



# REGULATORY SERVICES COMMITTEE

10 March 2016

# REPORT

**Subject Heading:**

**P1453.15: 20 Farm Road, Rainham**

**Demolition of the existing bungalow and the construction of 4no. dwellings. (Application received 2 October 2015)**

**Ward:**

**Upminster**

**Report Author and contact details:**

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**Policy context:**

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

**Financial summary:**

**None**

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

- Havering will be clean and its environment will be cared for [X]
- People will be safe, in their homes and in the community [X]
- Residents will be proud to live in Havering [X]

## SUMMARY

The proposal is for the demolition of an existing bungalow and the erection of 4no. dwellings comprising 2no. semi-detached chalet bungalows and 2no. detached bungalows.

It raises considerations in relation to the impact on the character and appearance of the streetscene and rear garden setting, the impact on the residential amenity of the future occupants and of neighbouring residents, and parking and access.

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

## RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 329 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £6,580 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £18,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Head of Regulatory Services 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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

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

3. External Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

**Reason:** Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

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

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

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

#### 5. Hours of Construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

#### 6. Refuse and Recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

## 7. Cycle Storage

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

## 8. Landscaping

No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

## 9. Parking Provision

Before any part of the dwellings hereby permitted are first occupied the car parking provision as indicated in drawing 'PL-5277\_20A' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

## 10. Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, roof extensions or roof alterations shall take place on each dwelling and no outbuildings or other means of enclosures shall be erected within the rear garden areas unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

## 10. Flank Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order), no window or other opening (other than those shown on the submitted and approved plans), shall be formed in the flank walls of the buildings hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

## 11. Obscure Glazing

The proposed ground floor windows in the east and west side elevations of the semi-detached dormer bungalows, namely the study/ playroom windows shall be permanently glazed with obscure glass.

Reason: In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

## 14. Boundary Fencing

The proposed new dwellings shall not be occupied until details of all proposed walls, fences and boundary treatment have been submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC6.

#### 15. Accessible and Adaptable Dwellings

All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

#### 16. Alterations to Public Highway

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

#### 17. Pedestrian Visibility Splay

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

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

#### 18. Vehicle Cleansing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site - this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

Reason: Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

#### 19. Noise Insulation

The buildings shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

#### 20. Sprinkler System

No building shall be occupied or use commenced until provision is made for the installation of a domestic sprinkler system in the two proposed bungalows to the rear of the site. Thereafter this provision shall be retained permanently.

Reason: In lieu of adequate access for a Fire Brigade pump appliance and in the interest of amenity and safety for future occupiers.

## 21. Access Road

Before any of the development hereby permitted is commenced, samples of all materials to be used in the construction of the proposed access road and turning head shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document..

## INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraphs 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent Daniel Brandon. The revisions involved removing first floor dormer windows and reducing the roof height of the proposed detached properties to the rear to create traditional bungalows.
2. 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 £6,580 (subject to indexation). 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 and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. **Changes to the public highway (including permanent or temporary access)**  
Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
4. **Highway legislation**  
The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of 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 of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

**5. Temporary use of the public highway**

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

6. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed

**REPORT DETAIL**

**1. Site Description**

1.1 The application relates to the property at 20 Farm Road, Rainham. The site comprises a detached bungalow set within a rectangular plot and includes a section of the rear garden of the neighbouring property at No.22 Farm Road, creating an L-shaped plot. The property has been vacant for several years and the bungalow is in a dilapidated state and the gardens are overgrown.

1.2 The plot abuts the rear garden boundaries of 18 & 22 Farm Road to the east and west, 26 & 28 Allen Road to the west and 28a Allen Road to the north. The site is located within a predominantly residential area, characterised by detached two storey houses and bungalows.

- 1.3 The building is not listed and is not located within a conservation area. The land is not subject to any other land use designation within the LDF.

## **2. Description of Proposal**

- 2.1 The application is seeking planning permission for the demolition of the existing bungalow and erection of 4no. dwellings comprising 2no. semi-detached chalet bungalows and 2no. detached bungalows.
- 2.2 This proposal follows the refusal of planning application P0834.14 in September 2015 for a similar scheme involving the demolition of the existing dwelling and the construction of 5no. dwellings.
- 2.3 The current application has sought to address the previous refusal reasons by reducing the number of detached dwellings to the rear from three to two and changing the design of the bungalows.
- 2.4 As with the previous application, at the front of the site a replacement pair of semi-detached chalet bungalows would be erected measuring 13.3 metres in width and 12.2 metres in depth. The dwellings would incorporate a hipped-pitched roof design with a ridge height of 6.9 metres. The properties would each feature a pair of small pitched roof dormers in a symmetrical position within the front roof slope and a larger double dormer on the rear roof slope. Internally the bungalows would consist of a living room/dining room, study/playroom, kitchen, utility room and WC at ground floor level with four bedrooms an en-suite and a bathroom at first floor level. The proposed bungalows would be laid out with approximately 112 square metres and 124 square metres of private garden at the rear respectively, and a paved parking area to the front with spacing for 4no. vehicles (2no. per dwelling).
- 2.5 Towards the rear of the site 2no. detached bungalows would be erected at a perpendicular position to the front pair of dwellings and Farm Road, affording an east-west outlook. Each dwelling would be 9.7 metres in width and 10.3 metres in depth with a roof ridge height of 4.7 metres. Internally the detached bungalows would consist of a living room/dining room, study/playroom, kitchen, utility room and WC as well as three bedrooms and a bathroom. The proposed bungalows would be laid out with approximately 110 and 120 square metres of private garden at the rear respectively, and a paved parking area to the front with spacing for 4no. vehicles (2no. per dwelling).
- 2.6 A new 3.7 metre wide and 60 metre long vehicular access road would be formed to the side of the new pair of chalet bungalows and adjacent to the boundary with No.18 Farm Road, leading through from Farm Road to the 2no. detached bungalows to the rear of the site and a turning head area.

### **3. Relevant History**

- 3.1 P0834.15 - Demolition of the existing dwelling and the construction of 5no. dwellings - Refused 29 September 2015

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

- 4.1 Notification letters were sent to 41 properties and representations from 2 neighbouring occupiers have been received. The comments can be summarised as follows:

- The proposed site access is located close to the school gates of Parsonage Primary School creating a danger to both pedestrians and residents.
- The development and addition of new dwellings will further exacerbate existing on street car parking issues within the area that have been going on for some time.
- The proposed development of 4no. dwellings would be excessive and cause an increased strain on local infrastructure.

- 4.2 In response to the above: issues in relation to car parking, traffic congestion and pedestrian visibility are discussed in 'Highway/ Parking' section below.

- 4.3 The following consultation responses have been received:

- Historic England - no objection, recommended a condition relating to an archaeological investigation.
- Thames Water - no objection.
- London Fire Brigade Water Team - no objection.
- Environmental Health - no objection, recommended condition relating to noise insulation.
- Local Highway Authority - no objection, recommended conditions in relation to pedestrian visibility splays, vehicle access and vehicle cleansing.

### **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

- 5.2 Other relevant documents include the Residential Design SPD, Designing Safer Places SPD, Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 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), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

## **6. Staff Comments**

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses and the suitability of the proposed parking and access arrangements.
- 6.2 It should be noted that this proposal follows the refusal of planning application P0834.14 in September 2015 for a similar scheme involving the demolition of the existing dwelling and the construction of 5no. dwellings. The application was refused on the grounds that it would fail to maintain or enhance the character and appearance of the local area; the scale, bulk and massing of the proposed 3no. detached houses would result in an overly dominant and visually intrusive feature; the location of the building, its cramped relationship to the site boundary and the lack of private amenity space would have an unacceptable impact on the amenity of future occupants; and, the proposed rear access road would be excessive, particularly in such close proximity to No.18 Farm Road and likely to introduce an undue level of noise and disturbance.

### **Principle of Development**

- 6.3 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 6.4 Under the provisions of the NPPF there is no priority given to garden land as a re-developable brownfield site. However, in terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is within a predominantly residential area.

- 6.5 On this basis the proposal is considered to be policy compliant in land use terms and its continued use for domestic residential purposes is therefore regarded as being acceptable in principle.

### **Density/Layout**

- 6.6 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.
- 6.7 The proposal would provide 4no. residential units at a density equivalent to approximately 30 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a dwelling density of between 30 to 50 dwellings per hectare would be appropriate in this suburban location.
- 6.8 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.
- 6.9 For two storey four-bedroom houses the standard is set at between 106 square metres for 6 persons. The proposed semi-detached chalet bungalows would provide approximately 124 square metres of internal floor space. The main bedrooms in these dwellings would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed chalet bungalows would be of an acceptable size for day to day living.
- 6.10 For three-bedroom bungalows the standard is set at 86 square metres for 5 persons. The proposed detached bungalows would each provide approximately 87 square metres of internal floor space. The main bedrooms in these dwellings would also comply with the minimum standards set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed bungalows would be of an acceptable size for day to day living.
- 6.11 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 6.12 The 2no. semi-detached four bedroom properties fronting onto Farm Road would be served by approximately 112 square metres and 124 square metres of private rear garden respectively. As such it is considered that the

amount of private amenity space proposed in the development is adequate for the requirements of the proposed dwellings.

- 6.13 The 2no. detached three bedroom bungalows would each be served by approximately 110 and 120 square metres of private garden at the rear respectively - which again is considered to be adequate for the requirements of the proposed dwellings.
- 6.14 In terms of the overall site layout; in comparison to the previously refused application it is considered that the reduction in the number of units to the rear of the plot from three to two has improved the scheme. Staff are of the view that this measure has served to create a more spacious and less cramped development.

### **Design/Impact on Streetscene**

- 6.15 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.16 The proposed pair of semi-detached chalet bungalows to the front would form a more prominent feature in the streetscene at Farm Road than the detached bungalow that currently occupies the site. However, the design and style of the proposed dwellings is considered to adhere to the architectural character of the surrounding area, with the roof ridge height, bulk and massing being similar to those of the other two storey dwellings in the Farm Road streetscene.
- 6.17 In comparison to the previously refused scheme, the proposed 2no. detached bungalows would form significantly reduced features in terms of their height prominence, scale and bulk, particularly with regard to the rear garden setting. The previously refused scheme proposed chalet bungalows with a height of 6.3 metres and in terms of their massing would have been of considerable scale and bulk. In contrast the bungalows proposed in this revised scheme would be 4.7 metres in height and crucially would not feature the large obtrusive dormers included in the refused scheme.
- 6.18 Consequently it is considered that these measures have served to reduce the overall scale, bulk and massing of the development and would allow the new detached bungalows to sit more comfortably within the rear garden setting without undue harm to the open character and appearance of the area. Officers are therefore of the view that the revisions to the scheme and the reduced scale of the proposed bungalows have suitably addressed the previous refusal reasons.
- 6.19 On balance it is considered that the proposed development would serve to maintain to the streetscene along this section of Farm Road and the character and appearance of the area in accordance with Policy DC61.

## **Impact on Amenity**

- 6.20 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.21 At the site frontage the proposed semi-detached bungalows would be contained within the front building line of the neighbouring properties along Farm Road. To the rear the new dwellings would not project beyond the rear of No.22. but would project some 2.7 metres beyond No.18. However, the development would be set some 5 metres from the boundary with No.18, ensuring that there would be no unacceptable impact on the amenity of the adjoining occupiers in terms of daylight/sunlight or outlook. The proposal would bring the flank elevation of the semi-detached house closer to the windows in the side elevation of No.22; however, these serve as secondary windows or non-habitable rooms.
- 6.22 The main concerns with the previous application in terms of amenity related to the proposed two rear properties. The revisions to the scheme have resulted in a reduction in the height of the proposed rear dwellings from chalet bungalow style properties to traditional bungalows with a much lower roof profile and crucially no first floor dormer windows overlooking the rear gardens of the neighbouring properties. As a result Staff consider that issues in relation to the scale, bulk and massing and the visually intrusive and dominant impact have been satisfactorily addressed.
- 6.23 In comparison to the previously refused scheme the proposed side access road to serve the two rear properties has been shifted away from the boundary fence line with No.18 Farm Road allowing for a 0.9 metre buffer strip along the majority of the driveway. Towards the rear of the site this would increase to 1.5 metres and additional planting will be secured through the inclusion of a landscaping condition. It is considered that the combination of the planted buffer strip and the installation of 2 metre high boundary fencing would suitably address previous concerns in relation to the proximity of the driveway to the boundary with No.18.
- 6.24 On balance it is not considered that the proposed development would present any issues in relation to privacy, overlooking or loss of daylight and overshadowing in accordance with Policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

## **Environmental Issues**

- 6.25 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.26 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 6.27 The proposal is not considered to give rise to any significant noise issues.

## **Parking and Highway Issues**

- 6.28 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 1b, meaning that the site offers a poor degree of access to surrounding public transport increasing the requirement for off street car parking provision at the site and as such invokes a high standard of 2-1.5 parking spaces per dwelling.
- 6.29 The scheme can demonstrate off street car parking provision for 8no. vehicles, which equates to two spaces per dwelling in accordance with policy. The Local Highway Authority has raised no objection to the proposal, but have requested that additional information in relation to pedestrian visibility splays are requested via condition.
- 6.30 The London Fire and Emergency Planning Authority have raised a concern in relation to the suitability of the access road as the location of the furthest dwelling would not be within the accessible distance to a pump appliance and would require the installation of domestic sprinklers.
- 6.31 An area adjacent to the rear garden of the semi-detached bungalows would be utilised as a refuse store associated with the two detached houses. In terms of servicing the refuse store would be set at a distance within 25 metres from the highway and therefore within the distance reasonably expected for refuse collection operatives to walk to collect waste.
- 6.32 No details of secure cycle storage have been provided although it is noted that details of this could be reasonably requested through conditions.

## **Mayoral Community Infrastructure Levy**

- 6.33 The proposed development will create 4no. residential units with 329 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £6580.00 (subject to indexation) based on the calculation of £20.00 per square metre.

## **Infrastructure Impact of Development**

- 6.34 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 6.35 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.36 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.37 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.38 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.39 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of

additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.

- 6.40 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.41 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £18,000 for educational purposes would be appropriate.

## **7. Conclusion**

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and rear garden setting and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

## **IMPLICATIONS AND RISKS**

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

Financial contributions will be sought through the legal agreement.

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

Legal resources will be required for the completion of a 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.

**BACKGROUND PAPERS**

Application form, drawings and supporting statements received on 2 October 2015 and revised drawings received on 26 November 2015.