



REGULATORY SERVICES COMMITTEE

18 July 2013

REPORT

Subject Heading:

P0490.13 – Dukes Hall, Maygreen Crescent

Demolition of single storey Community Hall (Class D1 Non Residential Institution) and erection of four storey building comprising 58 residential units with 74 parking spaces and amenity space.

Report Author and contact details:

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Policy context:

**Local Development Framework
London Plan
National Planning Policy**

Financial summary:

None

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

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

SUMMARY

This planning application proposes the demolition of an existing community hall and the erection of a four storey building comprising 58 residential units. The proposal would include a parking area, private and communal amenity spaces, a

new pedestrian access, cycle parking, and bin refuse storage. The proposal is considered to be acceptable, having regard to the Development Plan and all other material considerations. Officers therefore recommend approval subject to conditions and the completion of a legal agreement.

RECOMMENDATIONS

(A)

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:

- The sum of £348,000 towards the costs of infrastructure associated with the development in accordance with the draft Planning Obligations SPD;
- The provision of 12 units within the development as affordable housing with 6 of those units made available for social housing for rent and 6 of those units as shared ownership. Should any owners of shared equity units staircase to 100% equity, provision shall be made for any subsidy (if relevant) to be recycled for alternative affordable housing provision in accordance with Annex 2 of the National Planning Policy Framework;
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council;
- The Council's reasonable legal fees for shall be paid prior to completion of the agreement irrespective of whether or not it is completed;
- The Council's planning obligation monitoring fees shall be paid prior to completion of the agreement.

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

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

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

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

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

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

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

4. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

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

5. Vehicle Parking Arrangements – No development shall take place until a scheme detailing the proposed allocation of parking spaces has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved scheme and retained as such for the life of the development.

Reason: In the interests of protecting the amenities of the future occupiers of ground floor flats located in close proximity to parking spaces, and in accordance with Policy DC61 of the Development Control Policies Development Plan Document.

6. Ecology – No development shall take place until details of the proposed installation of bat and bird boxes have been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details and retained as such for the life of the development.

Reason: In the interests of biodiversity and in accordance with Policy DC59 of the Development Control Policies DPD.

7. Cycle storage - Prior to the 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 and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. Boundary treatment and Landscaping - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, including details of all boundary treatment to be retained and that to be provided, shall be submitted to and agreed in writing by the Local Planning Authority. Details shall also be provided and approved relating to the proposed landscaping along the eastern and southern boundaries of the site. The development shall then be carried out in accordance with the agreed details and retained as such.

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

9. Secure by Design - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

10. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

11. 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 LDF Development Control Policies Development Plan Document Policy DC61.

12. 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 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.

13. Construction methodology - 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 authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

14. Land 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 Desk study Report submitted as part of the planning application 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 (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - c) Following completion of measures identified in the approved remediation scheme mentioned in 1(b) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

15. Contaminated Land –

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with and detailing remediation targets has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

16. Contaminated Land - Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007 "Specification of Topsoil".

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Development Control Policies Development Plan Document Policy DC53.

17. Sustainability - 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.

18. Sound attenuation - The proposed dwellings 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 in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

19. Sound attenuation – No development shall take place until a scheme for protecting the proposed dwellings from adjacent commercial premises and activities has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the development.

Reason: To protect future residents against the impact of road noise in accordance with paragraph 123 of the National Planning Policy Framework and the Explanatory Note to the Noise Policy Statement for England (Department for the Environment, Food and Rural).

20. Sustainability Statement - No development shall take place until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement is required to demonstrate that the development will achieve a Code for Sustainable Homes rating of "Level 3" or higher. No occupation of the development shall take place until the developer has provided a copy of the Final Code Certificate of Compliance 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 Core Strategy and Development Control Policies DPD and Policy 5.3 of the London Plan 2011

21. Electric Vehicle Charging Facilities – No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the proposed provision and use of electric vehicle charging points on the proposed parking spaces. The approved scheme shall be implemented prior to the approved dwellings being first occupied and shall apply to at least 20% of parking spaces.

Reason: In the interests of sustainable development and in accordance with Policy 5.2 of the London Plan.

22. Highways – The proposed alterations to the Public Highway shall be submitted in detail to the Local Planning Authority for its written approval prior to the commencement of the development hereby approved. The development shall thereafter be undertaken in accordance with the approved scheme.

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

23. Highways – The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the commencement of development.

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

Or (B)

In the event that the Section 106 agreement is not signed and completed by the expiry of this application's statutory determination date on 19th July 2013, that planning permission be refused on the grounds that the proposal does not make adequate arrangements for the provision of affordable housing within the development, or for meeting the necessary infrastructure costs arising from the development.

INFORMATIVES

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway 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 the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.

2. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

3. In aiming to satisfy condition 9 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.

4. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC51, DC53, DC55, DC59, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the relevant parts of the National Planning Policy Framework.

The proposal also accords with the provisions of Policies 3.3, 3.5, 3.6, 3.8, 3.9, 3.13, 5.3, 5.7, 5.12, 5.13, 5.16, 5.21, 6.1, 6.9, 6.10, 7.3, 7.4, 7.6, 7.8, 7.14, 7.15,

7.19 8.2 of the London Plan. Levels of parking are considered to be justified given the relatively low PTAL level of the site. The proposal is considered to be consistent with Policy 3.9 and Policy 3.12, which requires the maximum reasonable amount of affordable housing to be sought.

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.

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.

Mayoral CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £49,620. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.

REPORT DETAIL

1. Site Description

- 1.1 The site, which is approximately 0.5ha in area, comprises land currently in use as a community hall. A single storey, flat-roofed building is located at the southern end of the site, whilst an area of hardstanding, for access and vehicle parking, is located at the northern end of the site. A small area of land in the site's north western corner is composed of open grassland.
- 1.2 The Site's western and southern boundaries adjoin the premises of a neighbouring supermarket, with an associated petrol station, access road and parking area being located immediately to the west. The site's northern boundary lies adjacent to a public open space known as Park Lane Recreation Ground; whilst the eastern boundary abuts the public highway

along Maygreen Crescent, beyond which are a number of multi-storey blocks of flats.

2. Description of Proposal

- 2.1 This planning application proposes the demolition of the existing community hall and the erection of a four storey, flat roofed building comprising 58 flats. The building would form an L-shape, enclosing a parking and communal amenity area in the south western corner of the site. Further parking and communal amenity spaces would be provided at the northern end of the site. The proposal would be accessed through the existing site access off Maygreen Crescent. The proposal would include 74 off-street parking spaces, which is the equivalent of 1.3 spaces per unit.
- 2.2 The proposed accommodation would comprise 16 one-bed flats and 42-two bed flats. The one bedroom flats would be in the region of 50sqm in area, whilst the two bedroom flats would be between 61sqm and 66sqm in floor area. Each of the upper floor flats would include a private balcony, and the ground floor flats a small patio area. The proposal would be clad in a mixture of materials including brick, render, weatherboard (blue grey), and UPVC glazing, with metal balcony structures and railings

3. Relevant History

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

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the local press as a major development. Neighbour notification letters have also been sent to 128 local addresses. Two letters of representation have been received, objecting to the proposal on the following grounds:

- The proposal would impede views from neighbouring properties along Maygreen Crescent;
- The proposal would not include sufficient off-street vehicle parking;
- The proposed parking areas would cause noise, dust, and pollution nuisances to neighbouring occupiers;
- There is insufficient capacity on the public highway to accommodate the proposed development;
- The proposed construction works would be detrimental to the amenities of neighbours;
- The proposal would result in overlooking to existing residents.

- 4.3 Comments have also been received from the following:

The Environment Agency
No objections.

Crime Prevention Design Advisor
No objections; condition recommended.

Anglia Water
No objections.

Essex and Suffolk Water
No objections.

London Fire and Emergency Authority
No objections.

Environmental Health
No objections; conditions recommended in relation to air quality, contaminated land, and noise controls.

Highway Authority
No objections; conditions recommended.

London Fire and Emergency – No objections.

Housing
No objections, subject to viability assessment being acceptable.

5. Relevant Policies

5.1 National Planning Policy

National Planning Policy Framework (“the NPPF”)

5.2 Regional Planning Policy

Following its recent adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations).

5.3 Local Planning Policy

Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC50, DC51, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (“the LDF”) are material considerations.

In addition, the Residential Design Supplementary Planning Document (“the SPD”), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and Draft Planning Obligations SPD are also material considerations in this case.

6. **Staff Comments**

6.1 The issues arising from this application are the principle of development, design and amenity considerations, environmental impact, highway and parking issues, affordable housing, community infrastructure, and other considerations.

6.2 **Principle of Development**

6.2.1 Policy CP1 of the LDF states that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The application proposes the erection of new housing on unallocated land. The proposal is considered to be acceptable in principle, in accordance with Policy CP1.

6.3 **Design Considerations**

6.3.1 Policy DC2 of the LDF stipulates the appropriate residential densities in given areas of the borough. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The SPD contains guidance in relation to the design of residential development.

6.3.2 The application site has an area of approximately 0.5 hectares and proposal is for 58 units, giving a development density of approximately 116 units per hectare. Whilst this is above the density range of 30-50 units per hectare set out in Policy DC2 for a location such as this one, given the proposed provision of parking spaces, and the proximity of the proposal to bus routes and a supermarket, it is considered that the site’s location could support the proposed density of development.

6.3.3 The site is located at the edge of a broadly residential area comprising a range of house types, with traditional, two storey, pitched roof dwellings to the east, and larger scale flatted development in closer proximity. The neighbouring site to the west and south is occupied by a large supermarket and its curtilage. The application site is considered to be in a tired condition,

and it is considered that the proposal, on balance, would improve its appearance.

- 6.3.4 The application proposes the use of yellow brick as the main cladding material, along with white render, blue/grey weatherboarding, and UPVC glazing. It is recommended that a planning condition be imposed requiring the submission of samples relating to the proposed use of materials.
- 6.3.5 The scale and massing of the proposal is considered to be broadly in keeping with the character of the wider area, particularly given the existing, post war flatted development located immediately to the east of the site. The neighbouring flatted development, which would be located a minimum of 20m from the proposal, would be around 1m higher than the proposed development given the difference in land levels between the site and the surrounding land.
- 6.3.6 Landscaping proposals have been submitted with the application indicating an acceptable mix of hard and soft landscaping throughout the site. Subject to the development being undertaken in accordance with the approved plans, it is considered that acceptable landscaping arrangements would be provided.
- 6.3.7 Bicycle, refuse and recycling storage would be contained within the building at ground level, and these details are considered to be acceptable in terms of the proposal's visual impact. Some of the proposed cycle storage spaces would be provided outdoors, and a condition is therefore recommended requiring further details of the proposal, including shelter.
- 6.3.8 Given the nature of the proposal, including its appearance, layout, scale, massing and design in relation to the surrounding area and within the proposed development itself; it is considered that the proposal would have an acceptable impact on the character of the area, and that it would therefore be in accordance with Policy DC61 of the LDF and Policy 7.4 of the London Plan.

6.4 Layout and Amenity Considerations

- 6.4.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.
- 6.4.2 Neighbouring occupiers have objected to the proposal on the grounds that it would result in overlooking, loss of outlook, noise, and dust impacts.
- 6.4.3 The development proposes a mix of house types, including 1 and 2 bedroom flats. This complies with the aims of Policy DC2 in respect of dwelling mix. Policy 3.5 of the London Plan advises that housing

developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conform to minimum internal space standards set out in the plan. In this instance the proposed dwellings would each exceed the stipulated minimum standards and officers therefore consider that the proposal would provide an acceptable standard of living accommodation for future occupiers.

- 6.4.4 In relation to amenity space provision, the Council's Residential Design SPD does not prescribe amenity space standards but rather seeks to ensure that amenity space is provided in a high quality, functional and well designed manner. Amenity space should also be private and not unreasonably overshadowed. The proposed development would provide private balconies for the proposed upper storey apartments, and patio areas for the ground floor flats, along with communal amenity space at ground level. Approximately 297sqm of communal amenity space would be provided at the northern end of the site, to the front of the development; whilst 362sqm would be provided at the southern end of the site within the courtyard area. It is considered that the proposed dwellings would be provided with acceptable amenity space provision, which accords with the aims of the SPD.
- 6.4.5 The site is located alongside a supermarket development, which includes access roads, a car park, and a petrol station immediately to the west of the site. It is considered that the existing boundary wall along the western and southern boundaries, which is constructed of brick and in excess of 2m in height, would provide an adequate screen at ground floor level. The Council's Environmental Health officers have raised no objections to the proposal; conditions are recommended seeking to control noise levels and contaminated land, which can be imposed should planning permission be granted.
- 6.4.6 In terms of how they relate to one another, it is considered that the proposed dwellings would not result in any unacceptable levels of overlooking, overshadowing, or outlook. It is considered that the proposed development could, subject to conditions, provide an adequate level of amenity for the future occupiers of the development. There are some concerns about the relationship between parking spaces, within the site and outside the site along the eastern boundary, and the proposed ground floor flats, with vehicle headlights and the general use of vehicles potentially causing a nuisance to future occupiers. Also, given the lower level of the site relative to the land beyond the eastern boundary, there are also concerns about the potential for a lack of privacy, outlook, and light for those ground floor flats along the eastern side of the proposal. It is considered that these issues could be overcome through the appropriate use of landscaping and boundary treatment, along with a scheme relating to the allocation of internal parking spaces to flats. Conditions are recommended requiring the submission and approval of these details.

- 6.4.7 In relation to the impact the proposal would have on existing, neighbouring occupiers, the main impact of the proposal would be upon those occupiers of the existing flatted developments located along Maygreen Crescent, however, the proposal would be located in excess of 20m from this development and it is therefore considered that there would not be any adverse impacts in terms of overlooking, overshadowing, or a loss of outlook for these properties. A construction method statement can be required as parts of a planning condition to ensure that the impact on neighbours during construction works are kept to a minimum.
- 6.4.8 Officers consider that in terms of the standard of accommodation and amenity space to be provided, and the amenity of existing neighbouring occupiers, and the amenity of the future occupiers of the development, that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.

6.5 Environmental Impact

- 6.5.3 The Council's Environmental Health officers were consulted about the application with no objections being raised. Conditions have been recommended in relation to land contamination, sound attenuation, and limitations to construction times. It is recommended that these be employed should planning permission be granted. A further condition requiring the submission of details relating to the air quality impact of the proposal is not considered to be appropriate and will not be imposed.

6.6 Parking and Highway Issues

- 6.6.1 The application proposes the retention of the site's existing access. A neighbouring occupier has objected to the proposal stating that it would result in an increase in traffic congestion in the local area.
- 6.6.2 Neighbouring occupiers have objected to the proposal on the grounds that it would not provide sufficient off-street vehicle parking spaces and that the public highway would not have adequate capacity to accommodate it.
- 6.6.3 The application proposes 74 car parking spaces, one of which would be set aside for visitors and deliveries. The proposed car parking provision would therefore equate to 1.3 spaces per dwelling. Cycle storage would also be provided further details should be requested by condition concerning the type and number of cycle storage spaces.
- 6.6.4 The site has a PTAL rating of 1-2, which translates to a lower level of public transport accessibility. The proposed level of parking provision of 1.3 falls below the 1.5-2 spaces required in accordance with Policy DC2 of the LDF, however, it is in excess of the number of spaces provided in other flatted development schemes around the borough and given the site's proximity to shopping facilities and bus routes, it is considered that the proposed

provision of vehicle parking would be adequate. One cycle storage space would be provided per unit, in accordance with the requirements of the LDF.

- 6.6.5 Council's Highway officers have raised no objections, subject to the use of conditions and informatives, which can be imposed should planning permission be granted.
- 6.6.6 It is recommended that conditions be imposed relating to wheel washing facilities to prevent the deposition of mud onto the public highway during construction works. It is also recommended that a condition be imposed requiring the submission to and approval by the Local Planning Authority for a construction method statement detailing the areas where construction vehicles and plant will be parked. A condition is also recommended requiring the submission of details relating to cycle storage, including a shelter for outdoor cycle storage areas.
- 6.6.7 Subject to the use of the afore mentioned conditions, the proposal is considered to be acceptable in respect of parking and highway safety issues and in accordance with Policies DC32, DC33 and DC34 of the LDF.

6.7 Affordable Housing

- 6.7.1 Policy DC6 of the LDF states that the Council will aim to achieve 50% of all new homes built in the borough as affordable housing, and that a tenure mix of 70:30 between social rented housing and intermediate forms (such as shared ownership) will be sought. However, it is also stated that the Council, in seeking to achieve these targets, will give consideration to factors such as the viability of schemes.
- 6.7.2 The application proposes that 12 of the proposed units (approximately 21%) within the development will be provided as affordable housing. 50% of these would be available for social rent and 50% for shared ownership. As the proposed provision of affordable housing falls short of the 50% required by Policy DC6 and would not provide the required ratio of social rented and shared ownership accommodation, the applicants have been required to submit a financial viability assessment. Officers will provide Members with an update during the planning committee meeting as to the outcome of the appraisal process.
- 6.7.3 Subject to a favourable to the appraisal process having a favourable outcome, officers consider that the proposal would provide the maximum amount, and the most suitable type of tenure, of affordable housing possible whilst also remaining a viable scheme. Providing the proposed tenure mix and level of affordable housing is secured by a legal agreement, it is considered that the proposal would be in compliance with Policy DC6 of the LDF, and therefore acceptable.

6.8 Community Infrastructure

- 6.8.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The chargeable floorspace of the development once the demolition works and proposed affordable units are taken into account is 2481sqm, which equates to a Mayoral CIL payment of £49,620.
- 6.8.2 This planning application is subject to the Council's tariff under the draft Planning Obligations SPD. The proposal would give rise to a contribution of £348,000 towards infrastructure costs. This payment should be secured by a legal agreement, and planning permission should not be granted until this agreement has been completed.

6.9 Other Considerations

- 6.9.1 Havering's Crime Prevention Design Advisor has recommended a condition requiring the submission of details relating to the way in which "Secured by Design" standards will be achieved, accompanied by an informative. In the interests of designing out crime, this condition and informative can be imposed should planning permission be granted.
- 6.9.2 Policy DC7 of the LDF requires that 10% of all new homes on sites of 15 dwellings or more must be designed to be wheelchair accessible or be easily adaptable for residents who are wheelchair users. Of the 58 units proposed, six of them would be wheelchair accessible, including disabled parking spaces in close proximity to them (parking spaces CP06, CP07, CP14, CP22, and CP27 & CP64 on the submitted layout plan). The proposal therefore exceeds the requirements of Policy DC7 and is considered acceptable. All of the proposed dwellings would comply with Lifetime Homes standards.

7. Conclusion

- 7.1 The proposed residential development is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment for the enjoyment of future occupiers. There is judged to be no material harm to neighbouring residential amenity arising from the proposal and the application makes acceptable provision for the retention and replacement of landscaping and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.
- 7.2 The proposal is considered to be acceptable having had regard to Policies Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC51, DC53, DC55, DC59, DC61, DC63, and DC72 of the LDF and all other material considerations. It is recommended that planning permission be granted subject to the completion of a legal agreement and conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

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 Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

BACKGROUND PAPERS

Planning application P0490.13, all submitted information and plans.