



**Havering**  
LONDON BOROUGH

**Strategic Planning  
Committee**

**26 February 2026**

**Application Reference:**

P1297.25

**Location:**

Land bound by Waterloo Road to the east; the Great Eastern Main line to the South, Cotleigh Road to the west

**Ward**

St Edwards

**Description:**

S73 Variation of conditions 5 (approved plans) and 9 (building footprints & heights) of planning permission ref: P0761.20 dated 12/11/2021 (Hybrid (part outline, part detail) planning application for the phased redevelopment of the site comprising demolition and the provision of up to 1,380 (C3) residential units (40% affordable), built over 3-16 storeys, flexible commercial floorspace (Use Class A1-A4, B1, D1/D2), community floorspace, open space and associated public realm improvements, parking, play space, highways improvements and central cycle route. Outline with all matters reserved (except access) and Detailed Full Planning for Phase 1)

**Case Officer:**

Malachy McGovern

**Reason for Report to Committee:**

- The application is within the categories which must be referred to the Mayor of London under the Town and Country Planning (Mayor of London) Order.
- The application is by or on behalf of the Council and is a significant development.

## **1 BACKGROUND**

- 1.1 The application has been prepared by Avison Young ('AY') on behalf of Havering and Wates Regeneration LLP ('the Applicant') to accompany a planning application to vary the wording of Conditions 5 and 9 of planning permission ref. P0761.20 (the 'Original Consent'), submitted pursuant to S.73 of the Town and Country Planning Act 1990.
- 1.2 The submitted application seeks approval to amend the approved parameter plans under Condition 5 and 'dashed line' plans as detailed in Condition 9 of the Original Consent. The proposals are being brought forward alongside a Reserved Matters Application (RMA) ref. P1293.25 for plots 9 and 10 which is also on the SPC agenda for 26<sup>th</sup> February 2026. This Section 73 application seeks to amend the relevant parameter plans within the outline element of the hybrid consent, while the RMA will deliver the detailed design for these plots. The applications were submitted together to enable a coordinated assessment and ensure that the revised parameter plans directly align with the proposed detailed scheme.
- 1.3 The purpose of the proposed amendments under this S73 application seek to enhance the deliverability and efficiency of Blocks 9 and 10. The revised parameter plans allow a Reserved Matters scheme to be delivered that reduces overall building massing, simplifies building forms, and rationalises the core strategy, ensuring compliance with updated building regulations and removing the need for dual-core arrangements. These changes also improve separation distances, optimise building footprints, and provide a more efficient layout that supports construction and long-term management. The amendments are modest in scale and will not result in any adverse impacts on the wider masterplan context or surrounding views.
- 1.4 The GLA have been consulted and have advised that the proposed amendments have been assessed and, given their scale and nature, do not raise any new strategic planning issues. Accordingly, the Mayor of London does not need to be consulted further under Article 5(2) of the Order, and the Council may proceed to determine the application without further reference to the GLA, noting that TfL may provide separate comments as part of its statutory consultation response.

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

- 2.1 The proposed Section 73 application seeks to vary Conditions 5 and 9 of planning permission ref. P0761.20 to amend the approved parameter plans for Plots 9 and 10. The amendments are modest, relate solely to approved conditions, and do not alter the description of development or the established principle of the scheme. They are intended to improve deliverability in response to updated building regulations and result in reduced building heights, simplified massing, and improved separation distances. These changes deliver clear

public benefits by facilitating the timely delivery of much-needed housing, including a significant proportion of affordable homes, on a sustainable, brownfield site in accordance with the objectives of the London Plan and the Havering Local Plan.

- 2.2 The revised parameters have been subject to detailed assessment and are not considered to give rise to any new or unacceptable impacts in terms of residential amenity, heritage, townscape, transport, or environmental effects. On the contrary, the reduced scale and improved layout result in neutral or beneficial outcomes when compared to the approved scheme, including improvements to daylight, sunlight, outlook, privacy, and public realm. In the planning balance, substantial weight is afforded to the delivery of housing and affordable housing, improved scheme viability, and enhanced design outcomes. Any minor changes arising from the amendments are clearly outweighed by these benefits. The proposal is therefore in accordance with the development plan and there are no material considerations that indicate planning permission should be refused.

### **3 RECOMMENDATION**

- 3.1 That the Committee resolve that planning permission be granted under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Conditions 5 and 9 of planning permission ref. P0761.20, to allow amendments to the approved parameter plans and associated plan references in relation to Plots 9 and 10, subject to:

- The conditions set out in this report, including updated conditions and plan references, and the re-imposition of all other relevant conditions attached to the original permission except where expressly superseded; and
- The prior completion of a Deed of Variation under Sections 106 and 106A of the Town and Country Planning Act 1990 (as amended) and all other enabling powers to link this permission to the existing Section 106 Agreement dated 12/11/2021:

- 3.2 The Mayor of London has confirmed that although a referable application they do not wish the application to be referred to them at Stage 2. That the Director of Planning and Public Protection is delegated authority to issue the planning permission subject to a deed of variation to the original Section 106 obligation and the following planning conditions:

**Conditions:**

1. Time Limit (Outline)
2. Reserved Matters Submission
3. Reserved Matters Time Limit
4. Approved Plans
5. Parameter Plan Compliance
6. Phasing Plan
7. Pre-Commencement Conditions by Phase
8. Revised Design Code
9. Design Code Compliance
10. Maximum Building Envelopes
11. Maximum Dwelling Numbers
12. Site Levels and Floor Levels
13. Materials Details
14. External Appearance Details
15. Shopfronts and Ground Floor Frontages
16. Construction Access Strategy
17. Pedestrian and Cycle Connections
18. Highways Works Details
19. Servicing and Delivery Strategy
20. Construction Environmental Management Plan
21. Demolition Environmental Management Plan
22. Air Quality and Dust Management Plan
23. Noise and Vibration Control (Construction)
24. Piling and Ground Vibration Control

25. Archaeological Written Scheme of Investigation
26. Archaeological Foundation Design
27. Heritage Interpretation Scheme
28. Contaminated Land Investigation
29. Contaminated Land Remediation
30. Unexpected Contamination
31. Soil and Materials Management
32. Circular Economy Statement (Outline)
33. Circular Economy Statement (Reserved Matters)
34. Post-Completion Circular Economy Report
35. Recycling and Waste Reporting
36. Refuse and Recycling Storage
37. Bulky Waste Strategy
38. Energy Strategy – Residential
39. Energy Strategy – Non-Residential
40. Carbon Offset Contribution
41. Ultra-Low NOx Boilers
42. Air Quality Neutral Assessment
43. Mechanical Ventilation for Commercial Uses
44. Odour Control – Commercial Uses
45. Plant and Machinery Noise Control
46. Commercial Noise Rating Levels
47. Internal Residential Noise Standards
48. Sound Insulation Between Uses
49. Glazing and Ventilation (Road and Rail Noise)

50. Secured by Design Accreditation
51. Fire Statement
52. Fire Appliance Access
53. Evacuation Lifts
54. Sprinkler Systems
55. Inclusive Access – M4(2)
56. Wheelchair Housing – M4(3)
57. Communal Amenity Space
58. Children’s Play Space
59. Landscaping Strategy
60. Landscape Implementation
61. Landscape Maintenance
62. Urban Greening Factor
63. Biodiversity Enhancements
64. Bird Hazard Management Plan
65. Public Realm Details
66. Lighting Strategy
67. Boundary Treatments
68. Privacy and Overlooking Control
69. Podium Landscape Access
70. Balcony Design and Privacy
71. Roof Plant Screening
72. Telecommunications Restriction
73. Removal of Permitted Development Rights (Dwellings)
74. Cycle Parking Provision

75. Cycle Parking Details
76. Car Parking Provision
77. Car Club Provision
78. Electric Vehicle Charging
79. Travel Plan (Residential)
80. Travel Plan (Non-Residential)
81. Travel Plan Monitoring
82. Delivery and Servicing Management Plan
83. Street Naming and Numbering
84. Flood Risk and Drainage Strategy
85. Surface Water Management
86. Sustainable Drainage Implementation
87. Maintenance of Drainage Systems
88. Highway Surface Water Restriction
89. Public House Floorspace Retention
90. Commercial Use Restrictions
91. Phased Occupation Restrictions
92. Partial Discharge Compliance Statement
93. Post-Occupation Monitoring and Compliance

### **Informatives**

CIL, Highways works, reason for granting permission, new house numbering

## **4. Site and Surroundings**

- 4.1 The application site comprises Plots 9 and 10 within the wider Waterloo and Queen Street regeneration area. The plots are located to the south-western portion of the outline site, bounded by Queen Street and Cotleigh Road, and

in proximity to St Andrew's Church and the adjoining railway corridor. The wider outline application site covers an area of approximately 4.5 hectares and is commonly known as the Waterloo and Queen Street Estate. The site is bounded by London Road to the north, by Waterloo Road (A125) to the east, a railway line to the south and Cotleigh Road to the west. The site falls within the Romford Strategic Development Area (SDA). Romford town centre lies immediately east of the site.

- 4.2 The existing site previously comprised of 290 residential homes but has since been cleared of all structures with a hardcore surface.
- 4.3 There are commercial buildings to the north and the A125 dual carriageway to the east, the ring road which effectively encloses Romford town centre. On the opposite side of the A125 is the prominent flank elevation of the Brewery retail development and associated car park. To the south is a steep embankment and the railway used by a range of services including Shenfield to London Liverpool Street (Crossrail). The railway embankment is designated in the council's Local Plan as a Site of Importance for Nature Conservation (SINC) of Borough Importance.
- 4.4 The site does not fall within a conservation area and there are no listed buildings on site. However there are 3 Grade II listed buildings adjacent to or near the site (St Andrews Church, Salem Baptist Chapel and the Sun Public House) located at the western and northern edges of the applications site. The Romford Town Centre Conservation Area is also located to the east.
- 4.5 The land adjacent to the railway is within an Archaeological Priority Area. Romford Train Station is within walking distance and there are a number of bus routes on Waterloo Road and London Road. The PTAL for the site ranges between 2(Poor) and 6a (Excellent).
- 4.6 The site also falls within an Air Quality Management Area (AQMA) and the Romford Strategic Development Area.

## **5.0 Proposed development**

- 5.1 The application seeks planning permission under Section 73 of the Town and Country Planning Act 1990 to vary Conditions 5 (Approved Plans) and 9 (Parameter Plans) of planning permission ref. P0761.20 in order to amend the approved development parameters for Plots 9 and 10 of the Waterloo Estate masterplan. The proposed changes comprise modest revisions to building footprints, heights and layout, including a reduction in maximum building heights, consolidation and simplification of massing, rationalisation of core arrangements, and minor realignment of buildings within the approved plot envelopes. The amendments are intended to improve deliverability and compliance with updated building regulations while maintaining the approved land use, housing quantum, and overall design principles of the consented scheme. The amendments can be summarised as follows:

- Reduction in overall building heights across both plots:
  - Plot 9: Maximum height reduced from 8 storeys to 6 storeys.
  - Plot 10: Uniform height of 4 storeys introduced, replacing stepped 4–5 storey massing.
  
- Refined parameter dimensions:
  - Overall building lengths and widths updated to reflect consolidated massing.
  - Plot 9: 41.5m and 55.1m length blocks (previously split 41m + 59m).
  - Plot 10: Increased maximum length (now 74m) and more consistent form, previously 69.5m
  
- Reduction in total building mass and footprint complexity:
  - Consolidation of multiple smaller blocks into a single, more coherent building on each plot.
  - Simplified building forms supporting more efficient delivery.
  
- Rationalisation of core strategy:
  - No buildings now exceed 18m in height, avoiding "high-risk" classification.
  - Removal of dual-core buildings, reflecting updated building layouts.
  
- Improved closest separation distances to site boundaries and surrounding development:
  - Plot 9: Northern boundary increased to 7.75m (previously 5m).
  - Plot 10: Minimum southern boundary increased to 6.3m (previously 5.8m).
  
- Improved contextual response:
  - Setbacks adjusted to better respect proximity to St Andrew's Church and Cotleigh Road.
  - Enhanced public realm interfaces and daylight/sunlight conditions.
  
- Minor repositioning within plot boundaries:
  - Realignment of building footprints within approved plot envelopes for design optimisation.

## **6. Planning History**

### **6.1 The Original Planning Permission (ref: P0761.20)**

- 6.2 The hybrid planning permission (Ref. P0761.20) (the *Original Consent*) was granted on 12 November 2021 for the comprehensive redevelopment of the site. The description of the approved development is as follows:

*“Hybrid (part outline, part detail) planning application for the phased redevelopment of the site comprising demolition and the provision of up to 1,380 (Use Class C3) residential units (40% affordable), built over 3–16 storeys, flexible commercial floorspace (Use Classes A1–A4, B1, D1/D2), community floorspace, open space and associated public realm improvements, parking, play space, highways improvements and a central cycle route. Outline with all matters reserved (except access) and Detailed Full Planning for Phase 1.”*

- 6.3 The Original Application was subject to an Environmental Impact Assessment. The approved development comprised five phases, with the detailed element including Block 1 and Block 2. The scheme has been implemented; however, in 2023 construction on site was paused following amendments to national regulations, including the requirement for second stair cores within residential developments above a specified height threshold, which rendered the approved scheme unviable in its consented form.
- 6.4 The Original Consent has subsequently been varied and supplemented through a series of applications, as outlined below.

### **6.5 Amendments to the Original Consent**

- 6.6 A non-material amendment (ref: N0075.22) to application Ref. P0761.20 was approved on 6 September 2023 to permit changes including floor-to-floor height reductions, alterations to colonnades, and revisions at ground level.
- 6.7 A non-material amendment (ref: N0025.23) to application Ref. P0761.20 was approved on 9 June 2023 to revise the wording of Condition 7 (Phasing Plans) to incorporate Community Infrastructure Levy (CIL) phasing plans.
- 6.8 Discharge of Condition (ref: Q0194.24) was approved on 7 November 2024 for the re-discharge of Condition 7 (Phasing) to include an updated phasing plan incorporating a new Phase 1C, which includes part of the originally consented Village Green.
- 6.9 Non-material amendment (ref: N0059.24) was approved on 14 February 2025 to amend the trigger of Condition 8 of the Original Consent (Ref. P0761.20) to align with the amended phasing strategy and the introduction of Phase 1C. As the proposal only sought to bring forward a limited part of the Village Garden, the amendment allowed for the updated Design Code to be submitted *prior to the submission of the second Reserved Matters application*, enabling it to be brought forward at a later, more appropriate stage.
- 6.10 Approval of RM (ref: P1392.24) was approved on 20 March 2025 for the *Approval of Reserved Matters (appearance, landscaping, layout and scale)* pursuant to outline permission P0761.20, in association with part of the Village

Garden. The series of applications outlined above were submitted to support the ongoing deliverability of the parent permission and to provide the necessary flexibility for effective implementation.

- 6.11 An application (ref: Q0107.25) was submitted on 2 June 2025 to discharge Condition 8 (Design Code) in relation to the forthcoming Reserved Matters Application for Plots 9 and 10 at the Waterloo Estate. The submitted Addendum ensures that forthcoming Reserved Matters applications and future phases of the masterplan are underpinned by an up-to-date design framework that aligns with the principles of the Original Consent while responding to evolving policy and technical requirements.

### **6.12 Other Relevant Applications**

- 6.13 Temporary planning permission (ref: P0108.25) was approved on 30 May 2025 for the redevelopment of Plot 5 of the Waterloo Estate masterplan to deliver modular housing units (Use Class C3) as a meanwhile use, alongside new landscaping, cycle facilities, and associated works.
- 6.14 Temporary planning permission (ref: P1421.24) was approved on 16 May 2025 for the change of use of land to provide a car park, cabin (Use Class F1(f) – Learning and Non-Residential Institutions), toilet block, and associated plant. This permission has not yet been implemented.

## **7.0 LOCAL REPRESENTATIONS**

- 7.1 443 letters of notifications were sent to the adjoining occupiers on the 8<sup>th</sup> October 2025. 15 comments were received including 2 objections.

The objections can be summarised as follows:

Issue 1: Potential loss of daylight and sunlight due to the physical impact of the buildings which are up to 16 storeys. Additional potential overlooking into private garden

Officer Response: The reference to 16 storeys relates to the wider site and not the buildings on plot 9 and 10 which are limited to 6 storeys. The impacts of the development in relation to residential amenity were assessed in detail at the outline stage and through subsequent reserved matters approvals, supported by daylight and sunlight assessments undertaken in accordance with recognised BRE guidance. The current Section 73 application does not increase the approved building heights and, in parts, proposes reduced heights and simplified massing, which result in neutral or improved amenity outcomes when compared to the consented scheme. Separation distances and window placements have been designed to minimise overlooking, and conditions are in place to secure appropriate design measures. The proposal is therefore not considered to result in unacceptable harm to neighbouring residential amenity.

Issue 2: Social, environmental, public health and fire safety reasons. Strain placed on already overstretched local infrastructure

Officer Response: The development has been revised specifically to respond to updated fire safety regulations, with fire safety matters fully assessed and secured through approved Fire Statements and compliance with the Building Regulations regime. The principle, scale and infrastructure impacts of the scheme were established through the extant permission, which was subject to Environmental Impact Assessment, and appropriate mitigation and financial contributions were secured through planning conditions and the Section 106 agreement. The current Section 73 application does not increase the quantum of development or place additional pressure on local infrastructure beyond that already accepted. On balance, the social impacts of the scheme are considered positive, delivering much-needed housing, including affordable homes, alongside new public amenity space and environmental improvements.

### **Internal and External Consultation:**

#### **7.2 Internal Consultees**

LBH Environmental Health (Noise & contamination) - No response  
LBH Environmental Health (Air quality) - No objection  
LBH Highways - No response  
LBH Waste & Recycling - No objection  
Place Services (Ecology) - No objections subject to conditions  
LBH Local Lead Flood Officer – No objection

#### **7.3 External Consultees**

Anglican Water Authority – No objection  
  
Thames Water – No objection  
  
Essex & Suffolk Water – No objection  
  
UKPN – No objection  
  
London Fire – No objection  
  
Transport for London – No response  
  
Historic England – No objection  
  
Environment Agency – No objection  
  
Metropolitan Police – No objection subject to conditions

Greater London Authority (GLA) – No new strategic planning issues raised. No further consultation with Mayor required

## **8 MATERIAL PLANNING CONSIDERATIONS**

8.1 The main issues for consideration for this application are:

- The principle of development
- Housing supply and mix
- Scale, height, bulk and design
- Built heritage
- Quality of the proposed accommodation
- Impact on Neighbouring Amenity
- Transport and Highways
- Environment Issues
- Sustainability
- Flooding and Drainage
- Ecology
- Energy Efficiency
- Community Infrastructure Levy / s106
- Equalities

### **9.0 Principle of development**

9.1 The principle of comprehensive residential-led redevelopment of the site has already been established through the extant planning permission (ref. P0761.20), which was granted following detailed assessment and is therefore a material consideration of significant weight in the determination of this Section 73 application. As this application seeks only to vary approved conditions, the acceptability of the development in land use and quantum terms is not reconsidered. The focus of the assessment is whether the proposed amendments would result in any material change to the planning impacts previously found acceptable.

9.2 The proposed amendments arise primarily from the need to respond to updated building regulations and technical delivery requirements, including the rationalisation of massing and core arrangements. Officers have carefully considered whether these changes materially alter the form, scale or nature of the approved development and are satisfied that they are limited in scope, do not increase the approved quantum of development, and do not undermine the established planning principles of the Original Consent. On this basis, the amendments are considered acceptable in principle.

9.3 The Original Consent approved a predominantly residential-led masterplan comprising up to 1,380 dwellings, with detailed approval for Phase 1 and outline approval for subsequent phases. The proposed Section 73 amendments do not alter the approved land use mix or the amount of residential floorspace

consented. Importantly, the affordable housing commitments secured through the Original Consent remain unchanged and continue to be delivered in accordance with the agreed tenure mix and phasing arrangements.

- 9.4 In assessing the application, officers have had regard to the Council's current housing position, including the outcome of the Housing Delivery Test and the borough's limited housing land supply. While the application does not propose any increase in housing numbers or affordable housing provision beyond that already approved, the delivery of 100% affordable housing within this phase is a material benefit and carries significant weight in the planning balance, particularly given the acute local and strategic need for new homes and in particular affordable homes. The proposed amendments are considered necessary to enable the effective delivery of this phase and to ensure that the affordable housing already consented can be brought forward without delay.
- 9.5 Overall, officers are satisfied that the proposed amendments do not compromise the land use strategy or affordable housing objectives of the Original Consent and that the development continues to accord with the strategic objectives of the London Plan, the Havering Local Plan, and national planning policy in respect of housing delivery. The principle of development therefore remains acceptable.

## **10.0 Housing supply and mix;**

- 10.1 The proposed Section 73 amendments do not alter the approved land use mix, housing quantum or housing mix secured through the Original Consent, which established a predominantly residential-led masterplan of up to 1,380 dwellings. The amount of residential floorspace, the approved tenure profile, and the overall affordable housing provision remain unchanged. As such, the application does not give rise to any adverse implications for housing supply or housing mix when assessed against the development plan. The proposal continues to comply with the strategic housing objectives of the London Plan and the Havering Local Plan, which seek to maximise the delivery of new homes, including affordable housing, on suitable and accessible sites.
- 10.2 Notwithstanding that no uplift in housing numbers is proposed, the delivery of this phase—comprising 100% affordable housing—is a material consideration of significant weight, particularly in the context of the borough's constrained housing land supply and identified housing need. The Council is currently unable to demonstrate a five-year housing land supply, and the delivery of affordable housing through Plots 9 and 10 will make a meaningful contribution towards meeting local need, including addressing housing waiting lists. Officers are satisfied that the proposed amendments to the approved parameter plans are necessary to enable the effective delivery of the consented affordable housing and therefore support, rather than undermine, housing supply objectives. In this context, the proposals are considered to have a positive impact on housing delivery and carry substantial weight in the planning balance.

## **11. Layout, scale, bulk and Design assessment**

- 11.1 The design principles for Plots 9 and 10 were established through the Original Consent, including the approved parameter plans, Design Code and Outline Design and Access Statement, which responded to the site's sensitive context, its gateway role within the masterplan, and its relationship with the Grade II listed St Andrew's Church and surrounding residential areas. These documents remain material considerations of significant weight. The current Section 73 application has therefore been assessed on the basis of whether the proposed amendments would result in any material harm to the approved design framework, townscape character or heritage setting.
- 11.2 The proposed amendments retain the overarching design intent of the consented scheme but introduce targeted refinements to layout, footprint and massing to respond to updated Building Regulations and improve buildability. Officers are satisfied that the revisions do not result in a harmful increase in scale or bulk when compared with the approved scheme and, in some respects, represent an improvement. Overall building heights have been reduced, with a maximum of six storeys on Plot 9 and a consistent four-storey height on Plot 10, and massing consolidated into single, coherent blocks. These changes improve legibility, reduce visual complexity, and provide increased separation distances to neighbouring properties along Cotleigh Road.
- 11.3 In policy terms, the proposals have been assessed against the design-led approach set out in Chapter 11 of the NPPF, London Plan Objective GG1, London Plan Policy D3, and Local Plan Policy 26. Officers are satisfied that the revised scheme continues to make effective use of a sustainable brownfield site, optimises site capacity through a design-led approach, and responds appropriately to its context. The reduction and reconfiguration of massing, alongside refined façade alignment and step-backs, ensures a sensitive relationship with the setting of St Andrew's Church and avoids the introduction of visually dominant or incongruous elements within the local townscape.
- 11.4 The rationalisation of building cores and refinement of footprints have also enabled improvements to internal layouts, including an increased proportion of dual-aspect dwellings and enhanced daylight and sunlight penetration, without compromising the external form or architectural quality of the development. Public realm interfaces have been strengthened through improved landscaping, particularly along the churchyard edge and key pedestrian routes, contributing positively to placemaking and the quality of the environment for both future residents and the wider community.
- 11.5 Overall, officers consider that the proposed amendments represent a proportionate and well-judged evolution of the consented scheme. The scale, bulk and design of the development remain broadly consistent with the Original Consent and are acceptable in design terms.

## **12.0 Built Heritage**

- 12.1 In accordance with Chapter 16 of the National Planning Policy Framework (NPPF), the impact of the proposed development on the significance of designated heritage assets and their settings has been carefully considered. London Plan Policy HC1 requires development proposals affecting heritage assets to conserve their significance and manage the cumulative effects of change, while London Plan Policy D3 and Local Plan Policy 28 require a design-led approach that responds appropriately to context and local character. These policies are of significant relevance given the site's proximity to the Grade II listed St Andrew's Church, which sits between Plots 9 and 10, as well as the locally listed Sun Public House and the Grade II listed Salem Baptist Church to the east.
- 12.2 Under the Original Consent, the design approach for Plots 9 and 10 was informed by a detailed Townscape and Heritage Visual Impact Assessment, which concluded that the approved scheme would integrate successfully into the surrounding townscape while preserving the setting of nearby heritage assets. The current Section 73 application has been assessed against this established baseline. Officers are satisfied that the proposed amendments do not depart from the approved heritage strategy and, in several respects, further reduce potential impacts. The reduction in building heights to a maximum of six storeys on Plot 9 and a consistent four storeys on Plot 10, alongside the consolidation of massing and refined setbacks, reduces visual competition with St Andrew's Church and strengthens the hierarchy between the church and surrounding development.
- 12.3 In particular, increased separation distances along the boundaries closest to the churchyard enhance openness and improve key heritage views, ensuring that the church remains visually prominent within the local townscape. Minor refinements to building footprints and façade alignment have been undertaken to optimise layouts while reinforcing the relationship between the church, Cotleigh Road and the wider masterplan. Public realm enhancements along the churchyard edge and St Andrew's Road further improve the setting of the heritage asset and contribute positively to local character.
- 12.4 The submitted heritage evidence, including the Statement of Conformity prepared by Portico Heritage and the EIA Statement of Conformity, confirms that the amended proposals do not give rise to any new or additional heritage harm beyond that previously assessed and, in some respects, result in a marginal enhancement due to reduced height and massing. Officers afford significant weight to this assessment and are satisfied that the proposals preserve the significance and setting of nearby heritage assets in accordance with the NPPF, London Plan Policy HC1, and the Havering Local Plan. The development is therefore considered acceptable in heritage and townscape terms and raises no objections on this basis.

### **13 Quality of the housing provision**

- 13.1 London Plan Policy D6 requires residential development to deliver high-quality accommodation with adequately sized rooms, functional internal layouts and good standards of amenity, regardless of tenure. The policy emphasises that qualitative factors such as internal space, daylight, outlook, privacy, accessibility and access to private and communal amenity space are critical to achieving successful and sustainable residential environments. These principles are reflected in the objectives of the NPPF, which seeks to ensure a high standard of amenity for future occupants, and Havering Local Plan Policy 7, which requires development to provide high-quality living conditions for all residents.
- 13.2 The original hybrid permission (ref: P0761.20) established an accepted baseline for the quality of residential accommodation across the Waterloo Estate masterplan, including compliance with the nationally described space standards, minimum floor-to-ceiling heights, and appropriate private and communal amenity provision. The Section 73 amendments do not seek to vary the approved residential quantum, tenure mix or unit standards. Instead, the proposed refinements to massing, footprint and core arrangements have been assessed as maintaining, and in some respects improving, the efficiency and functionality of internal layouts when compared with the consented scheme.
- 13.3 The submitted plans demonstrate that all residential units could continue to meet or exceed the nationally described internal space standards and would provide well-proportioned, usable rooms with clear separation between habitable spaces and circulation areas. The rationalisation of building cores and the consolidation of footprints allow for a higher proportion of dual-aspect units, improved internal daylight penetration and enhanced opportunities for cross-ventilation. These changes are consistent with the design principles established under the Original Consent and with the requirements of London Plan Policy D6.
- 13.4 Private amenity space is provided for all dwellings, either in the form of private gardens, balconies or terraces, in accordance with the standards set out in the London Plan and the Havering Residential Design SPD. In addition, residents will benefit from access to high-quality communal amenity spaces and the wider network of landscaped public realm delivered as part of the Waterloo Estate masterplan. The scale, layout and orientation of these spaces have been designed to maximise usability, privacy and access to sunlight, contributing positively to the day-to-day living conditions of future occupants.
- 13.5 In terms of accessibility, the applicant submits that the proposals would continue to comply with the requirements of Building Regulations Part M, with all dwellings designed to meet M4(2) “accessible and adaptable” standards, and a proportion of units provided in accordance with M4(3) “wheelchair user”

standards, consistent with the Original Consent. This ensures that the development delivers inclusive housing capable of meeting a wide range of needs over the lifetime of the buildings, in line with London Plan Policy D7 and Havering Local Plan Policy 7.

- 13.6 Officers have also considered the quality of accommodation in the context of residential amenity, including daylight, sunlight, outlook and privacy. As set out elsewhere in this report, updated technical assessments confirm that the proposed amendments would not result in unacceptable impacts on these matters and, in several respects, represent an improvement over the consented scheme. The reduced building heights and increased separation distances at key interfaces further support good standards of outlook and reduce the perception of enclosure for both existing and future residents.
- 13.7 Overall, officers are satisfied that the proposed Section 73 amendments would continue to deliver a high standard of residential accommodation, consistent with the quality benchmarks established by the Original Consent. The development would provide safe, inclusive and comfortable living environments for future occupants and would comply with the requirements of the NPPF, London Plan Policy D6, and Havering Local Plan Policy 7

## **14 Impact on Neighbouring Amenity**

- 14.1 Havering Local Plan Policy 7 states the council will not support applications where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing and new properties and has unreasonable adverse effects on the environment by reason of noise impact, vibrations and disturbance.

### **Daylight and Sunlight**

- 14.2 Daylight, Sunlight and Overshadowing
- 14.3 The proposed Section 73 amendments for Plots 9 and 10 involve modest reductions in overall building heights and the consolidation of approved building footprints, alongside minor adjustments to the approved parameter plans. These changes arise primarily from the rationalisation of the building core strategy, the removal of dual-core arrangements, and refinements to layouts to improve efficiency, buildability and compliance with updated Building Regulations. Officers have assessed whether these amendments would materially alter the daylight, sunlight and overshadowing impacts previously accepted under the Original Consent.
- 14.4 A Daylight and Sunlight Amenity Study (Neighbouring) has been prepared by Rapley's to assess the effects of the amended parameter plans on surrounding residential properties and external amenity spaces. The assessment undertakes a direct comparison with the approved outline scheme and applies the BRE guidelines in accordance with the Housing SPG. The report concludes that the levels of daylight and sunlight received by all assessed neighbouring

properties and amenity areas will remain satisfactory and that the proposed amendments broadly replicate the outcomes established under the Original Consent. Importantly, the study identifies slight improvements in a number of tested scenarios when compared with the previously approved scheme, reflecting the reduced building heights and more consolidated massing.

- 14.5 Officers have reviewed the submitted figures and conclusions and are satisfied that the amended scheme does not give rise to any new or materially worse daylight, sunlight or overshadowing impacts. The BRE guidance, when read alongside the positive test results and the established urban context of the site, confirms that neighbouring occupiers will continue to receive good levels of daylight and sunlight. On this basis, officers conclude that the proposed amendments comply with London Plan Policy D6, the Housing SPG, and Local Plan Policy 7, and that no unacceptable harm to residential amenity would arise.

### **Privacy and Overlooking**

- 14.6 The proposed amendments to Plots 9 and 10 have been specifically designed to maintain, and in some respects improve, the privacy and outlook relationships established under the Original Consent. The reduction in height of Plot 9 from up to eight storeys to a maximum of six storeys, together with the adoption of a consistent four-storey height across Plot 10, reduces the overall scale of development and lessens the potential for overlooking and visual dominance when viewed from surrounding residential properties. The consolidation of building forms into single, coherent blocks also reduces the extent of facing elevations and limits opportunities for direct overlooking.
- 14.7 The amended parameter plans further improve separation distances at the most sensitive site boundaries. In particular, the minimum distance to the northern boundary of Plot 9 has been increased from 5 metres to 7.75 metres, while the minimum distance to the southern boundary of Plot 10 has been increased from 5.8 metres to 6.3 metres. These increases provide additional visual relief, reduce perceived enclosure, and improve outlook for neighbouring residents, particularly along Cotleigh Road. Officers consider that these changes represent a tangible improvement when compared with the approved scheme.
- 14.8 Overall, officers are satisfied that the proposed amendments do not result in unacceptable overlooking, loss of privacy or harm to outlook for existing or future residents. The development continues to provide a high standard of residential amenity and is consistent with the requirements of NPPF paragraphs 130 and 135, London Plan Policy D3, and Havering Local Plan Policy 7. No objections are therefore raised on amenity grounds.
- 14.9 On this basis, the proposals are considered to comply with Policy D3 and D6 of the London Plan and Policy 7 of the Havering Local Plan, which require development to respect existing residential amenity in terms of privacy, overlooking, and visual dominance.

## **15 Transport & Highways**

- 15.1 The Section 73 application does not propose any changes to the approved access arrangements, highway layout, parking provision, servicing strategy or internal circulation established under the original hybrid planning permission (ref: P0761.20). The development therefore continues to be assessed against the transport baseline already found acceptable by the Council, Transport for London and the Local Highway Authority. As confirmed by the submitted Transport Statement of Conformity, the proposed amendments to massing, layout and cores do not give rise to any changes in trip generation, modal split, parking demand or highway safety when compared to the consented scheme.
- 15.2 The original consent was supported by a comprehensive Transport Assessment and approved on the basis of a restrained parking strategy reflecting the site's variable Public Transport Accessibility Levels (PTAL 2–6a). A total of 370 car parking spaces were approved across the masterplan, equating to an overall ratio of 0.27 spaces per dwelling (based on up to 1,380 units). Of these, 80 spaces (5.8%) are designated for disabled users, with the detailed Phase 1 element providing 43 spaces (0.12 spaces per unit) and the outline phases capped at a maximum of 0.3 spaces per unit. This approach was considered acceptable having regard to the site's accessibility, the need to re-provide parking for existing residents, and compliance with London Plan maximum standards for Outer London locations. The approved quantum of parking remains unchanged by this application.
- 15.3 Cycle parking provision also remains as approved, comprising 640 long-stay cycle spaces and 11 short-stay spaces, fully compliant with London Plan Policy T5. The original permission secured conditions requiring compliance with the London Cycle Design Standards, including the provision of Sheffield stands (with at least 20% at standard spacing and 5% at wider spacing), and these requirements continue to apply. Servicing, refuse collection and emergency vehicle access arrangements are likewise unchanged and were previously assessed as acceptable by the Council's Highway Officer and TfL.
- 15.4 In policy terms, the proposals remain consistent with the objectives of the NPPF, particularly paragraph 155, by prioritising sustainable transport modes, ensuring safe and suitable access for all users, and avoiding any severe residual impacts on the highway network. The development continues to align with London Plan Policies T1, T2, T5, T6 and T7 by promoting walking, cycling and public transport use, applying a Healthy Streets approach, maintaining a restrained parking provision, and ensuring appropriate servicing arrangements. At the local level, the scheme remains compliant with LBH Local Plan Policy 24, with parking provision already designed as an integral part of the masterplan and supported by secured measures including car-free permit restrictions pursuant to Section 16 of the Greater London Council (General Powers) Act 1974, CPZ contributions, a Car Parking Design and Management Plan, and EV charging infrastructure (20% active and 80% passive provision).

15.5 Overall, given that the proposed Section 73 amendments do not alter the approved transport strategy or parking quantum, and that the development continues to operate within the parameters previously accepted by the Local Highway Authority and TfL, it is concluded that the proposals remain acceptable in highway and transport terms and would not result in unacceptable impacts on highway safety, parking conditions or the operation of the surrounding road network.

## **16 Other issues**

### **16.1 Flood Risk & Drainage**

16.2 The application site lies wholly within Flood Zone 1, as defined by the Environment Agency, and is therefore at low risk of flooding from fluvial or tidal sources. The site is not located within a Critical Drainage Area and there is no evidence of historic surface water or groundwater flooding affecting the site. These baseline conditions are unchanged from those assessed under the original hybrid planning permission granted in 2020.

16.3 The Section 73 application does not propose any changes to the approved drainage strategy or drainage hierarchy. A Flood Risk Assessment and Drainage Strategy (Arden Consulting Engineers, October 2024) has been submitted to demonstrate continued compliance with the NPPF (2024), London Plan Policy SI12, and Havering Local Plan Policy 32. The strategy confirms that post-development surface water runoff rates will be restricted to greenfield equivalent rates, with attenuation provided through a combination of permeable paving, below-ground attenuation tanks and cellular storage beneath shared surface areas. Surface water will discharge at a controlled rate to the public surface water sewer network via an on-site connection.

16.4 Foul drainage arrangements also remain unchanged from the consented scheme, with foul flows directed to the existing public foul sewer via a separate connection. Thames Water has raised no objection in principle, subject to standard conditions requiring confirmation of final connection points and capacity at the detailed design stage. The Council's Lead Local Flood Authority has similarly confirmed that the proposed approach remains acceptable in principle, subject to conditions securing detailed design, maintenance and management arrangements.

16.5 Given that the proposed Section 73 amendments do not materially alter site levels, impermeable areas or drainage routes, and that the drainage strategy remains consistent with that previously approved, officers are satisfied that the development would not increase flood risk elsewhere nor expose future occupants to unacceptable risk. Subject to the re-imposition of updated drainage conditions reflecting current policy wording, the proposals are considered compliant with national, regional and local flood risk and drainage policy.

### **17.0 Land Contamination**

- 17.1 The site comprises previously developed land, historically used as surface-level car parking, and does not include any known former industrial or high-risk contaminative uses. These baseline site conditions remain unchanged from those assessed at the outline stage in 2020. Notwithstanding this, the site's urban context gives rise to a potential for made ground and localised contamination, particularly associated with historic vehicle use.
- 17.2 A Phase 1 Preliminary Risk Assessment (Ardent Consulting Engineers, October 2024) has been submitted in support of the Section 73 application. The assessment identifies a low to moderate potential risk from common urban contaminants, including hydrocarbons, but confirms that no significant contaminant linkages have been identified at this stage. The report recommends further intrusive investigation to confirm ground conditions prior to development.
- 17.3 The Council's Environmental Health Officer has reviewed the submission and raised no objection, subject to conditions requiring a Phase 2 site investigation, remediation strategy (if necessary), and verification reporting prior to occupation. These conditions are consistent with those imposed on the original permission and remain appropriate given that the proposed amendments do not alter ground disturbance or introduce new sensitive receptors beyond those already consented.
- 17.4 Subject to the imposition of these standard conditions, officers are satisfied that the proposed Section 73 development would not pose an unacceptable risk to human health or the environment and remains compliant with the NPPF, London Plan Policy D13, and Havering Local Plan Policy 33.

## **18. Sustainability & Energy Efficiency**

- 18.1 The proposed Section 73 amendments do not alter the approved energy strategy or sustainability principles established under the original consent. However, the assessment must be considered against updated policy requirements, including London Plan Policy SI2 and Havering Local Plan Policy 35, which place increased emphasis on carbon reduction and climate resilience.
- 18.2 An updated Energy and Sustainability Statement (Etude, October 2024) has been submitted to confirm continued compliance. The strategy follows the Be Lean, Be Clean, Be Green hierarchy and confirms that the development would achieve a 41% reduction in regulated carbon emissions beyond Part L 2013, exceeding the London Plan's minimum on-site target of 35%. This reduction is achieved through enhanced fabric performance, energy-efficient building services, air source heat pumps, and photovoltaic panels on apartment block roofs.
- 18.3 Any residual regulated carbon shortfall would be addressed through a carbon offset contribution, calculated in accordance with the Council's adopted price per tonne and secured via the Section 106 Agreement. Officers note that this

approach is consistent with the original permission, although the precise offset sum will require updating to reflect current policy and indexation.

- 18.4 In addition, the scheme continues to incorporate wider sustainability measures, including water efficiency targets of 105 litres/person/day, sustainable drainage, urban greening and biodiversity enhancements, and passive design measures to promote daylight, ventilation and long-term adaptability. Officers are satisfied that, subject to updated conditions and S106 provisions reflecting current policy, the proposals remain compliant with London Plan Policies SI2, SI5 and D6, and Local Plan Policies 35 and 32.

## **19. Ecology and Biodiversity**

- 19.1 The site is largely hard-surfaced with limited existing vegetation and is not subject to any statutory or non-statutory ecological designations. Its baseline ecological value is therefore low, consistent with the findings of the original 2020 permission.
- 19.2 A Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Ecology Solutions, October 2024) has been submitted to reflect the requirements of the Environment Act 2021 and updated NPPF policy. The appraisal confirms that no protected species or priority habitats are present and that the proposals would not give rise to significant adverse ecological impacts. The BNG assessment, prepared using the DEFRA metric, demonstrates that the development would deliver a measurable biodiversity net gain, secured through landscaping, habitat creation and management.
- 19.3 Proposed enhancements include native tree and shrub planting, wildflower grassland, green infrastructure corridors, bat and bird boxes, and SuDS features designed to support ecological connectivity. These measures represent a significant improvement over the existing baseline and are broadly consistent with those approved under the original consent, albeit updated to reflect current policy requirements.
- 19.4 The Council's Ecology Officer has recommended conditions to secure delivery, management and long-term maintenance of these measures. Subject to these conditions, the proposals are considered compliant with London Plan Policy G6 and Havering Local Plan Policy 30.

## **20. Trees**

- 20.1 An updated Arboricultural Impact Assessment and Tree Protection Plan (October 2024) has been submitted. The assessment identifies 15 trees and groups within or adjacent to the site. While a limited number of low-quality trees are proposed for removal to facilitate development, the majority of higher-quality specimens are to be retained and protected during construction.
- 20.2 Replacement planting is proposed at a ratio exceeding 2:1, using native and climate-resilient species to enhance canopy cover and urban greening. Tree

protection measures in accordance with BS5837:2012 will be secured by condition. Officers consider that the proposals maintain a balanced and policy-compliant approach consistent with the original permission and compliant with London Plan Policy G7 and Local Plan Policy 27.

## **21. Air Quality**

21.1 The site lies within the Havering Air Quality Management Area, declared for exceedances of NO<sub>2</sub> and PM<sub>10</sub>. An Air Quality Assessment (October 2024) has been submitted and confirms that the proposals would not result in significant adverse air quality impacts. Vehicle trip generation remains unchanged from the consented scheme and is lower than the historic car park baseline.

21.2 All dwellings will be served by low-emission heating systems, including air source heat pumps, and the development incorporates EV charging and sustainable travel measures. The Council's Environmental Health Team has raised no objection, subject to standard construction dust and NRMM conditions. Officers consider the proposals acceptable in air quality terms and compliant with London Plan Policy S11 and Local Plan Policy 33.

## **22. Secure by Design / Community Safety**

22.1 The proposals have been reviewed by the Metropolitan Police Designing Out Crime Officer, who raises no objection subject to the development achieving Secured by Design accreditation. The proposed layout incorporates active frontages, natural surveillance, clear delineation of public and private space, and appropriate lighting.

22.2 Given local crime statistics within the St Andrew's Ward, officers agree that robust preventative measures are required. A suitably worded condition is recommended requiring full Secured by Design compliance prior to occupation. Subject to this, the proposals are considered compliant with London Plan Policy D11 and Havering Local Plan Policies 7, 15 and 26.

## **23 EQUALITIES AND DIVERSITY**

23.1 Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this 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.

- 23.2 For the purposes of this obligation the term protected Characteristics includes: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 23.3 In recommending the application for approval, officers have had regard to the requirements of the Act and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty.

## **24 CIL and other Financial and Mitigation measures**

- 24.1 There would be no additional floor space and as such no additional CIL considerations.
- 24.2 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.
- 24.3 The Section 106 Agreement attached to the original outline permission P0761.20 secures the full range of planning obligations necessary to mitigate the impacts of the development. A Section 73 application does not invalidate or supersede an existing legal agreement. However, where planning obligations make reference to approved parameter plans or condition numbers that are subject to variation under this application, a Deed of Variation is required to ensure that the agreement remains consistent, enforceable and operable through linking this application with the existing legal agreement and binding the planning obligations in the original Section 106 Agreement dated 12/11/2021 to this Section 73 proposal by deed of variation pursuant to section 106A of the Town and Country Planning Act (as amended) and all other enabling powers.

## **25 Conclusions**

- 25.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the case of a Section 73 application, the decision-maker must consider the proposed variation in the context of the original permission and assess whether the amended scheme remains acceptable in planning terms.

- 25.2 The assessment set out within this report demonstrates that the proposed Section 73 amendments do not alter the fundamental nature of the development approved under the original hybrid planning permission (ref: P0761.20). The principle of the development, including the residential-led land use, quantum of development and affordable housing commitments, has been firmly established and remains a significant material consideration in the determination of this application.
- 25.3 The application seeks to vary approved plans to facilitate refinements to massing, layout and core arrangements in response to updated Building Regulations and technical delivery requirements. These amendments are modest in scale, do not result in any material increase in development quantum, and do not introduce new land uses. Importantly, they enable the delivery of 107 affordable homes within Plots 9 and 10 and support the timely implementation of this phase of the wider Waterloo Estate regeneration.
- 25.4 The proposals continue to make efficient use of a well-located brownfield site within the urban area and are strongly supported by national, regional and local planning policy, including the National Planning Policy Framework, the London Plan and the Havering Local Plan. Given the Council's housing land supply position and the acute local need for affordable housing, the delivery of 100% affordable homes in this phase attracts substantial weight in the planning balance.
- 25.5 The amended scheme has been carefully assessed in relation to design, scale, townscape and heritage. The refinements result in reduced building heights and consolidated massing, improving the relationship with the surrounding residential context and nearby heritage assets, including the Grade II listed St Andrew's Church. Officers are satisfied that the proposals preserve the significance and setting of designated heritage assets and, in some respects, result in a slight enhancement when compared with the consented scheme.
- 25.6 The impact of the proposals on residential amenity has been fully assessed. Updated daylight and sunlight analysis confirms that neighbouring properties would continue to receive acceptable levels of daylight and sunlight, with results consistent with, or improved upon, the approved scheme. Separation distances have been increased in key locations, reducing the potential for overlooking and perceived enclosure. Officers therefore conclude that the proposals would not result in unacceptable harm to the amenity of existing or future residents.
- 25.7. All other technical matters, including highways and transport, flood risk and drainage, land contamination, energy and sustainability, ecology and biodiversity, air quality, trees and community safety, have been reviewed and are considered acceptable. Where relevant, the original assessments remain valid, and where policy or regulatory requirements have evolved, these can be addressed through updated or additional planning conditions. The proposed development remains capable of being delivered in a safe, sustainable and policy-compliant manner.

25.8 Overall, officers conclude that the proposed Section 73 amendments accord with the Havering development plan when read as a whole and that there are no material considerations which indicate that planning permission should be withheld. The proposals secure significant public benefits, including the delivery of much-needed affordable housing, improved design efficiency, and the continued regeneration of the Waterloo Estate. The application is therefore recommended for approval, subject to appropriate planning conditions and the completion of any necessary legal agreement under Section 106 and Section 106A of the Town and Country Planning Act 1990 (as amended), and all other enabling powers.