



REGULATORY SERVICES COMMITTEE

3 August 2017

Subject Heading:

**P0787.17: Hare Lodge, Upper
Brentwood Road, Romford**

Demolition of existing building and construction of a new residential development consisting of 4 No. x 1 bedroom apartments and 4 No. x 2 bedroom apartments with communal amenity space, 8No. on-site parking and cycle storage with bin stores. (Application received 8 May 2017)

Ward:

Squirrels Heath

SLT Lead:

**Steve Moore
Director of Neighbourhoods
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Officer
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Report Author and contact details:

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	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

SUMMARY

The proposal is for the demolition of the existing house and the construction of a new residential development consisting of 8no. flats.

It raises considerations in relation to the impact on the Gidea Park special character area, 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 435 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £8,700 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 obligations, by 3 December 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 £42,000 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. Materials

Before any development above ground level takes place, 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. 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: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

7. 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 to the service road, 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.

8. Vehicle Access

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.

9. Parking Provision

Before any of the dwellings hereby permitted are first occupied, the car parking as indicated in drawing no. '1492/02' shall be laid out to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain 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. Refuse and Recycling

Before any of the dwellings hereby permitted are first occupied, the refuse and recycling facilities as detailed on drawing no. '1492/02' and '1492/04' shall be provided to the full satisfaction of the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: In the interests of providing suitable refuse and recycling management on site which will protect the amenity of occupiers of the development and also the locality generally, and to ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. Cycle Storage

Before any of the dwellings hereby permitted are first occupied, the secure cycle storage facilities as detailed on drawing no. '1492/02' and '1492/04' shall be provided to the full satisfaction of the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

12. Landscaping

No development above ground works 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.

13. Boundary Fencing

The proposed building 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.

14. Preserved Trees

No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

15. Lighting

Prior to the first occupation of the building external lighting shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. 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 residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

16. Traffic Noise Assessment

No works shall take place in relation to any of the development hereby approved until an assessment is undertaken of the impact of road noise emanating from Upper Brentwood Road upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: Insufficient information has been supplied with the application to judge the impact of road noise upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of road noise in accordance with Development Control Policies Development Plan Document Policy DC61.

17. Railway Noise Assessment

No works shall take place in relation to any of the development hereby approved until an assessment of the impact of:

- a) railway noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995) and;
- b) vibration from the use of the railway lines upon the site; is undertaken and a scheme detailing the measures to protect future residents from railway noise and vibration is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupancy taking place.

Reason: Insufficient information has been supplied with the application to judge the impact of transportation noise and vibration upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of transportation noise and vibration, in accordance with Development Control Policies Development Plan Document Policies DC55 and DC61.

18. Contaminated Land Precautions

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
- b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61..

19. Contaminated Land (2)

- a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed

in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

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

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

20. 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.

21. Minor Space Standards

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.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent Gary Cumberland, via telephone. The revisions involved reducing the height of the building and repositioning the rear dormer window. The amendments were subsequently submitted on 3rd July 2017.
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 £8,700 (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. Fire Safety

The applicant is advised that a pump appliance should be able to approach to within 45 metres of all points within each dwelling measured along a line suitable for laying a hose. If this cannot be met, a fire main should be provided and a pump appliance should be able to approach to within 18 metres of the inlet to the main, which should be visible from the appliance. The fire main should comply with BS9990:2015. There should also be a fire hydrant within 90 metres of the inlet to the fire main. Further information in this respect should be obtained from the London Fire and Emergency Planning Authority on 020 8555 1200.

4. 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 or highway authority assets 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.

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.

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 Street Management should be contacted make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

5. 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.
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.
8. 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.haverling.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the land at Hare Lodge, Upper Brentwood Road, Romford. The site comprises a two-storey detached dwelling, set back from Upper Brentwood Road, surrounded by garden within a spacious plot. To the south is a terrace of three two-storey dwellings converted to flats. To the north is Brent Court, a 1960's three-storey flat roofed development of flats. Two-storey semi-detached dwellings lie to the rear of the site in Compton Avenue and Cranbrook Drive.
- 1.2 There are two preserved trees on site, subject of a Tree Preservation Order (TPO) 22/74. There are a number of other trees within the site, mainly to the frontage, which are not subject to the TPO.
- 1.3 The site is within the Gidea Park Special Character Area.
- 1.4 Hare Lodge is not a listed building nor is it included in Havering's heritage asset register of buildings of local heritage interest.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the demolition of the existing house and the construction of a new residential development consisting of 8no. flats. The accommodation would comprise 4no. one bedroom units and 4no. two-bedroom units.
- 2.2 The proposed building would be set back from Upper Brentwood Road by approximately 15 metres, within the staggered front building line of the immediately adjacent properties. The new building would measure 11.6 metres in width, and project back into the site with a depth of 21.5 metres, with the rear elevation set some 9 metres from the rear garden boundary with 5 Compton Avenue. The proposal would incorporate a front gable elevation, with a partially hipped crown roof design and a ridge height of 9.1 metres.
- 2.3 The existing vehicle access point from Upper Brentwood Road would be closed off, with a new dropped kerb access arrangement installed along the frontage, further south and closer to No.485. In terms of parking the proposal would provide a total of 8no. residents car parking spaces located to the front and side of the new block.
- 2.4 A communal resident's refuse store would be positioned to the front of the building adjacent to the boundary with Brent Court.

3. Relevant History

- 3.1 P0251.14 - Construction of a two storey dwelling - Refused, 22 August 2014. Appeal Dismissed - 19 August 2015

The refusal reasons were:

- The attempt to integrate a pitched roof onto a modernist architecturally themed building creates a weak, discordant design which would be incongruous to the setting of Hare Hall Lodge and be materially harmful to the character of the Gidea Park Special Character Area.

- The absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development.

The application was dismissed at appeal on 19 August 2015. The Inspector found that the development would not harm the character and appearance of the area, with particular regard to the Gidea Park Special Character Area. The Inspector concluded that the only reason for the dismissal was the failure to provide a contribution towards infrastructure provision.

- 3.2 P0272.12 - Construction of a detached 2 storey dwelling - Refused, 7 December 2012. Appeal Dismissed - 24 October 2013

The refusal reasons were:

- Due to its poor siting and design the proposal would provide a cramped environment, out of character with the prevailing character of the local area and streetscene and would fail to preserve or enhance the Gidea Park Special Character Area.

- The proposed development would, by reason of its cramped layout and rear amenity space result in poor living conditions for future occupiers of the host property.

The application was subsequently dismissed on appeal on 24 October 2013. The Inspector considered that the proposal is capable of providing a contemporary and sustainable design, but considered that the design of the dwelling by virtue of its flat roof would be out of keeping with the surrounding area. The Inspector did not consider the proposal to have a cramped layout or to result in poor living conditions for future occupiers of the host property.

- 3.3 P2418.07 - Demolish existing house and construct new building of 11 no. flats - Refused, 27 February 2008

The refusal reasons were:

- The proposal by reason of the scale, bulk and design of the proposed building, its position close to the boundaries of the site and lack of amenity space would result in a cramped, overdevelopment of the site materially

harmful to and out of character with surrounding development, the Gidea Park Special Character Area.

- The proposal, by reason of the lack of residential amenity space would result in a cramped development, out of character with its surroundings as well as providing inadequate amenity space for future occupiers of the development to the detriment of residential amenity.

- The proposal, by reason of the scale and bulk of the development and its relationship with neighbouring residential dwellings would be overbearing and intrusive and would result in material loss of privacy and amenity to occupiers of neighbouring dwellings.

- The proposal makes inadequate provision for car parking within the site, which would be likely to lead to an increase in indiscriminate on street parking in the vicinity of the application site to the detriment of highway safety.

- The proposal fails to make provision for a contribution towards increased demand for educational facilities arising from this development.

3.4 P0606.07 - Demolition of existing house to form 8 No. flats and 4 No. houses - Refused, 15 June 2007

It should be noted that this application was refused having regard to policies that were in place prior to the adoption of the current Local Plan. These policies have now been superseded. The refusal reasons were:

- The proposal by reason of the scale, bulk and design of the proposed buildings, their position close to the boundaries of the site and lack of amenity space would result in a cramped, overdevelopment of the site which is materially harmful to and out of character with surrounding development and the Gidea Park Special Character Area to the detriment of amenity

- The proposal, by reason of the lack of residential amenity space would result in a cramped development, out of character with its surroundings as well as providing inadequate amenity space for future occupiers of the development to the detriment of residential amenity.

- The proposal, by reason of the scale and bulk of the development and its relationship with neighbouring residential dwellings would be overbearing and intrusive and would result in material loss of privacy and amenity to occupiers of neighbouring dwellings, as well as resulting in poor living conditions for future occupiers of the proposed development as a result of the proximity of the two blocks within the site to each other, to the detriment of residential amenity.

- The proposal makes inadequate provision for car parking within the site, which would be likely to lead to an increase in indiscriminate on street

parking in the vicinity of the application site to the detriment of highway safety.

- The proposal fails to make provision for the protection or retention of preserved trees within the site, which would be likely to be detrimental to amenity.

- The proposal fails to make adequate provision for sustainability or for the use of renewable energy within the development.

- The proposal fails to make provision for a contribution towards increased demand for educational facilities arising from this development.

4. Consultations/Representations

4.1 Notification letters were sent to 62 properties and some 129 representations have been received.

4.2 The objections can be summarised as follows:

- The proposal will result in the destruction of the locally historic Hare Lodge.
- The proposal would be an overdevelopment of the site
- Not in keeping with the Council's policies with regards to the Gidea Park Special Character Area.
- Insufficient car parking provision.
- Exacerbate existing parking and traffic problems in the area.
- Inappropriate design and appearance.
- Overdevelopment of the site and an unsuitable location for additional flats.
- Loss of privacy and overlooking.
- Loss of light and overshadowing.
- Noise, disturbance and traffic problems during construction works.

4.3 In response to the above: Hare Lodge is not a listed building nor is it included in Havering's heritage asset register of buildings of local heritage interest. Planning permission would not be required in itself for the demolition of Hare Lodge, subject to prior approval being obtained. Issues of disruption during construction are not a material planning consideration on which a refusal could be based. A condition would be included in any approval notice requiring the submission of a Construction Method Statement to ensure construction works are satisfactory and minimise noise and disturbance. Issues in terms of design, density, streetscene, Gidea Park special character area, residential amenity, and highways implications are discussed in the following sections of the report.

4.8 The following consultation responses have been received:

- Essex Water - no objection.

- Thames Water - no objection.
- Secured by Design Officer - no objection, recommended a standard secured by design condition.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Gidea Park Civic Society - object to the proposal on the grounds that the development would be inappropriate in the Special Character Area and in close proximity to neighbouring properties. The loss of the existing building would harm the special character of the area.
- Environmental Health - no objection, recommended conditions relating to contaminated land precautions, and noise assessments associated with the nearby railway line and road.
- Local Highway Authority - no objection, recommended conditions in relation to pedestrian visibility splays, vehicle access and vehicle cleansing as well as a restriction on future residents obtaining car parking permits.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC16 (Core and Fringe Frontages In District and Local Centres), DC29 (Educational Premises), DC32 (The Road Network, DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC69 (Other Areas of Special Townscape or Landscape Character), 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, Heritage 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), 7.8 (heritage assets and archaeology), 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), 7 (Requiring good design), and 12

(Conserving and enhancing the natural environment), 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 streetscene and special character area, the implications for the residential amenity of the future occupants and of nearby properties, and the suitability of the proposed parking, access and servicing arrangements.

Principle of Development

- 6.2 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 6.3 Under the provisions of the NPPF there is no priority given to residential plots and gardens as re-developable brownfield land. 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.
- 6.4 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

- 6.5 Policy 3.4 of the London Plan 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.
- 6.6 The proposal would provide 8no. residential units at a density equivalent to approximately 57 dwellings per hectare. This complies with the aims of Policy 3.4 which suggests that a greater dwelling density of between 50 to 95 dwellings per hectare would be appropriate in this location.
- 6.7 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.
- 6.8 The proposed dwellings would meet the internal floor space standards for two-person one-bedroom flats and four-person two-bedroom flats. 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 flats would provide an acceptable amount of space for day to day living.

- 6.9 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.
- 6.10 The proposed dwellings would be served by a 250 square metre communal garden area located to the rear of the site. In addition, three ground floor flats would have a private terrace area, set out adjacent to the flank of the building and northern site boundary, ranging in size from between 22 square metres up to 34 square metres. The amenity space provision is considered to be of sufficient size to provide adequately for the size of dwellings proposed. Accordingly, the communal garden space and terraces would be to a functional size and which would provide a satisfactory environment for their occupiers.

Design/Impact on Streetscene and Special Character Area

- 6.11 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. The site lies within the Gidea Park Special Character Area which was designated due to the quality of the urban design, architectural detailing and locally important heritage associations.
- 6.12 The existing property, Hare Lodge, is not a listed building nor is it included in Havering's heritage asset register of buildings of local heritage interest. Whilst the loss of a building within the Gidea Park Special Character Area requires careful judgement, in this instance there are no specific heritage attributes or material planning considerations associated with the property that would substantiate its retention on these grounds. As such it is not considered that the loss of Hare Lodge would in itself be materially harmful to the special character area. It is important to note that whilst the demolition of Hare Lodge forms part of the proposal for the redevelopment of the site, planning permission would not be required for the demolition of the house on its own, and this could be undertaken through the prior approval process at any time.
- 6.13 The proposed block would form a more prominent feature in comparison to the relatively modest detached house that currently occupies the site. However, the replacement building would be set back within the plot by some 15 metres from the footway at Upper Brentwood Road, allowing the

building to sit more comfortably within the site and reducing the any undue sense of over dominance in the streetscene.

- 6.14 It is acknowledged that to the south the proposed building would be juxtaposed to some extent with its setting adjacent to the two-storey dwellings on Upper Brentwood Road, and to a lesser extent by Brent Court, a three-storey 1960's modernist block, located on the junction with Oakwood Court. It is considered that the adjacent buildings offer little in terms of architectural quality to this section of the streetscene and the features of these buildings should not necessarily be replicated in the proposed development.
- 6.15 The design of the proposed building is considered to be of a conservative appearance, incorporating the principles of the characteristic arts and crafts style to the fenestration and building detailing, which broadly adheres to the special architectural character of the surrounding area. In terms of the overall height, bulk and massing, the building is also considered to be comparable to that of the adjacent three-storey residential block at Brent Court.
- 6.16 The site has a relatively narrow road frontage which opens out into a much wider plot. As such the majority of the bulk of the development would be contained to areas of the site that are set back from direct views at Upper Brentwood Road. Given the specific characteristics the site can be regarded with a degree of separation from the residential dwellings on the adjoining roads. It is recognised that the building would be larger than the house it replaces, but the additional scale and bulk of the development would not be easily observed from public areas and would be broken up by the staggered building sections when viewed from neighbouring gardens.
- 6.17 Staff are of the view that the proposed residential block would sit comfortably within this setting, retaining the TPO trees along the flank boundary. As a result it is considered that the proposed building would suitably preserve the fundamental character and appearance of the surrounding special character area, maintaining the local character and distinctiveness in accordance with the aims of the NPPF and Policies DC61 and DC69.
- 6.18 Staff recognise that this is matter of careful judgement, and in this instance have given considerable weight to the size and setting of the plot and the architectural quality of the adjacent buildings.

Impact on Amenity

- 6.19 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.

- 6.20 The main consideration in terms of residential amenity relates to the impact on the occupants of the surrounding dwellings at Upper Brentwood Road, Brent Court, Compton Avenue and Cranbrook Drive.
- 6.21 The proposed northern flank elevation of the proposed building would be positioned approximately 13 metres from the rear elevation of the three-storey block of flats at Brent Court, some 1.3 metres further than the flank elevation of the existing house at the site. Staff consider this to be a sufficient separation distance to maintain privacy and minimise overshadowing and loss of light. Whilst it is acknowledged that the proposal would be significantly larger in terms of the overall depth and massing, a mature TPO tree would be retained along the boundary, which would help to break up some of the bulk of the new building and mitigate issues of inter-looking between dwellings.
- 6.22 At the closest point the south eastern front corner of the proposed building would be positioned some 6 metres from the adjacent properties at 485 and 485a Upper Brentwood Road, across an access driveway to a rear garage court. Given the triangular shape of the plot, the proposed new building would align with the northern boundary, resulting in it being orientated away from the Upper Brentwood Road dwellings. As such, the proposed block would not be directly visible from the rear of the property, except at an oblique angle, limiting any impact on outlook. Given this relationship it is also not considered that the proposed development would present an undue impact on the privacy or amenity of these neighbouring properties.
- 6.23 The two-storey rear elevation of the block would contain habitable room windows, raising concerns in relation to overlooking of the neighbouring rear garden at 5 Compton Avenue. Staff however acknowledge that there is an existing relationship between the existing dwelling and the neighbouring boundary and given that the new block would be positioned approximately 9 metres from the side garden boundary with 5 Compton Avenue, it is considered that on balance this distance would mitigate any potential undue impact of overlooking or loss of privacy.
- 6.24 Potential issues of overlooking to the rear garden of 27 Cranbrook Drive would be mitigated by the off-set orientation between the windows in the proposed building and rear garden as well as the separation distance of approximately 10 metres at an oblique angle.
- 6.25 Whilst it is recognised that there would be an intensification of residential use at the site, Staff are of the view that due to the building's positioning and design the proposal would not result in more harmful impact on the residential amenity of the surrounding properties.
- 6.26 Staff are therefore of the opinion that the proposed development would not harm the amenities of neighbouring properties to an extent that would justify

refusing the scheme on these issues alone, and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61 and the intentions of the NPPF.

Environmental Issues

- 6.27 Environmental Health have raised no objections in relation to any historical contaminated land issues.
- 6.28 The site is not located within a Flood Zone and presents no issues in relation to local flood risk.

Trees

- 6.29 There are two preserved trees on site, subject of a Tree Preservation Order (TPO) 22/74. There are also a number of other trees within the site, mainly to the frontage, which are not subject to the TPO. The protected trees are a Sycamore located adjacent to the northern boundary and to the front of the existing house, and a mature Fig tree located in the north western rear corner of the site. The northern flank elevation of the new building would be positioned approximately 3 metres from the protected Sycamore and over 9 metres from the Fig tree. Given the proximity of the Sycamore to the new building, it is likely that the tree's crown would need to be reduced on a regular basis so as to prevent contact with the building. Such works would require separate TPO consent. A condition for protecting the trees during development will be included.

Parking and Highway Issues

- 6.30 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 3, meaning that the site offers an average degree of access to surrounding public transport.
- 6.31 The proposed development can demonstrate a total of 8no. residents car parking spaces located to the front and side of the building to serve the 8no. flats. This level of provision is acceptable and meets London Plan Policy 3.5.
- 6.32 The Local Highway Authority have raised no objection subject to the applicant entering into a legal agreement to prevent future occupiers from applying for parking permits. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed development would result in parking or highway safety issues. The legal agreement would be consistent with the other residential developments within this area.

- 6.33 A communal resident's refuse store would be positioned to the front of the building adjacent to the northern boundary of the site and within 25 metres of Upper Brentwood Road, and therefore within the distance reasonably expected for refuse collection operatives to walk to collect waste.
- 6.34 A secure cycle store would be provided to the side of the block adjacent to the car park.

Mayoral Community Infrastructure Levy

- 6.35 The proposed development will create 8no. residential units with 435 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £8,700 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.36 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.
- 6.37 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.
- 6.38 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.
- 6.39 There has been a 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.
- 6.40 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.

6.41 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.

6.42 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 unit 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.

6.43 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 £42,000 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 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 special character area 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 would be required to prepare and complete the required Section 106 legal agreement. The s106 contribution is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the contribution and obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating to planning obligations.

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, supporting statements, and drawings received 8 May 2017, and amended plans received on 3 July 2017.