

REGULATORY SERVICES COMMITTEE

22 February 2018

REPORT

Subject Heading:

P1501.17 52 Mashiters Walk, Romford

Demolition of existing bungalow and
erection of pair of semi-detached dwelling
houses

(Application received 15.09.17)

SLT Lead:

Steve Moore - Director of Neighbourhoods;

Report Author and contact details:

Mehdi Rezaie;
Principal Planner;
Mehdi.Rezaie@havering.gov.uk
01708 434732

Ward:

Romford Town

Policy context:

The National Planning Policy Framework
2012;
The London Plan 2016;
Local Development Framework 2008;

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 for the demolition of the existing bungalow and the construction of a pair of semi-detached houses. Staff consider that the proposal is consistent with the provisions of the Local Development Framework, Core Strategy and Development Control Policies Development Plan Document and the London Plan.

It is therefore recommended that planning permission be granted subject to conditions and completion of a S106 agreement to require a contribution to be used for educational purposes for the net additional gain of one dwelling.

This application is reported to Committee at the request of Councillor Joshua Chapman as he considers that the proposal will have an impact on the character of the street scene by reason of its design and the overdevelopment of the site, which may be perceived as having an overbearing impact for the road and the land and parking concerns.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The total gross internal floor areas after deduction of the existing would result in 167m² and therefore be liable for Mayoral CIL rate of £20 per square metre as net additional floorspace which amounts to £20 X 785m² which equates to £3,340 CIL liability. This is subject to indexation so the final liability may differ.

That the proposal is unacceptable as it stands but would be acceptable subject to applicant, by 22 June 2018, entering into a Section 106 Legal Agreement to secure the following:

- A contribution of £6,000 to be used for educational purposes
- In the event that the legal agreement is not completed by 31 August 2018 the application shall be refused.
- 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.

In the event that the legal agreement is not completed by 22 June 2018 the application shall be refused.

That the Assistant Director of Development 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 for commencement:

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Accordance with Plans:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice) and any other plans, drawings, particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority

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:

No development above ground shall be commenced unless and until a schedule of materials and samples of such materials and finishes and colours to be used for the external construction of the dwellings are submitted to and approved by the Local Planning Authority in writing and all materials used shall conform to those approved 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. Boundary Treatment:

No development above ground level shall take place until details of all proposed walls, fences and boundary treatment are 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 prior to the first occupation of the development for residential purposes and shall be permanently retained and maintained 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 DC61.

5. Site levels:

Prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Insufficient information has been supplied with the application to judge the proposed site levels of the proposed development. 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.

6. Car parking:

Before the building(s) hereby permitted is first occupied, provision shall be made within each site for minimum 2.No, car parking spaces in accordance with current standards adopted by the Local Planning Authority, thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with 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.

7. Obscure Glazing:

The proposed window in the first floor side elevations (south and north facing) as shown on revised drawing No: 201 shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).

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

8. Water Efficiency:

The 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.

9. Access:

The dwelling 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.

10. 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) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- d) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- e) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- f) siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;

h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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.

11. 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.

12. 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.

13. Tree Protection:

No development, including works of any description, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, shall take place until the following preliminaries have been completed in the sequence set out below:

The lime tree off-site targeted for retention, whose root protection areas ingress into the site, shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012). Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site. Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone. No alterations or variations to the approved tree works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

Reason: Reason: To ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy DC60 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD on '*Protection of Trees*' 2009.

14. Refuse and Recycling:

Before either of the dwellings hereby permitted are first occupied, the refuse and recycling facilities shall be 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 the storage of refuse and recycling. 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.

15. Cycle Storage:

Before any of the dwellings hereby permitted are first occupied, the cycle storage shall be 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.

16. 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.

INFORMATIVES

1. Application Approved With Amendment:

Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Fee:

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, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.

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 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.

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 license is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised works on the highway is an offence.

6. 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.

7. Street name/numbering:

Before occupation of the dwelling 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>

8. CIL Liability:

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 £3,340 (this figure may go up or down, 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.

REPORT DETAIL

1. Site Description:

- 1.1 In terms of its local context, the application site falls within the district boundary of Romford and within the ward of Romford town centre, as depicted on the Local Plan Policies Map. Mashiters Walk is situated 0.7m north of Romford town centre, just south of Eastern Avenue (A12 carriageway). The site and its surroundings do not fall under any special designation or special character area, site constraints that are of material planning relevance with the works proposed include: Waste site landfills 250m buffer and area of potential archaeological significance.
- 1.2 A character appraisal of the surrounding area reveals that properties on Mashiters Walk are characterised as either detached or semi-detached in type, and predominantly two-storeys in form together with a disbanded handful of chalet-bungalows. The architectural character of properties here are not necessarily 'uniform' in style and differ from one to another, varying in their mass and material use, notwithstanding this, a clear consistent building-line is however evident.
- 1.3 The vast majority of dwellings of Mashiters Walk retain areas of hardstanding for vehicular parking either to the front or side of their property, there is also some scattered parking bays in between the marked yellow lines on the highway. The area is well served with modes of public transport, the closest bus stops to the site lay off Havering Drive and Pettis Lane which is a 4 and 5 minute walk from the site and therefore easily accessible by public modes of transport.
- 1.4 In terms of its immediate setting, the application site falls on the eastern side of Mashiters Walk with the principle elevation fronting the main highway and orientated in a north-westerly position. The site relates to a relatively flat parcel of land which is rectangular in shape and measuring approximately 0.1212 hectares or 1212m². The north-western boundary of the site encompasses a low lying plinth wall with a relatively small (self-planted) cherry tree in close proximity. The remainder of the sites curtilage is bound by wooden fence panelling with scattered and overgrown vegetation.
- 1.5 The site comprises a two bedroom bungalow (hipped-roof design) with a garage (lean-to roof design) at its side. The existing bungalow retains a built footprint amounting to approximately 149m² with amenity areas amounting to approximately

1016m² to the front/side and rear of the property. The existing bungalow is constructed of red-brick and white rendering, clay roof tiles and white UPVC window/door frames and double glazing windows.

- 1.6 The site retains an area of hardstanding to the front (north-west) which is capable of accommodating at least two vehicles with no overhang on the pedestrian pavement. Vehicular access to and from the site lies on the western corner of the site benefitting from a dropped curb from the highway, Directly outside the application site lies two marked parking bays, these spaces are free parking bays.

2. Description of Proposal:

- 2.1 The applicant seeks planning permission to demolish their existing 2 bedroom bungalow and to erect a pair of two-storey, semi-detached residential properties (pitched and crown-roof design).
- 2.2 The proposed internal layouts fall symmetric to one another, both incorporate at ground floor an open plan kitchen/dinning/living room with a reception room whilst at first floor 4.No bedrooms (one en-suite) and a bathroom.
- 2.3 The proposal encompasses curtilage parking, through providing areas of hardstanding which are located towards the front of the properties that offers 2.No of dedicated vehicular parking spaces to serve each property. Vehicular ingress/egress to and from one of the dwellings necessitates the widening of the existing access and dropped curb with a second opening and dropped curb required to serve the other dwelling, consequentially resulting in loss of both on-street parking bays.

3. Planning History:

- 3.1 There is no relevant planning history.

4. Consultations/Representations:

- 4.1 Public consultation was carried out by way of site notices and a press notice as well as notification to 26 nearby properties. In total 8 objection letters had been received. Comments from a material planning perspective suggested insufficient parking, traffic congestion, adverse impact to mature trees, overdevelopment of the site, excessive scale, untimely construction hours, privacy intrusion, light, noise and odour pollution, appearance of the buildings and detrimental impact on character of the streetscene.
- 4.2 The following statutory consultee responses have been received:

LBH Environment Protection: No objection or comments in relation to contaminated land or air quality.

Highways Authority: No objection subject to imposition of informatives. Highways advise that the area is within a controlled parking zone, but the parking bays are "free bays" with no restriction on who can use them or for how long. It is considered that their loss (the equivalent of 2 vehicles) is not significant and we would not seek their reprovision. Our parking team are of the view that the bays are used by commuters in the main and residents in the area generally have plenty of off-street parking. If we had resident permit or bay and display bays, then the loss would be more of an issue.

5. Planning Policy:

5.1 The 'National Planning Policy framework' ("NPPF") 2012:

The National Planning Policy is set out in the "NPPF" which was published in March 2012. The "NPPF" and Guidance ("NPPG") states clearly that its content is to be a material consideration in the determination of applications. The "NPPF" states that due weight should be given to the adopted policies of the Local Development Framework (LDF) according to their degree of consistency with the "NPPF" (the closer the policies in the plan to the policies in the "NPPF", the greater the weight that may be given). Accordingly, due weight is also given to the Nationally Described Space Standards (2015).

5.2 The London Plan 2016:

The relevant policies from the 'London Plan' include: Policy 1.1 (Delivering the Strategic Vision and Objectives for London), Policy 3.3 (Increasing Housing Supply), Policy 3.4 (Optimising Housing Potential), Policy 3.5 (Quality and Design of Housing Developments), Policy 3.8 (Housing Choice), Policy 5.1 (Climate change mitigation), Policy 5.21 on (Contaminated Land), Policy 5.3 (Sustainable design and construction), Policy 5.13 (Sustainable drainage), Policy 5.14 (Water quality and wastewater infrastructure), Policy 5.15 (Water use and supplies), Policy 5.18 (Construction, excavation and demolition Waste), Policy 5.21 (Contaminated Land), Policy 6.13 (Parking), Policy 7.1 (Lifetime neighbourhoods), Policy 7.3 (Designing out crime), Policy 7.4 (Local character), Policy 7.6 (Architecture), Policy 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes), Policy 8.3 (Community Infrastructure Levy).

5.3 London Borough of Havering's Development Plan Document ("DPD") 2008:

Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires local planning authorities to have regard to the provisions of the development plan and any other material considerations when dealing with an application for planning permission. Havering's Development Plan comprises the London Plan (2016), London Borough of Havering's "DPD" (2008), together with London Borough of Havering's ("LBH") Supplementary Planning Documents ("SPD"), 'Designing Safer Places' (2010), 'Landscaping' (2011), 'Residential Design' (2010), 'Sustainable Design Construction' (2009); 'Protection of Trees during Development' (2009).

5.4 The relevant policies from Havering's "DPD" include; Policies CP1 (Housing Supply), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes and Mobility Housing), DC33 (Car Parking),

DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC51 (Water Supply, Drainage and Quality), DC53 on (Land Contamination), DC60 (Trees and Woodlands), DC61 (Urban Design), DC63 (Delivering Safer Places).

6. Mayoral CIL implications:

- 6.1 The proposed development, for each individual dwelling would create a built footprint of 79m² at ground floor level and a further 79m² at first floor level, resultant of 158m² per dwelling. As this is a development for a pair of semi-detached properties, the combined amount equates to 316m². The total gross internal floor areas after deduction of the existing (149m²) would result in 167m². The proposal would therefore be liable for Mayoral CIL rate of £20 per square metre as net additional floorspace which amounts to £20 x 785m² which equates to £3,340 CIL liability. This is subject to indexation so the final liability may differ.

7. Planning Considerations:

- 7.1 Officers consider that the determining issues with regards to the proposal are as follows:
- a) Principle of Development;
 - b) Sitting/Orientation/Layout;
 - c) Scale/Design;
 - d) Resident/Occupant Amenity;
 - e) Vehicular Access/Parking;
 - f) Other Material Considerations;
 - g) Planning Obligations;

8. Principle of Development:

- 8.1 In terms of national planning policies, Para 17 from the “*NPPF*” 2012 sets out the overarching roles that the planning system ought to play, a set of core land-use planning principles that should underpin decision-taking, one of those principles are that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Para’s 50 and 52 from the document seek to provide opportunities for achieving sustainable development, delivering a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.
- 8.2 Policy 1.1 on ‘Delivering the Strategic Vision and Objectives for London’ from the ‘*London Plan*’ 2016 sets out the strategic vision for growth and change in London to be managed in order to realise the Mayor’s vision for London’s sustainable development to 2036. Policy 3.3 on ‘Increasing Housing Supply’ of the ‘*London Plan*’ 2016 sets out the pressing need for more homes in London in order to

promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.

- 8.3 In terms of local planning policies, Policy CP1 on 'Housing Supply' of LBH's '*Development Plan Document*' 2008 expresses the need for a minimum of 535 new homes to be built in Havering each year through prioritising the development of brownfield land and ensuring it is used efficiently. Table 3.1 of the London Plan supersedes the above target and increases it to a minimum ten year target for Havering (2015-2025) of 11,701 new homes or 1,170 new homes each year.
- 8.4 In light of the above policy considerations, officers are of the view that there are no in principle objection to a residential-led development coming forward for this site, the proposal would in effect contribute in increase the housing stock and choice by a net gain of one dwelling within an established residential area. The proposal, subject to satisfying other policy requirements would adhere with guidance from Paras 17, 47 and 52 of the '*NPPF*' 2012; and Policies 1.1, 3.3 and 3.5 of the '*London Plan*' 2016; and with Policy CP1 of LBH's '*Development Plan Document*' 2008.
- 8.5 In respect of demolishing the existing detached bungalow, officers need highlight that the building has no statutory listing, nor is it on any heritage asset register or within a special character area. The existing bungalow holds little architectural merit and aesthetic value, therefore there is no in principle objection for its retention. Moreover, officers made note of the buildings internally dilapidated state, the proposal would in effect bring back into use a vacant building, rejuvenating the site in accordance with principles under Para 55 from the '*NPPF*' 2012 which encourages the development and re-use of buildings and land to lead to an enhancement to the immediate setting and policies CP17 and DC61 of LBH's '*Development Plan Document*' 2008.

9. Siting/Orientation/Layout;

- 9.1 A character appraisal and desk based assessment (block plan) exposes a pattern of development whereby to a degree building-lines in the streetscene respect the curvature of the road, and in this regard the existing bungalow would not differ immensely.
- 9.2 The proposal on the other-hand, when reviewed contextually (drawing labelled: 203 Revised) reveals a building-line set parallel with that of its neighbour: 54 Mashiters Walk and set 380mm behind the front bay window of its opposite neighbour: 50 Mashiters Walk, retaining 1.2m distances between the common party boundary where presently the garage abuts the boundary. As the proposal is nestled in between both these neighbouring properties in a non-invasive manner, with unchanged distances between the front flanking walls (north-west facing) to the main highway at 5.8m, officers regard its position and orientation to be acceptable on their planning merits.
- 9.3 As the scheme continues to preserve the defining characteristics of the local area, the above mentioned aspects from the proposal continue to adhere with guidance

and principles envisaged under Para's 55, 56, 58, 63 from the '*NPPF*' 2012; and policies 7.4(a,d) and Policy 7.6(d) of the '*London Plan*' 2016; and policies CP17 and DC61 from the LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010.

- 9.4 The proposal, when assessing its internal layout (drawing labelled: 201 Revised) reveal two dwellings that mimic one another's internal and external layout plans. Internally the proposals provide at ground floor an open plan kitchen/dinning/living room with a reception room whilst at first floor 4.No bedrooms (one en-suite) and a bathroom. Officers consider the layout to be functional and acceptable on its planning merits.
- 9.5 Externally, the layout plans offer inclusive access around the site with ease of movement, incorporating concealed refuse and recycling areas together with secure cycle storage spaces situated in the rear gardens. Distinguished boundaries remain aligned and unchanged, evidently preserving defensible spaces which uphold 'Secured By Design' principles. These aspects of the proposal continue to adhere with guidance under Para's 55, 58, 59, 61, 69, 96 from the '*NPPF*' 2012; and policies 7.3(b,c,e), 7.4(a,d) and 7.6(a,b,d) of the '*London Plan*' 2016; and policies CP17, DC3, DC40, DC61 and DC63 from the LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010 and '*Designing Safer Places*' 2010.

10. Scale/Design:

- 10.1 The width of the existing plot (to the front/adjacent the main highway) remains unchanged, spanning a distance of approximately 15.1m, which by comparison to nearby properties of similar form appears comparable, if not less. By example, officers have swotted shared similarities between: 32 and 34 Mashiters Walk (pair of two-storey semi-detached dwellings) which maintain a front boundary width of 13.9m, marginal less than that proposed here by 1.2m.
- 10.2 The dimensions of the existing bungalow measure a building width of 13.5m at a projected depth of 13.4m, an eaves height of 2.5m and roof ridgeline peaking at 5.7m. The proposal however measures a building width of 12.7m and projected depth of 12.9m with its eaves height set no greater than 4.9m and its roof ridgeline peaking at 7.9m. The built footprint of the existing bungalow amounts to approximately 149m² with approximately 1016m² of amenity space. The proposal offers a built footprint (with aspects that jut in/out) that amount to a combined 158m² of built footprint to 1113m² of solely private amenity space, when sub-divided per dwelling this equates to 79m² of built footprint against 556m² of private amenity space.
- 10.3 In comparing the dimensions, built footprint and amenity spaces offered between the exiting bungalow and the proposed pair of semi's, the proposal portrays a marginally reduced building width and depth by contrast to that of the existing, its built footprint however is marginally increased by 9m² and private amenity area significantly reduced but spaces used more appropriately. The ridgeline of the proposed roof is to be 2.2m above that of the existing, which upon examination

contextually (drawing labelled: 201 Revised) portrays a lesser ridge-height of 360mm than that of its neighbouring property: 50 Mashiters Walk. The proposal is sited 1m away from the boundary fences of both neighbouring properties, whereby existing purpose-built extensions abut the boundary fence.

- 10.4 In light of the above mentioned analytical assessment, and off the backdrop of a contextual study, officers remain content that the scale of development and its roofscape is comparable against that of nearby and neighbouring properties (whereby precedent has already been established) and as such would integrate well on harmonising to the visual quality of the area. The proposal also preserves local distinctiveness through its distinguished form and separation distancing of 1.2m from the boundary fences of its neighbouring properties.
- 10.5 Officers also remain content with the amount of amenity space being provided, the reduced amount of amenity space now being offered against the existing bungalow allow for the proposal to optimise the full potential of the site, nevertheless, occupant amenity is not compromised and considered plentiful.
- 10.6 By virtue of its scale and level of occupant amenity on offer, the development proposal would be acceptable in policy terms as it falls compliant with guidance from Para's 17, 55, 57, 58, 59, 61, 63, 65 of the '*NPPF*' 2012; Policies 3.5, 5.3, 7.1, 7.4, 7.6 of the '*London Plan*' 2016; and Policies CP17, DC61 of LBH's '*Development Plan Document*' 2008; and guidance from the Councils SPD on '*Residential Design*' 2010.
- 10.7 The appearance of the proposed building, being of a pitched and crown-roof design would not fall out of place within the streetscene, officers consider the design to mimic others in the vicinity and regard it as promoting local distinctiveness. All windows and doors have been scaled and fenestrated to symmetrical values against one another, moreover against its neighbouring properties, thus reflecting local variations where appropriate.
- 10.8 The proposed ridgeline from the roof falls beneath that of its neighbouring two-storey property which forgoes a slight step-down whilst transitioning against the ridgeline of its neighbouring bungalow, as such this aspect portrays a sympathetic approach in its overall height without appearing overbearing to them or against that of the streetscene. Moreover, officers need highlight that this type of development (two-storey dwellings abutting the boundary of neighbouring bungalows) is widely evident across Mashiters Walk, examples include bungalow at No: 4 Mashiters Walk which neighbours 2.No. two-storey dwellings and bungalow at No: 9 Mashiters Walk which again features similar similarities. The proposal, by virtue of its design and appearance would harmonise on the character of the streetscene and fall policy compliant with policies 'DC69, CP17' from LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010.
- 10.9 Specified materials and finishes do appear to complement one another and appear to mimic those in their surroundings, which include roof tiles; white colour fascia boards and guttering; brickwork; double glazed windows with white UPVC window frames. The proposal, subject to condition 3 requesting sample materials to be provided would by virtue of its intended material use not cause any detrimental

harm to the character of the streetscene or the appearance of the dwellings, materials appear consistent with others in the local context and therefore in accordance with policies 'DC69, CP17' from LBH's '*Development Plan Document*' 2008 and LBH's SPD's entitled '*Residential Design*' 2010.

11. Residential Amenity:

- 11.1 Staff have also reviewed the internal layout and space being offered to its occupants and concluded a functional layout which exceeds the minimum space standards set under the Nationally Described Space Standards (2015). Officers have also examined the amount of private amenity spaces offered to both dwellings and concluded that an area of 556m² of amenity space is considered plentiful for its occupants and a refusal on the grounds of overdevelopment could not be justified as the proposal is not considered excessive or cramped given its plot coverage.
- 11.2 Officers have considered and reviewed the scope of privacy intrusion and remain satisfied that the proposal would not result in direct overlooking as all windows (except the side flanking ones) which would otherwise overlook the applicants own rear garden. In respect of the side flanking windows, it needs be appreciated that both serve non-habitable rooms (a bathroom) and have been labelled as obscure glazed and of the non-opening type which shall be safeguarded by way of condition 7. This aspect from the proposal, subject to condition would adhere with Policy CP17 on 'Design' from the LBH's '*Development Plan Document*' 2008 and guidance from LBH's SPD entitled '*Residential Design*' 2010.
- 11.3 Officers have also conducted a 'Sunlight/Daylight' assessment and concluded that the proposal surpasses both the 25 and 45 degree tests to both neighbouring properties given that both the front and end flanking walls of the development falls aligned with that of its neighbours (if not further set-back) which rids any protruding aspect of development that may have potentially blocked natural daylight from entering habitable windows. In particular, officers need highlight that the 2.No. side flanking windows serving No. 50 Mashiters Walk (neighbours) serve a bedroom and a hallway (as shown under approved planning reference: P0385.11), notwithstanding this the bedroom being sited to the rear benefits by a secondary window to its end elevation (principle) therefore any overshadowing to this window negligible. The proposal would by virtue of its siting not overshadow either its neighbour's windows served on a principle elevation, the scheme therefore adheres to policies CP17 and DC61 of the LBH's '*Development Plan Document*' 2008 and LBH's SPD entitled '*Residential Design*' 2010.
- 11.4 Officers have considered concerns of overbearing impact to its neighbouring bungalow, mindful that there is a purpose built side extension to that bungalow (with no side flanking windows) with the proposal being suitably distanced from the party boundary and a roofing design formed to slope away, officers explicate that neighbour amenity remains unaffected, and a refusal on these ground could not be justified for the reasons mentioned here and under sections 9.2, 10.3 and 10.8 of this report. The proposal remains policy compliant in accordance with Policies

DC69 and CP17 from LBH's *'Development Plan Document'* 2008 and LBH's SPD's entitled *'Residential Design'* 2010.

12. Vehicular Access/Parking:

- 12.1 The application site achieves a PTAL score of 2 (low-moderate accessibility), the proposal for 2.No. four-bedroom dwellings is accompanied by the provision of 2.No. curtilage bound vehicular parking spaces each, the increase in the number of bedrooms has provided a commensurate increase in onsite parking provision which adheres with the minimum parking standards suggested in the Planning Framework and Policy 6.13 on 'Parking' from the *'London Plan'* 2016; and with Policy DC33 on 'Car Parking' from LBH's *'Development Plan Document'* 2008.
- 12.2 Existing vehicular access to and from the site shall run off Mashiters Walk, the proposal would however require the loss of two on-street vehicular parking bays. Officers have consulted the Highways Authority who concluded that there is no objection to the loss of the bays. This is on the grounds that the parking bays are "free bays" with no restriction on who can use them or for how long and considers their loss (the equivalent of 2 vehicles) as not being significant enough to justify re-provision. As it stands a refusal on grounds of loss of on-street parking cannot be justified and the proposal is in accordance with Policy 6.13 on 'Parking' from the *'London Plan'* 2016; and with Policy DC33 on 'Car Parking' of the LBH's *'Development Plan Document'* 2008.

13. Other Material Considerations

- 13.1 In respect to arboriculture matters, officers acknowledge the presence of a lime tree which lies on the pavement directly outside the application site, the tree is sited at a distance of 1.5m from the existing boundary wall (north-west). Officers have carried out a desk based assessment and can confirm that the tree in question is not safeguarded by any Tree Preservation Orders, nor are there any trees within the curtilage of the site that are served/protected by that order.
- 13.2 Officers are of the view that the lime tree in question does hold an aesthetical value which contributes to the character of the streetscene. The tree is sited away from the proposed works by a considerable distance (approximately 7.5m) nevertheless officers still feel it appropriate to apply a condition requesting a Root Protection Zone during any building works so that development would not compromise the health of this tree. Subject to adhering with condition 16 from the conditions list, the development proposal would fall in keeping with guidance from Policy 7.21 from the *'London Plan'* 2016; and Policy DC60 of the LBH's *'Development Plan Document'* 2008 and LBH's SPD on *'Protection of Trees'* 2009.
- 13.3 A second tree (from the cherry tree species) also lies in close proximity to the above mentioned boundary wall, however within the curtilage of the application site. Officers can confirm that this tree is a self-planted one and not aged nor veteran by type. Therefore, its removal (if needs be) can be justified as it holds little to no amenity value, no reference to its removal is made under this submission yet

officers need to mention why no Root Protection Zone condition should be warranted here as it would not be considered reasonable, thus contrary to guidance under Para 206 from the '*NPPF*' 2012.

- 13.4 In respect of light, noise and odour concerns, it needs be acknowledged that the intended planning use of the proposal is to function as residential dwellings, and in established residential area which poses no threat or harm to either neighbouring properties or occupants themselves. Notwithstanding this, the councils Environment Health and Protection team have reviewed the site and proposal and raised no objection as the development proposal adheres to policy and guidance from Policy 5.21 of the '*London Plan*' 2016 and Policy DC53 of LBH's '*Development Plan Document*' 2008.
- 13.5 Objector comments make reference to loss of view, with this regard it needs be noted that there is no relevance in planning terms for the loss of a view. This is not a material planning consideration and refusal cannot be justified on these grounds. Other objector comments reference untimely construction hours, with this in mind officers have mitigated growing concerns by of imposing conditions relating to construction method and hours. Officers have concluded and remain satisfied that any material harm that the development would otherwise give rise to has been offset by the conditions imposed.

14. Planning Obligations:

- 14.1 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.
- 14.2 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.
- 14.3 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.
- 14.4 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.

- 14.5 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.
- 14.6 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.
- 14.7 It would therefore be necessary to require a contribution to be used for educational purposes for one of the additional dwellings. 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 £6,000 for the additional dwelling for educational purposes be required.

13. Conclusion:

- 13.1 Having regard to the individual circumstances of this proposal, by reason of its siting, scale, design and appropriate use of materials the development is considered to represent appropriate form of replacement dwelling that would optimise the sites potential without detracting the visual quality of the streetscene or amenities of its neighbours. It is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks: None.

Legal implications and risks: None.

Human Resources implications and risks: None.

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity.