/open space, whilst other approaches to providing dual frontages can be adopted. In this instance, the two dwellings on corner plots have been designed in a manner that allows for natural surveillance of the public realm with features such as bay windows and hipped roofs to address both elevations.
- 7.16 Regarding materiality, brick, render and tiles are commonly within the surrounding local area. The Design Code sets out a red, white and dark grey colour palette of materials that should be incorporated into the detailed proposals. It contains two mandatory elements whereby bricks must be of a high quality textured multi stock finish and that roofs must be tiled. All of the proposed 35 dwellings would be tiled in terms of roof materials, whilst the quality of the bricks to be used is ensured under details still required pertaining to Condition 11. Whilst these details have yet to be submitted in full and as such Condition 11 is not being considered under this submission, two brick

samples have been provided of the red and buff brick which are considered to be of a suitable quality. It is proposed that the red brick would be the 'Berwick Multi' and the buff brick would be the 'Weathered Cream Handmade'. In addition to the above mandatory requirements the Design Code also sets out a recommended requirement whereby the red and buff brick should be the predominant material which are both incorporated through the site to give a variety of texture. In this instance, the 9 dwelling types of the proposed 35 dwellings would predominantly consist of these two brick materials and the two submitted samples provide the necessary assurance that high quality textured multi stock finish bricks will be used.

- 7.17 Finally, the Design Code provides discretionary guidance in that the detailing and façade articulation could be a secondary material which complement the primary colour palette discussed above. In this instance, façade articulation has been incorporated into the design and secondary materials such as render, tile hanging and Tudor boarding have been introduced to create interest and respect the local character.
- 7.18 In summary, the character and appearance of the 35 dwellings would comply with the Design Code requirements.

## **Landscaping**

### Outline planning consent requirements

- 7.19 The consented parameter plans control land use setting out a development zone for housing and which areas are to set aside for public open space. This also included a 10 metre garden zone to the northern and southern boundaries. The illustrative proposals at outline planning application stage indicated the main public amenity areas, open play space, meadow planting and woodland planting. The consented Design Code provided a range of mandatory, recommended and discretionary elements that require adherence with regard to 'Public Amenity and Trees', 'Streetscape' and 'Boundaries'.

### Assessment of proposals

- 7.20 With regard to public amenity and trees, the Design Code has a mandatory requirement that the area to the east of the site designated as open space must be respected in any reserved matters as untouched, creating a woodland environment which enables biodiversity to thrive. This has been respected with the submission and is to remain as a natural, woodland area with all trees retained and allowing for biodiversity to thrive unimpeded.
- 7.21 Further mandatory requirements included retention of all Category A veteran trees within a public open space (both east and west) and that all veteran trees must be retained and protected during construction to ensure that they are not impacted by the proposal. This requirement has been achieved in the proposed landscaping details. Adequate root protection zones are also provided to these 4 veteran trees during the course of construction.
- 7.22 The Design Code also recommended that Category A and Category B trees be retained where possible. The proposed reserved matters proposal would require the removal of 3 Category A trees and 2 Category B trees, covered by

the TPO. These are located in positions which would affect the siting of housing in terms of meeting all other Design Code requirements with regard to siting and therefore considered acceptable. The location of these trees was also known at outline stage and it was anticipated that some trees may require removal, and as such a further mandatory requirement was included in the Design Code stating that any trees removed must be replaced with tree re-planting of a similar amenity and biodiversity value. In this instance, significant new planting is proposed within the site along both sides of the new linear road in the development zone, additional trees and planting is also provided in the open space to the west where the site entrance is, whilst gaps in vegetation and landscaping along both the north and south boundaries with neighbouring properties will also see the inclusion of new trees.

- 7.23 A final mandatory requirement in this section of the Design Code requires play space must be adhered to and play equipment must have a natural appearance such as wood and stone. Condition 9 of the outline planning permission also stipulated that a minimum of 200 square metres of dedicated children's play space is to be provided with the public open space. The reserved matters proposals include approximated 400 square metres of dedicated children's playspace in the western part of the site and this area has been equipped with suitable play equipment required by the Design Code.
- 7.24 In general for public amenity and trees, the Design Code recommended that the proposal define different environments which cater for all residents and protects the natural setting of the development. The reserved matters proposal has defined the site into different environments so as to protect the natural setting of the site. To the east remains an untouched woodland open space area, to the west an open space area including children's playspace is provided whilst providing additional trees and planting to the retained vegetation and trees, whilst the new dwellings have good sized rear gardens to allow a suitable buffer to neighbouring residents, whilst all dwellings also have ample frontages to maintain the open character of the site.
- 7.25 With regards to streetscape, the Design Code contained three mandatory requirements that must be adhered to. Firstly, the road must be 6 metres wide at the entrance to accommodate refuse and service vehicles with a traffic calming feature to slow traffic. Secondly, beyond the traffic calming feature within the main body of the site, the main road minimum width must be 4.8 metres and spur roads 4.1 metres. Pavements along the main road must be a minimum of 1.8 metres and a 1.5 metre zone must be allowed for the streetscape trees, as was shown in illustrative proposals at outline stage. Finally, trees must be provided along all roads and should be located approximately 7.5 metre centres along the street to improve the visual impact and define the character of the development, as tree lined streets are present in the local context which gives the area its strong green characteristic. The reserved matters proposal would meet all of the above mandatory requirements as the road is 6 metres wide at the junction and features a traffic calming feature, whilst the new road has a minimum width of 4.8 metres at all times with a 1.8 metre wide footway on both sides. The 1.5 metre zone for streetscape trees has been placed on the back edge of the footpaths as a dedicated verge along the street would jeopardise this road being adopted by the local authority

given they would then assume responsibility for their maintenance. As such, by placing the tree zone on the back edge of the footpaths it allows the area to be retained in ownership of the management company so that they maintain responsibility to protect the street trees. Street trees have therefore been provided within this zone and their spacing has been adjusted to take into account individual driveways where appropriate but sufficient trees are provided to ensure the new road is tree lined.

- 7.26 The Design Code also contained three recommendations with regard to the streetscape, stating that welcome planting should be visible when entering the site, that there should be a good mix of species within the site which include natives to sit comfortably with the setting, and that new trees should be mostly located within the public realm to allow ongoing maintenance and ensure protection and retention. The proposal includes perennial planting of trees along the new road as you enter the site to blend in with existing trees, while an appropriate mix of tree types are provided dependent on location which also includes natives. The majority of new trees are all located either in the open space areas to the east and west and within the public domain areas such as the tree zone so as to ensure protection and retention. Trees located within rear gardens of dwellings are located along the boundary to provide for additional planting and vegetation where gaps exist opposite neighbouring properties.
- 7.27 With regards to boundaries, the Design Code also contains three mandatory requirements that must be adhered to, as well as three recommendations. In terms of the boundaries fronting Hall Lane it was mandatory that the boundary treatment to Hall Lane and the public open space be visually permeable whilst also providing a secure boundary for children using the play space. The proposal includes 1.2 metre high metal railings along the Hall Lane frontage providing security and maintaining visual permeability. The Design Code also recommended the boundary should have multiple entrances with one access close to the bus stop to encourage entrance to the open space. The proposal includes 4 pedestrian entrance points through the railings along Hall lane with one of them being adjacent to the bus stop. Access to the public open space can also be made from the new access road.
- 7.28 In terms of boundaries to the open space adjoining neighbouring properties, the Design Code notes that the boundary between the proposed public open spaces and neighbouring properties (62 and 84-86 Hall Lane) that it is currently lined with trees and hedges. It had a mandatory requirement that if existing fences do not exist these must be provided with the illustrative proposals at outline stage suggesting woodland planting in this location. The proposal includes the erection of fences where they do not currently exist and comprehensive planting is proposed along the north, south and east boundaries to both public open spaces where they adjoin neighbouring properties. This comprehensive planting also adheres to the recommendation within the Design Code whereby thick planting should be provided in front of existing boundary fences to further improve the security of the boundary.
- 7.29 The Design Code also contained a mandatory requirement for the private space boundaries adjoining neighbouring properties and stated that where the line of trees is absent, new trees must be planted. As required elsewhere in the Design

Code, the length of the garden must be a minimum of 10 metres to ensure the boundary trees are protected but also to provide a useable garden space, especially gardens to the south which will have some shading from the trees. The proposal provides for 5 new trees along the northern boundary and 8 new trees along the southern boundary so as to infill the current gaps in tree lining. All gardens are at least 10 metres in length and as such the new trees would be adequately protected and allow for the gardens to be usable spaces. The Design Code also notes that the majority of boundaries adjoining neighbouring properties should be secured with private back gardens of the proposed houses as these boundaries already have a thick line of Cypress trees which provide privacy and avoids overlooking. The proposal retains all of the existing trees and vegetation along the neighbouring boundaries and all new houses would have a rear garden opposite these boundaries.

- 7.30 In summary, the landscaping proposals across the site comply with both the parameter plans and Design Code requirements.

## **Layout**

### Outline planning consent requirements

- 7.31 The consented parameter plans control land use setting out a development zone for housing and a pumping station and which areas are to set aside for public open space. This also included a 10 metre garden zone to the northern and southern boundaries. The consented Design Code provided a range of mandatory, recommended and discretionary elements that require adherence with regard to 'Use', 'Public Amenity' and 'Private Amenity'.

### Assessment of proposals

- 7.32 The outline permission granted consent for up to 37 dwellings and this was also captured by the Design Code mandatory requirement that the proposal must be for residential with a maximum of 37 units and that houses should have a mix of 3, 4, and 5 bedroom units. In this instance, the reserved matters proposal would be for 35 dwellings comprising a mix of 4 X 3-bedroom houses, 11 X 4-bedroom houses and 20 X 5-bedroom houses and all of these dwellings would be contained within the development zone for dwellings contained within the consented parameter plan. The reduction in the number of dwellings to 35 is to avoid the inclusion of semi-detached units on smaller plots, this is considered appropriate to allow for each dwelling to have a more generous plot size in keeping with the character of the area. Additionally, the proposed pumping station that would sit predominantly within the ground in the southeast corner of the site would also be contained within the development zone.
- 7.33 A further recommended element stated that 3-bedroom units should be semi-detached houses so that they are comparable in terms of frontage with the larger detached homes. This recommended element was included on the basis of preventing the smaller dwellings having condensed plot sizes and frontages and compromising the openness and generous plot widths of the surrounding character. In this instance, all of the 3-bedroom dwellings have been designed as detached houses and would all meet the minimum frontage

requirements and be comparable to the larger dwellings in this regard. The design of the 3-bedroom dwellings would meet the requirements of the building regulations for wheelchair standards and this has resulted in larger rooms and more space.

- 7.34 The Design Code included a mandatory element that public amenity spaces of between 25% and 32% of the gross site area (excluding Hall Lane) must be incorporated into the detailed design proposal for use of all local residents, and that the existing trees must define the character of the development. The proposal provides for 9660 square metres (28.2% of the gross site area) as public amenity space at the eastern entrance into the site as well as to the west and would also accord with the parameter plan in terms of providing these areas within the public open space zones. All existing trees within these public amenity areas have been retained as well as those along the northern and southern boundaries of the site.
- 7.35 With regards to private amenity space, the Design Code contains a mandatory element whereby all dwellings must contain a defensible space to the front containing 2 car parking spaces and planting, as well as a back garden. The proposed submission maintains adequate defensible space between the dwellings and the public areas which can also accommodate a minimum of 2 car parking spaces as well as planting. Each dwelling would also have a large private amenity garden to the rear of their properties. Further, the Design Code has a mandatory element that all dwellings must be a minimum of 10 metres from the north and south boundary to ensure a comfortable distance from existing properties and protection of boundary trees. The consented parameter plan contained a minimum 10 metre garden zone including boundary buffer of planting and this has been adhered to with all dwellings. Only 2 of the proposed dwellings would be located just over the 10 metres minimum threshold with all other 33 dwellings located in varying distances between 14 and 29 metres.
- 7.36 Finally, the Design Code recommended that new dwellings containing large existing trees within private gardens should be set back from the tree by 5 metres to ensure no future pressure for removal. Where existing trees have been contained within the parameter plan development zone, all dwellings have been located a minimum 5 metres from the trees to ensure a root protection zone is retained.
- 7.37 In summary, the layout arrangements comply with both the parameter plans and the Design Code requirements.

## **Scale**

### Outline planning consent requirements

- 7.38 The consented Design Code provided a range of mandatory, recommended and discretionary elements that require adherence with regard to 'Plot and Dwelling Sizes and Frontages' as well as 'Floor Areas and heights'. These elements were formulated on the basis of following the principles of the guidance contained in the Hall Lane Policy Area Supplementary Planning Document (SPD), which contains detailed guidance criteria for new

development, including minimum plot widths and areas.

#### Assessment of proposals

- 7.39 The Design Code included mandatory requirements for reserved matters proposals to have a minimum plot size of 370 square metres with a minimum 10 metre frontage. Additionally, it was mandatory that all dwellings must be a minimum of 10 metres from the boundary. The proposed 35 dwellings would all have a plot size of at least 370 square metres and also a minimum of 10 metre wide frontage. The submitted drawings clearly demonstrate the plot areas and frontage widths being adhered to for all 35 dwellings. The Design Code also provided discretionary guidance with examples on how dwellings could be set within their plot in order to meet varying layout sizes and depths with varying frontages, as well as back garden sizes in order to suit dwelling types. The proposed 35 dwellings in this instance would also adhere to this discretionary guidance given the varying designs of the 9 dwelling types that form the proposal but all meeting the above minimum mandatory requirements.
- 7.40 With regard to floor areas and heights, the Design Code outlines a mandatory minimum floor area of a house to be 116 square metres. The proposed 35 Dwellings would comprise of 4 X 3-bedroom houses, 11 X 4-bedroom houses and 20 X 5-bedroom houses and each individual dwelling would have a minimum of 116 square metres with the smallest being 235 square metres. Accordance with Design Code ensures that all dwellings proposed are detached or semi-detached houses of at least 3 bedrooms. It is not considered desirable in this case to seek a range of smaller 1 and 2 bed units which would result in a typology which is out of character with the area. The proposed mix is therefore considered to be acceptable. Finally, all new dwellings would exceed the minimum space standards set out in the London Plan.
- 7.41 The Design Code also set out a recommended element that should be adhered to with the majority of houses being a maximum of 2.5 storeys, which allows habitable space to be within the roof as seen in many houses in the local area. It also recommends that it is acceptable for some houses to be 3 storeys if sufficient justification is provided.
- 7.42 The proposed 35 dwellings as part of the reserved matters submission would consist of 9 different building types that would all be 2.5 storeys in height with accommodation on the top floor being contained wholly in the roof space. The different building types accommodate floorspace within the roof in the form of either, hipped, half-hipped and gabled roofs depending on the design of each dwelling. The initially submitted drawings contained roofscapes that were slightly elongated and these have been amended to reduce the overall height of each building type so as to respect the character of the site and wider Hall Lane area.
- 7.43 In summary, the scale of the proposed 35 dwellings would accord with the parameter plans and the mandatory and recommended elements set out within the approved Design Code.

## **Conditions**

- 7.44 Consent is also sought for the approval of details in relation to Conditions 12 (Car Parking), 13 (Site Levels), 14 (Refuse and Recycling), 15 (Cycle Storage), 16 (Road/Carriageway/Footway Details), 26 (Boundary Treatments) and 30 (Drainage Strategy) of Outline Planning Permission Reference P0248.19, as the wording of each of these conditions requires submission alongside an RMA application.

### Condition 12 – (Car Parking)

### Condition 15 – (Cycle Storage)

### Condition 16 – (Road/Carriageway/Footway Details)

- 7.45 The submission provides detailed plans setting out the number of car spaces for each dwelling, whereby all dwellings would contain frontages that fit 2 cars. 25 of the dwellings would also have space for a third car whereby visitors could use, whilst the dwelling types with garages could also fit a car in these areas. In addition to the above, 6 visitor car spaces are provided in the public domain area and these are to be managed by the management company. Adequate cycle parking is made available for all dwellings either in garages or self-contained cycle boxes in rear gardens. All details relating to Road/Carriageway/Footway Details have been provided and these are considered acceptable given they meet all the mandatory and recommended requirements contained within the Design Code.

### Condition 13 – (Site Levels)

- 7.46 The Design Code stipulated a mandatory requirement that the approach to all dwellings must be level, gentle sloping or ramped to adhere to accessibility requirements. The development zone contained within the consented parameter plan had a slope which is defined as gently sloping within Part M of the Building Regulations. In this instance, site levels have been provided across the site to ensure that all of the proposed dwellings would feature access into the individual plots that meet accessibility regulations.

### Condition 14 – (Refuse and Recycling)

- 7.47 Suitable refuse and recycling facilities are provided for each individual dwelling. The Council's Refuse and Waste team have reviewed the submission and raised no objections. The proposal satisfies the requirement of the condition.

### Condition 26 – (Boundary Treatments)

- 7.48 As noted above under the reserved matters section relating to Landscape, and in particular considerations relating to boundaries, the proposal would adhere to the three mandatory requirements contained within the Design Code, as well as adopting the three recommendations also set out in the Design Code. The information submitted would satisfy the requirements of the condition.

### Condition 30 – (Drainage Strategy)

- 7.49 The submissions were referred to the Council's Flood Risk and Drainage

officer, who raised no objections. The information requested by the conditions was due to insufficient information being submitted at outline planning application stage.

- 7.50 The site is within Flood Zone 1 and there are no significant flooding concerns. The proposal incorporates sustainable urban drainage and ensure that site run-off is no greater than existing. Due to the site topography and surface/foul water network limitations a pumping station is proposed at the south east corner of the site within the development zone contained in the parameter plan.
- 7.51 The information submitted satisfies the requirements of Condition 30.

### **Financial and Other Mitigation**

- 7.52 A full s106 agreement was secured as part of the outline planning permission. The present reserved matters application is also controlled by the s106 agreement, and none would be amended or varied by the current submission. In summary, the obligations are:
- Off-site affordable housing provision
  - Carbon Offset payment
  - Financial contribution of £120,000 for improvements to Upminster Hall Playing Fields
  - Public access rights to open space provided within the development
  - Satisfactory maintenance of all open space and other common areas within the development including any facilities/furniture provided as part of the common/public areas.
  - 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.
  - 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.
- 7.53 As assessed at outline planning application stage, the proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- 7.54 Pursuant to Table 2: Mayoral CIL Charging Rates of the Mayor's April 2019 SPG 'Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy', a flat rate charge of £25 per square metre applies to LB Havering developments, which in this instance would amount to £275,504.50. The exact amount of CIL will be determined at a later date subject to any demolition credit as per regulation 40(7)(2014).
- 7.55 The London Borough of Havering's CIL was adopted in September 2019. As the proposed floor area for is residential development, the CIL charging

schedule applies a charge of £125 per sqm to any development in Zone A, which in this instance would amount to £1,377,522.50. As above, the exact amount of CIL will be determined at a later date subject to any demolition credit as per regulation 40(7)(2014).

### **Equalities and Diversity**

- 7.56 The Equality Act 2010 provides that in exercising its functions (which includes its role as Local Planning Authority), the Council as a public authority shall amongst other duties have regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 7.57 For the purposes of this obligation the term “protected characteristic” includes:  
- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 7.58 Policy CG1 of the London Plan also seeks to support and promote the creation of an inclusive city to address inequality. In view of the stakeholders affected by the development proposals, the most significant impacts in this case relate to the protected characteristics of age, disability and gender. It is considered that there would be no communities falling under the list of “protected characteristics” that would be significantly or unduly harmed by the proposals.
- 7.59 Therefore in recommending the application for approval, officers have had regard to the requirements of the aforementioned section and Act and have concluded that a decision to grant consent for this proposed development would comply with the Council’s statutory duty under this important legislation.
- 7.60 In light of the above, the proposals are considered to be in accordance with national regional and local policy by establishing an inclusive design and providing an environment which is accessible to all.

### **Conclusions**

- 7.61 All other relevant policies and considerations have been taken into account. Reserved matters consent should be granted for the reasons set out above as well as approval of details in relation to Conditions 12 (Car Parking), 13 (Site Levels), 14 (Refuse and Recycling), 15 (Cycle Storage), 16 (Road/Carriageway/Footway Details), 26 (Boundary Treatments) and 30 (Drainage Strategy) of Outline Planning Permission Reference P0248.19. The details of the decision are set out in the RECOMMENDATION.