



# REGULATORY SERVICES COMMITTEE

5 April 2018

# REPORT

**Subject Heading:**

**P1422.17**

**77-79 Cross Road (rear of),  
Mawneys**

**Proposed development to land at rear  
of 77-79 Cross Road, to create 3 x 2  
bedroom houses with parking, amenity  
and access road. Amending garden  
layouts to existing dwellings ;**

**(Application received 29 August 2017);**

**SLT Lead:**

Steve Moore - Director of  
Neighbourhoods;

**Report Author and contact details:**

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**Policy context:**

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

**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

This application proposes: the construction of 3 x 2 bedroom houses with parking, amenity and access road, and; amending garden layouts to existing dwellings.

The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking, environmental issues, safer communities, waste management, and education. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to a section 106 legal agreement and conditions.

## 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 254m<sup>2</sup> and therefore be liable for Mayoral CIL rate of £20 per square metre as net additional floorspace which amounts to £20 X 254m<sup>2</sup> which equates to £5,080 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 4 August 2018, entering into a Section 106 Legal Agreement to secure the following:

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

In the event that the legal agreement is not completed by 4 August 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: 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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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.

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) 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.

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

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

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

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

6) 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.

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

8) Obscure glazing and fixed shut: The flank wall windows on 1st floor level towards both the southern elevation and the northern elevation, facing No. 75 Cross Road and 8 Kings Oak shall be permanently fixed shut and obscure glazed.

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

9) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

10) Visibility Splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, 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.

11) Parking standards and access road: Before the building(s) hereby permitted is first occupied, provision shall be made for: 8 x No. off-street car parking spaces for use by occupants of the three houses hereby approved, as well as; the approved access road. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking provision is made off street in the interests of highway safety.

### 12) Cycle Storage

Prior to the completion of the development hereby permitted, cycle storage for three bicycles of a type and in a location previously submitted to and approved in writing by the Local Planning Authority shall be provided and 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.

### 13) 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.

14) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

15) Construction Methodology Statement: 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: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

16) Refuse and recycling: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

17) 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.

18) Lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be 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: In the interest of residential amenity.

## **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 Michael Breden, via email on 06/02/2018 and on 09/02/2018. The revisions involved: the removal of habitable space in the roof; the reduction of the ridge height and massing to match that of the neighbouring King's Oak development more closely, and; the addition of tree screening as part of the parking area. The amendments were subsequently submitted on 12/02/2018 and 26/02/2018.

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 £5,080 (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.
3. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

4. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

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

5. The applicant is advised that 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. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
2. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under 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) required during the construction of the development. Please note that unauthorised work on the highway is an offence.



3. The applicant 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.
4. 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. Please note that unauthorised use of the highway for construction works is an offence.
5. 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.
6. Flood Resilience/resistance Measures: For any development where a flood risk is identified, including flood zone 1/ uFMfSW where a flood risk assessment is not required, the Council as a Lead Local Flood Authority want to see developers consider and implement flood resilience/resistance measures into the buildings themselves. This is not to stop development but to ensure the protection for future residents is maintained and enhanced. The following measures are strongly recommended, although this list is not exhaustive :-
  - Flood risk assessment highlighting especially the surface water risk
  - Raising the level of the building by at least 300mm above local levels
  - Waterproof membrane in the ground floor
  - Waterproof plaster and waterproofing to ground floor
  - Electrics from the upstairs down and sockets high up off the ground floor
  - Non return valves on the sewerage pipes
  - Emergency escape plan for each individual property
  - Air brick covers
  - Movable flood barriers for entrances

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site comprises two adjoining houses at No 77 and No 79 Cross Road, with individual accesses leading to deep rear gardens, situated on the western side of Cross Road, Romford. Directly west of the application site is Metropolitan Green Belt. The site's garden space is currently landscaped and bound by close boarded wooden fencing. The garden of No 79 contains two outbuildings; a garage that sits up against the boundary with No 81, and a group of adjacent sheds that are located along the western boundary.
- 1.2 Vehicular access onto the site is to be provided via a new junction at the existing access onto 77 Cross Road. The junction does not form part of the application scheme, although a condition is recommended, to ensure that vehicle access is operational before the dwellings are occupied. The application site is approximately 0.15 Ha in size. Ground levels are generally level.
- 1.3 The character of the surrounding area is mainly suburban residential with a mixture of 2-storey dwellings and bungalows, which include detached, semi-detached, and terrace properties. The street profile allows for front gardens, some of which are used to park cars, and footpaths with green verges alongside the carriageway. The original pattern of development along the western side of the section of Cross Road that the application site forms part of, appears to comprise of residential houses fronting the street, with deep gardens behind. Immediately north of the application site (at Kings Oak) and also slightly further along (at Harrison Close), there are examples of newly created small scale cul-de-sac developments at the back of the original rear gardens, which are accessed by long and narrow roads off Cross Road, that run parallel to retained rear gardens.

## **2. Description of Proposal**

- 2.1 The application seeks permission to demolish the existing outbuildings on the site and erect a terrace of three 3-bedroom houses with rear gardens that face the adjacent Metropolitan Green Belt. The flank dwellings would benefit from side access to the rear gardens from the front, via a wooden gate. To the front of the terrace, an 8-space car park and turning head with bin storage are provided to terminate the deep access road along the side of 77 Cross Road. The rear gardens to Nos. 77 and 79 would be shortened and the garden of No. 77 would be expanded into that of No. 79, by means of a re-positioned boundary fence.
- 2.2 The proposed dwellings would be situated approximately 28m west of the nearest rear walls of Nos. 77 and 79 Cross Road and 2.2m from No. 8 Kings Oak. The dwellings would have a north-south orientation with windows and doors towards the front and rear (east and west). The hipped roof would accommodate habitable lofts that have access to light from velux style windows.
- 2.3 The width of the dwellings would be 5.4m and the proposed terrace would therefore have an overall width of 16.2m. The dwellings would have a depth

of 8.7m. The development would be 2-storeys in height measuring 8.2m to the ridge of the hipped roof. The depth of the rear gardens would be 9.2m and the width of the gardens would be 6.4m for the flank dwellings, and 5.4m for the middle dwelling. The garden spaces measure 61 sqm for the flank dwellings (excluding the side access) and 50 sqm for the middle dwelling.

- 2.4 On ground floor level, each dwelling would have a kitchen / dining room, a WC and a living room. On first floor level there would be two double bedrooms, a study, and a bathroom, while the second floor level would accommodate a double bedroom.
- 2.6 The gardens would be screened by means of a fence and a condition would be required to secure the approval of further details.
- 2.7 The plans indicate a communal bin store and refuse collection point approximately 19m from the furthest dwelling (the northernmost unit) and 29m at its furthest point from the edge of the highway.

### **3. Relevant History**

3.1 77 Cross Road

None relevant

3.2 79 Cross Road

None relevant

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

- 4.1 Notification letters were sent to 18 neighbouring properties. 11 responses were received raising objections, which can be summarised as raising the following concerns:

- Insufficient size of the site to accommodate the proposed development;
- Increase in local traffic;
- Additional pressure on parking in Cross Road;
- Compromised Highway Safety;
- Insufficient access;
- Impact on outlook;
- Impact on residential amenity (privacy/overlooking);
- Increase in disturbance and noise (construction and occupation);
- Flood Risk (fluvial and surface water);
- Air Pollution;
- Impact on local social infrastructure;
- Proposed entry road via a private lane;
- Possible breach of lease against further building;
- Impact on Character and Appearance of the immediate area;

- Fire Risk from 3.1m wide access road, compared to 3.7m minimum width requirement of the London Fire Brigade;
- Inadequate waste and recycling provision;
- Headlights shining into adjacent houses, and;
- Effect on property prices.

4.2 The following consultees were also notified, and the following responses were received.

- Highways: No objection, subject to conditions and informatives.
- Environmental Health (noise): No objection.
- London Fire Brigade: No objection.
- Lead Local Flood Authority: No objection. Recommend flood resilience design measures.

4.2 Staff comment: The above consultation responses and representations that relate to planning have been assessed in the Staff Comments at Section 6. The issues that do not relate to planning in this instance, are:

- Possible breach of lease against further building (this is a matter of civil law)
- Effect on property prices

## 5. Relevant Policies

### 5.1 The National Planning Policy Framework (2012)

Paragraphs 58, 60, 61, 64 and 72.

### DCLG National described space standards (2015)

### London Plan (2016)

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), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations).

### (London) Housing SPG (2016)

### Local Development Framework Core Strategy and Development Control Policies Development Plan Document (2008)

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC29 (Educational Premises, DC32 (The Road Network) DC33 (Car

Parking), DC34 (Walking), DC35 (Cycling), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations)

Residential Design SPD (2010)

Planning Obligations SPD (2013), with Technical Appendices

## **6. Staff Comments**

6.1 This proposal is put before the Committee owing to the quantum of development exceeding two residential units. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, and parking and highways issues.

### 6.2 Principle of Development

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land-use terms and the provision of additional housing is consistent with the NPPF as the application site is within an established urban area.

6.2.2 Policy 3.8 of the London Plan states that DPD policies should ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1.

### 6.3 Site Layout / Amenity Space

6.3.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

6.3.2 Amenity space to all dwellings would be provided mainly towards the rear. The amenity area would be screened by means of a fence, avoiding any potential to overlook the amenity areas from a public point of view. The gardens measure 61 sqm for the flank dwellings (excluding the side access) and 50 sqm for the middle dwelling.

6.3.3 Amenity space in the local area is mainly similar in terms of their location to the rear of dwellings and size, in particular in relation to the gardens provided at Kings Oak and at Harrison Close. Staff are of the opinion that the garden areas would be large enough to be practical for day to day use and with the provision of fencing, would be screened from general public views and access, providing private and usable garden areas. As a result, it is considered that the proposed amenity areas of the new dwellings would comply with the requirements of the Residential Design SPD and are acceptable in this instance.

6.3.4 The residential density policy guideline range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 33 units per hectare. This density would be within the recommended density range for this area and is therefore considered acceptable.

6.3.5 In terms of the general site layout, the proposed 3 terraced dwellings would form part of the existing street scene at the rear of Cross Road, in conjunction with the adjacent Kings Oak development. The proposal would be set back from its site boundaries by a sufficient distance and would further be far enough away from neighbouring dwellings to prevent the proposal from appearing cramped or visually intrusive. Staff are therefore of the opinion that the proposal has an acceptable layout on the plot without appearing visually intrusive or dominant within this location. The spacing between buildings is considered appropriate and overall, Staff are of the opinion that the layout relates acceptably to the size of the application site without appearing as a cramped or overdeveloped site.

#### 6.4 Impact on Local Character and Street Scene

6.4.1 Policy DC61 of the Core Strategy DPD seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

6.4.2 The surrounding area has no characteristic built style and dwellings in the vicinity differ in design, height, size and layout. The majority of dwellings are however 2-storey terrace or semi-detached dwellings with some single storey bungalows along Cross Road. The proposal would introduce a 2-storey building incorporating 3 x terrace dwellings of a pitched roof design.

6.4.3 The proposal would however not be visually prominent from within the Cross Road street scene as it would be to the rear of surrounding properties and only visible as a long access road with the building in the far background.

6.4.4 As viewed from closer distance, such as from Kings Oak cul-de-sac, the proposed development is accordant with the building line and massing of

Kings Oak. In terms of its general design, it is therefore considered that the proposal would not detract from the character of the surrounding area. The flank wall of the proposed terrace would be 27m from the rear wall of dwellings at Nos. 77 and 79 at its closest point, which would be very similar to the relationship of the adjacent Kings Oak development and their relationship with the adjacent houses along Cross Road. The roof of the proposed northern end house would be hipped away from the neighbours towards the east. The buildings would be 2.2m from the flank wall of No. 8 Kings Oak. This neighbour would therefore not face the development as the proposal would be towards its southern side. As a result, Staff are of the opinion that the proposal is acceptable within this location without appearing overbearing or visually intrusive.

6.4.5 It is considered that the development of three 2-storey terraced dwellings in this location would have an acceptable impact on the character and appearance of this location. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would have an acceptable design and appearance. The proposed development is therefore considered to be compliant with the aims and objectives of Policy DC61 of the Core Strategy DPD.

## 6.5 Impact on Amenity

6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

6.5.2 The development would have one flank wall window on 1<sup>st</sup> floor level towards both the southern elevation and the northern elevation, facing No. 75 Cross Road and 8 Kings Oak. These windows are recommended to be conditioned to be fixed shut and obscure glazed as they only serve a landing area.

6.5.3 Towards the east of the proposed new dwellings, windows in the rear elevation of Nos. 77 and 79 would face the new terrace. The separation distance to the rear walls at Nos. 77 and 79 is however over 27m. A landscaping strip with tree planting will also be created behind the rear gardens of Nos. 77 and 79. It is not considered that there would be any direct overlooking or invasion of privacy. Generally a window-to-window relationship of 15m is acceptable between habitable room windows of dwellings. No direct overlooking would occur towards any potential habitable windows in the rear elevations of Nos. 77 and 79 Cross Road.

6.5.4 In terms of overshadowing, the proposal would be in excess of 27m from any neighbouring dwelling which may be affected by overshadowing. The notional 45 degree line from the neighbour at No. 8 Kings Oak would not be

breached and this neighbour would therefore not be affected by overshadowing.

- 6.5.5 In terms of additional noise and disturbance, it is not considered that the addition of three dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.6 There would be 8 parking spaces adjacent the rear boundaries with the deep rear gardens of Nos. 77 and 79 Cross Road. Staff are of the opinion that the set back from residential dwellings is sufficient and that no noise or light pollution would occur as a result of these 8 car parking spaces on the site. The use of the access road is neither considered to give rise to an unacceptable impact on the residential amenities of existing occupiers.
- 6.5.7 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.8 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

## 6.6 Highways / Parking Issues

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type in Romford. The development would provide a total of 8 x parking spaces, which equates to 2 per additional dwelling (and 2 in lieu of the existing parking space lost for No. 77). In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.
- 6.6.2 The access road would have a shared surface with the pedestrian path. The proposed access road has a minimum width of 3.5m, and it would therefore allow access to Fire Brigade vehicles, including pumping appliances and special appliances.
- 6.6.3 The development has not provided storage for cycle parking spaces. Staff consider that there would be ample opportunity within the site to provide 1 space per dwelling, in order to comply with the Council's standards as set



out in Annex 6. Therefore, subject to related conditions, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

6.6.4 The Highways Authority has required further conditions to be imposed, in relation to the pedestrian visibility splay at the junction, and vehicle cleansing during construction, and these conditions form part of the Staff recommendation.

## 6.7 Environmental Issues

6.7.1 The Council's Environmental Protection Officer has confirmed that he has no objection on grounds of noise.

6.7.2 In order to safeguard the amenity of nearby neighbours during the proposed development's construction, Staff recommend conditions to restrict working hours and the prior submission of a Construction Management Plan.

6.7.3 Staff consider that subject to these conditions, the proposed development would accord DPD Policy DC61.

## 6.8 Waste Management

6.8.1 The application includes limited details of facilities specific to refuse storage and collection, but Staff consider that subject to a recommended condition to require the submission of further details, the proposed development would be in accordance with Policy 5.18 of the London Plan and Policy CP11 of the DPD.

## 6.9 Education

6.9.1 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. 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.

6.9.2 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is

now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 6.9.3 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.
- 6.9.4 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.
- 6.9.5 In accordance with the SPD, a contribution of £6000 per dwelling is sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6,000 per dwelling towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.9.6 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 £6,000 per new dwelling for educational purposes would be appropriate.

## **7. Conclusion**

- 7.1 Overall, Staff are of the opinion that the proposal would be compatible with the surrounding area and neighbouring properties. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from the rear gardens of neighbouring dwellings. It is considered that the proposal would not have any detrimental impact on neighbouring properties to the extent which would justify refusal of this application. There are no highways or parking issues in respect of the application and the provision of amenity space is considered acceptable in this instance. Overall, and subject to conditions and a section 106 legal agreement, Staff consider the development to comply with National Planning Policy and the Development Plan. Approval is recommended accordingly.

## IMPLICATIONS AND RISKS

**Financial implications and risks:** None

**Legal implications and risks:** 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.

**Human Resources implications and risks:** None.

**Equalities implications and risks:** The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

## BACKGROUND PAPERS

Application forms and plans received on 29 August 2017. Additional drawings received 12 and 26 February 2018.