



Havering
LONDON BOROUGH

REGULATORY SERVICES COMMITTEE

1 June 2017

Subject Heading:

P0446.17: Sunnyside Farm, Risebridge Chase, Romford

Conversion of two detached barns to form two residential dwellings. (Application received 14 February 2017)

Ward:

Pettits

SLT Lead:

**Steve Moore
Director of Neighbourhoods**

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

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[X]
[X]
[X]
[X]

SUMMARY

The application is seeking planning permission for the change of use and conversion of two detached barns to form 2no. detached self-contained dwellings. The converted accommodation would comprise 1no. one-bedroom bungalow unit and 1no. two-bedroom unit set out over two floors.

The proposal raises considerations in terms of the impact on the Green Belt and is considered to be acceptable in all material respects.

The application has been submitted by a relative of a member of Council staff.

RECOMMENDATIONS

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 obligations by 1 October 2017 and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £12,000 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.
- Save for the holder of blue badges that the future occupiers of the proposal will be prohibited from purchasing residents or business parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Director of Neighbourhoods 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

Prior to the occupation of the building hereby permitted, details of refuse and recycling facilities shall be 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

Prior to the occupation of the building hereby permitted details of cycle storage shall be provided 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. Car Parking

Prior to the occupation of the building hereby permitted, the car/vehicle parking area shown on the approved plans shall be completed to the full satisfaction of the Local Authority, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development.

Reason: To ensure that there are adequate parking facilities to serve the development in the interests of highway safety and that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC33.

9. Landscaping

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

Reason: 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.

10. Boundary Treatment

Prior to the commencement of the development screen fencing, walls and other boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The fencing/boundary treatment shall be permanently retained and maintained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. 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 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 DC61.

11. Water Efficiency

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan.

12. Permitted Development

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extension, enlargement (including additions to roofs) or porch shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, without the express permission in writing of the Local Planning Authority.

Reason:-

In the interests of the openness of the Green Belt and to enable the Local Planning Authority to retain control over future development, in accordance with Development Control Policies Development Plan Document Policy DC45.

13. Additional Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the wall(s) of the building(s) 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 the interests of the character of the Green Belt and in order to ensure a satisfactory development that will not result in any loss of privacy in accordance with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. 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.
3. 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.
4. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The application relates to Sunnyside Farm, Risebridge Chase, Romford. The site comprises a long and narrow rectangular plot with a detached house and series of associated barns and out buildings set out around hardstanding in a linear arrangement from east to west. The site is accessed directly from Risebridge Chase via a 60 metre driveway.
- 1.2 The associated barns are currently used for a mixture of domestic and commercial vehicle and equipment storage associated with the building trade. The property is flanked on either side by similar residential plots and is located some 50 metres from the entrance to Risebridge Golf Club.
- 1.3 The land is located within the Metropolitan Green Belt.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the change of use and conversion of two of the detached barns to form 2no. detached self-contained dwellings. The converted accommodation would comprise 1no. one-bedroom bungalow unit and 1no. two-bedroom unit set out over two floors.
- 2.2 In each of the barns the large door openings would be built up and replaced with matching timber cladding and windows. The internal layout of each barn would be partitioned and reconfigured to create bedrooms, kitchens and living space. Each of the new dwellings would be served by enclosed private garden areas of approximately 40 square metres and 30 square metres respectively, and two parking spaces each, positioned adjacent to the gardens.

3. Relevant History

- 3.1 P1918.02 - Single storey extension to western elevation of dwelling facing highway - Approved, 5 February 2003
- 3.2 P0986.02 - Front, side and rear dormer windows - Approved, 31 July 2002

4. Consultations/Representations

- 4.1 Notification letters were originally sent to 6 properties and no representations have been received.

4.2 The following consultation responses have been received:

- London Fire and Emergency Planning Authority - no objection.
- London Fire Brigade Water Team - no objection.
- Environmental Health - no objection.
- Streetcare - no objection, waste and recycling sacks will need to be presented on the boundary of the property at Risebridge Close by 7am on the scheduled collection day.
- Local Highway Authority - no objection.

5. Relevant Policies

- 5.1 CP14 (Green Belt), CP17 (Design), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC45 (Green Belt), DC55 (Noise), DC61 (Urban Design) 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 Policies 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.4 (local character), 7.6 (architecture), 7.16 (Green Belt) and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 7 (Requiring good design), 8 (Promoting healthy communities) and 9 (Protecting Green Belt land) are relevant to these proposals.

6. Staff Comments

- 6.1 The main issues in this case are considered to be the principle of the development, including the impact on the Green Belt; the visual impact of the development on the character and openness of the Green Belt and the general landscape; impact on the amenity of adjoining residential occupiers, as well as the implications for parking and highways.

Principle of Development

- 6.2 The National Planning Policy Framework (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by

reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 6.3 The NPPF also advises that certain forms of development, such as the re-use of buildings (provided that the buildings are of permanent and substantial construction) would not be inappropriate in the Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.
- 6.4 The proposal is to convert two permanent existing barn structures to residential use: therefore under the terms of the NPPF this would not be regarded as inappropriate development in principle. The impact on the openness of the Green Belt will be explored in the following section of the report.

Green Belt Implications

- 6.5 NPPF states that Green Belts should seek to retain and enhance landscapes and visual amenity, mirroring the objectives of Havering's LDF Policy DC45. The existing arrangement of buildings at Sunnyside Farm is relatively functional and in the wider scene is fairly low-key, muted in composition and colour, and largely enveloped in the landscape and surrounding development. The buildings are of a nature expected to be seen in a rural fringe area and look as though they are for agricultural purposes, retaining a traditional layout facing into a yard area.
- 6.6 'Openness' is not defined in the NPPF, and is not necessarily focused entirely on visual prominence. Weight should also be given to the overall visual impression when assessing the impact on openness.
- 6.7 Given that the proposal would involve the conversion of the existing buildings, there would be very little material change to the appearance of each of the buildings. The infilling of the doorway openings and the installation of new domestic style fenestration would be low key and sympathetic to the existing buildings. The converted barns would not take on an overtly residential appearance, retaining much of the form and character of the barns.
- 6.8 The proposed gardens would be formed on an existing area of hardstanding formed by brick paving which runs through the central section of the Sunnyside Farm site. As such it is acknowledged that with the introduction of tended and defined gardens, and the associated domestic paraphernalia, this element of the proposal could serve to diminish the open character of the surrounding area. Nevertheless, the proposed gardens would be relatively modest in terms of area and layout, and would be tightly confined to the land immediately adjacent to each of the converted barns. The gardens would not therefore unduly sprawl or encroach into the existing yard area. In many respects, it is considered that the introduction of the gardens, with soft landscaping and additional planting would serve to

enhance the visually hard appearance of this part of the site, which is also characterised by close boarded boundary fencing.

- 6.9 Staff are therefore of the view that the proposed barn conversions would in this instance serve to preserve the openness of the Green Belt in accordance with the NPPF and LDF policy DC45.

Layout

- 6.10 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set 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.
- 6.11 The proposed development would provide 1no. one-bedroom unit and 1no. two-bedroom unit, both of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms would also comply with the minimum requirements set out in the technical housing standards with regard to floor area and width. Given this factor it is considered that the proposed development would be in accordance with the general principles of the technical housing standards and the dwellings would provide an acceptable amount of space for day to day living.
- 6.12 Each of the new dwellings would be served by enclosed private garden areas, comprising of approximately 40 square metres and 30 square metres respectively. This would ensure that the amount of private amenity space proposed in the development would be adequate for the requirements of the proposed one-bedroom and two-bedroom dwellings.

Impact on Amenity

- 6.13 Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.14 The closest neighbouring residential property is located immediately to the north at Stockdale, 8 Risebridge Chase. The barn conversion would not result on the insertion of new windows that would compromise the privacy of this property.
- 6.15 The application site is already arranged with a residential property to the west with the barns to the east used for a mixture of domestic and commercial vehicle and equipment storage. Arguably, the conversion of the storage barns into residential accommodation would remove a commercial use, would provide a garden buffer adjacent to the boundary and generally improve the residential amenity of the neighbouring dwellings. As such it is not considered that the proposed conversion would result in harm to the neighbouring residents in accordance with policy DC61.

Environmental Issues

- 6.16 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.17 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 6.18 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within a Public Transport Accessibility Level (PTAL) zone 0, where a high standard of 2-1.5 parking spaces are required per dwelling.
- 6.19 The scheme can demonstrate off street car parking provision for 4no. vehicles, arranged as two for each property in accordance with policy.
- 6.20 The Local Highway Authority have raised no objection to the proposal and the car parking and access arrangements are considered to be acceptable.

Infrastructure Impact of Development

- 6.21 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.
- 6.22 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.
- 6.23 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.

- 6.24 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.
- 6.25 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.
- 6.26 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.
- 6.27 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 per dwelling 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.
- 6.28 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 £12,000 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 openness of the Green Belt and the impact on

the amenity of the neighbouring residents. The proposal is considered to be acceptable in all material respects.

- 7.3 Staff are of the view that the proposal would not have a harmful impact on the character of the Green Belt 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 section 106 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 to prepare and complete the S106 legal agreement. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied that the contribution is compliant with the statutory tests set out in the CIL Regulations to planning obligations.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form and drawings received on 30 March 2017.