



# REGULATORY SERVICES COMMITTEE

26 April 2018

# REPORT

**Subject Heading:**

P1541.17

1 Albert Road, Romford

Erection of 5 dwelling houses (received  
18/09/17)

**Ward:**

Romford Town

**SLT Lead:**

Steve Moore - Director of Neighbourhoods

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

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

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

## SUMMARY

This proposal seeks consent for the erection of 5 dwelling houses. In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. A Section 106 Legal Agreement is required to secure a financial contribution and prevent future occupiers of the proposal from purchasing parking permits. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

## 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 and that the applicable fee would be £10,572.80 (subject to indexation). This is based on the creation of 528.64 square metres of new gross internal floorspace.

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

- A financial contribution of £30,000 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.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme

That, if by 24 August 2018 the legal agreement has not been completed, the Planning Manager has delegated authority to refuse planning permission.

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 (as set out on page one of this decision notice).

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

3. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s), including the replacement sash windows on the front of the building, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

4. 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 their protection in the course of development. No development other than the access shall take place until the approved tree and shrub protection measures have been implemented. All development other than the access shall only be carried out in accordance with the approved tree and shrub protection until completion. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding season following completion of the development or in accordance with a programme approved in writing by the Local Planning Authority. Any tree or plant which within a period of 5 years from completion of the development dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with another tree or plant of the same species and size as that originally planted, 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.

5. Boundary treatment - Prior to the first occupation of the dwellings hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

**Reason:** Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. Vehicle Cleansing - Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed. The submission will provide;
  - a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
  - b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
  - c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
  - d) A description of how vehicles will be cleaned.
  - e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
  - f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

**Reason:** 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.

7. Construction Method Statement - No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby

occupiers is submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

8. Contaminated land – (1) Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

b) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a “Verification Report” that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

**Reason:** To protect those engaged in construction and occupation of the development from potential contamination and in order that the development

accords with Development Control Policies Development Plan Document Policy DC53.

9. Contaminated land (2) - a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

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

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

10. Refuse & recycling - The building shall be not occupied until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

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

11. Cycle storage - The building shall not be occupied until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

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

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. Noise insulation - The buildings hereby permitted shall be constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

**Reason:** To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning & Noise.

14. Parking provision - Before the building is first occupied, the area set aside for car parking as shown on Drawing No. SK001 Revision E shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

**Reason:** To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

15. Flank windows - 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 and approved 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.

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

**Reason:** To safeguard the character of the surrounding area and in the interests of neighbouring 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.

17. Water efficiency - The dwelling 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. Building Regulations - 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.

19. Obscure glazing - The proposed first floor window on the northern flank of the proposed dwelling in Plot 1 hereby approved serving an en-suite as shown on Drawing No.'s SK002 Revision E and SK003 Revision E shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained.

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

20. Road noise assessment - Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from Albert Road and Victoria Road upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Reference should be made to the good standard to be found in the World Health Organisation Document number 12 relating to community noise and BS8233:1999. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

**Reason:** Insufficient information has been supplied with the application to assess the impact of road noise. Submission of this detail prior to occupation in the case of new building works will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

## **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 Mr Alan Ross during the course of the application. The revisions involved reducing the number of proposed dwellings from six to five and revising the design, scale and layout of the scheme. The amendments were subsequently submitted on 2<sup>nd</sup> March 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 £10,572.80. 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. 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. 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.
5. Changes to the public highway (including permanent or temporary access) – Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access as required (whether temporary or permanent) there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. please note that unauthorised work on the highway is an offence.
6. 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 works on the highway is an offence.
7. 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.
8. 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.
9. Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and

Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site comprises a 0.09 hectare plot of land facing southwest onto Albert Road. To the north of the site is the rear of a two storey terrace of houses which face onto Victoria Road; to the south is an access road running east to west onto Albert Road and beyond that is the flank of a terrace of two storey houses which face west onto Albert Road; to the east is a St John's Ambulance Station served by the access road mentioned above and to the west is Albert Road across which is another terrace of two storey houses facing east towards the application site. The Victoria Public house is located some 20 metres to the northwest of the site on the corner of Albert Road and Victoria Road.

### 2. Description of Proposal

- 2.1 The application is for the erection of five dwelling houses, which comprise of one, two storey detached dwelling and a terrace of four dwellings with associated car parking and amenity space.

### 3. History

- 3.1 P1590.17 - Erection of a 9 unit apartment block at 1 Albert Road, Romford - Undetermined.

P0511.17 - Erection of 6 Dwelling Houses at 1 Albert Road, Romford - Withdrawn.

P0090.15 - Demolition of existing building and construction of 5 new dwellings with off street car parking, landscaping and private amenity - Approved.

P1243.14 - Demolition of existing building and construction of 6 new dwellings with off street car parking, landscaping and private amenity - Refused. Appeal dismissed.

## 4. Consultation/Representations

4.1 The occupiers of 35 neighbouring properties were notified of this proposal. One letter of representation, one letter of support and two letters of objection were received with detailed comments that have been summarised as follows:

- Object to 6 dwelling houses.
- Siting, design, external appearance and its height, scale and bulk in relation to neighbouring properties.
- Would be an unneighbourly development, appear overbearing and dominant.
- Density.
- Overshadowing.
- Loss of outlook and views.
- Reference was made to planning application P1234.14 and the appeal decision.
- Reference was made to the Human Rights Act, in particular Protocol 1, Article 1 and Article 8.
- Inadequate car parking.
- Given the parking restrictions to the front of the proposed dwellings, it was queried if the proposed parking spaces would infringe upon the public footpath.
- Access and congestion.
- If minded to grant planning permission, the following conditions were requested: Hours of operation and construction method statement.
- Fencing to the rear gardens of neighbouring properties should not be affected by the proposal.
- Overlooking.
- Provision of green squares and play spaces in Romford town centre.

4.2 In response to the above, the number of proposed dwellings has been reduced from six to five. Details of boundary treatment, hours of construction and a construction method statement can be secured by condition if minded to grant planning permission. Each planning application is determined on its individual planning merits. Comments regarding loss of views are not material planning considerations. Given the number of proposed units, there is no policy requirement to provide a play space for this proposal. The Human Rights Act 1998 requires that the Local Planning Authority to act consistently within the European Convention on Human Rights. Of particular relevant to the planning decisions are Article 1 of the First Protocol – The right of the Enjoyment of Property, and Article 8 – The Right for Respect for Home, Privacy and Family Life. Whilst these rights are not unlimited, any interference with them must be sanctioned by law and go no further than necessary. In taking planning decisions, private interests must be weighed against the wider public interest and against any competing private interests Planning Officers have taken these considerations into account when making their recommendations and Members must equally have regard to Human Rights issues in determining planning applications. The remaining issues are addressed in the following sections of this report.

- 4.3 The Highways Authority has no objection to the proposal subject to conditions regarding vehicle cleansing and a construction method statement and informatives if minded to grant planning permission.
- 4.4 Fire Brigade - No additional fire hydrants are required. The Brigade is satisfied with the proposals.
- 4.5 StreetCare Department - Waste and recycling sacks will need to be presented by 7am on the boundary of the property on Albert Road on the scheduled collection day.
- 4.6 Environmental Health - Recommend conditions regarding contamination, boilers and a road noise assessment if minded to grant planning permission.
- 4.7 Essex & Suffolk Water - No objection.
- 4.8 Historic England - The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

## **5. Relevant Policy**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC11 (Non-designated sites), DC29 (Educational Premises), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Residential Design Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Planning Obligations Supplementary Planning Document (Technical Appendices) and the Havering Local Plan 2016-2031 Proposed Submission Version are material considerations.
- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 6.13 (parking), 6.9 (Cycling), 6.10 (Walking), 7.1 (building London's neighbourhoods and communities), 7.4 (local character), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The DCLG Technical Housing Standards document and the Parking Standards Minor Alterations to the London Plan are relevant.
- 5.3 Policies 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

## **6. Mayoral CIL implications**

- 6.1 All new floorspace is liable for Mayoral CIL. As the site has been cleared of all buildings there is no existing floorspace than can be offset against the CIL liability. The proposed dwellings would amount to 528.64 square metres

and the CIL rate is £20 per square metre giving a CIL liability of £10,572.80 subject to indexation.

## **7. Staff Comments**

- 6.1 The current proposal is for the erection of 5 dwelling houses. Consent has previously been given for the demolition of the existing building and the construction of 5 new dwellings with off street car parking, landscaping and private amenity under planning application P0090.15.
- 6.2 The main issues in this case are the principle of development, density and site layout, the impact on the streetscene and neighbouring amenity and highway and parking issues.

## **8. Principle of Development**

- 8.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for residential development according to DC61 of the DPD. Residential development in the form of five new dwellings would therefore not be unacceptable in land use terms. The principle of development was deemed to be acceptable for planning application P0090.15.

## **9. Density/Site layout**

- 9.1 The site has a PTAL of 6a and the area is considered to be suburban in character. Policy 3.4 Table 3.2 of the London Plan indicates that for 3.8-4.6 habitable rooms/unit, a density range of 45-90 units per hectare would be appropriate. The application site covers an area of approximately 0.09 hectares. The proposed density of development is 54 units per hectare, which is acceptable and within the range.
- 9.2 The proposed development adheres to all of the criteria of the DCLG Technical Housing Standard. With the exception of the single storey rear projections to the proposed dwellings in Plots 2-5, the footprint of the proposed dwellings remains almost the same as that previously approved under application P0090.15. Also, the footprint and height of the proposed dwelling in plot 1 are smaller and lower respectively than that previously approved.
- 9.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design places emphasis on new developments providing well designed quality spaces that are usable. In terms of amenity space provision, the proposed dwelling in plot 1 would have a private amenity space of approximately 200 square metres. The proposed dwellings in plots 2-5 would have a private amenity space of between approximately 53 and 57 square metres. Staff are of the view that the proposed rear garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining,

clothes drying and relaxation. Details of boundary treatment and landscaping can be secured by condition if minded to grant planning permission.

## **10. Design/Impact on Street/Garden Scene**

- 10.1 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must therefore complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.
- 10.2 Consent was previously granted for five dwellings on the site - comprising of one detached property and a terrace of four dwellings, all with gabled roofs under application P0090.15. The type of properties remains the same for this proposal. In comparison with the previous application, the proposed detached property in plot 1 has a hipped roof that minimises its bulk and a ridge height of approximately 7.2 metres, which is 1.1 metres lower than that previously approved (at 8.3 metres). The proposed dwellings in plots 2-5 have the same ridge height as that previously approved. The proposed dwelling in plot 1 has a smaller footprint than that previously approved under application P0090.15. With the exception of the single storey rear projections to the proposed dwellings in Plots 2-5, the footprint of the proposed dwellings remains almost the same as that previously approved under application P0090.15.
- 10.3 It is considered that the height, form and design of the proposed dwellings would integrate satisfactorily in the streetscene and with the character and appearance of the surrounding area. The proposed materials are intended to achieve a traditional elevation treatment and suit a Victorian/late 19<sup>th</sup> century style of architecture with yellow brick, a fibre cement slate roof and white timber sash windows and samples of these will be secured by condition if minded to grant planning permission.

## **11. Impact on Amenity**

- 11.1 Policy DC61 states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 11.2 To the north and north west of the application site is the rear of a terrace of houses which face onto Victoria Road. When reviewing the merits of this application, consideration was given to the following factors. The side garden of the proposed detached house would abut the rear of the gardens of these properties and the garden boundary would be approximately 7 metres from the rear wall of the nearest property on Victoria Road and this relationship was deemed to be acceptable for the previous approved application, P0090.15.

- 11.3 The flank wall of the proposed detached house in plot 1 would be approximately 10 metres from the bottom of the gardens of the houses in Victoria Road and a minimum of approximately 18 metres from the rear of the houses. It is considered that this separation distance is sufficient to adequately mitigate any loss of sunlight/daylight or outlook that might be caused by the new development. The siting of the proposed houses remains the same as that previously approved under application P0090.15. Furthermore, the proposed dwelling in plot 1 has a smaller footprint than that previously approved under application P0090.15. In comparison with the previous application, the proposed detached property in plot 1 has a hipped roof that minimises its bulk and a ridge height of approximately 7.2 metres, which is 1.1 metres lower than that previously approved at 8.3 metres. The proposed dwellings in plots 2-5 have the same ridge height as that previously approved. With the exception of the single storey rear projections to the proposed dwellings in Plots 2-5, the footprint of the proposed dwellings remains almost the same as that previously approved under application P0090.15.
- 11.4 The rear gardens of No.'s 124-132 Victoria Road have a minimum and maximum depth of approximately 7 and 28 metres, which would help to mitigate the impact of the proposal. Given the separation distances between neighbouring properties and the proposed dwellings, Staff consider that the proposed development would not result in a significant loss of amenity (including overlooking, loss of privacy and outlook) to adjacent occupiers. This is same conclusion as was reached in connection with the previous proposal. It is considered that the single storey rear projections of the terraced dwellings in plots 2-5 would not be harmful to residential amenity, as their depth of 2 metres is relatively modest, their flat roofs have a height of 3 metres and their flat roofs minimise their bulk.
- 11.5 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed residential 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 amenities of neighbouring occupiers.
- 11.6 The first floor flank window of the proposed dwelling in plot 1 serving an ensuite can be obscure glazed if minded to grant planning permission to protect neighbouring amenity. Details of landscaping and boundary treatment will be secured by condition. The dwellings in plots 2-5 do not have any flank windows.

## **12. Highway/Parking**

- 12.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. The application site is in PTAL 6a, is well served by public transport and is within walking distance of Romford railway station.

The Council's parking standard is a maximum of 1.5 to 1 spaces per unit. The London Plan has a car parking standard of up to 1 space per unit within PTAL 5 to 6. In total 10 car parking spaces are proposed for the five dwellings, which is sufficient. The Highway Authority had no objection to the proposals and recommends two conditions regarding vehicle cleansing, a construction method statement and informatives if minded to grant planning permission. A Section 106 Legal Agreement will prevent future occupiers of the proposal from purchasing parking permits. Staff consider that creating vehicle access for the car parking spaces for the proposed dwellings would not infringe upon the public footpath irrespective of the parking restrictions in Albert Road. Details of refuse and cycle storage will be secured by condition if minded to grant planning permission. It is considered that the proposal would not create any highway or parking issues.

### **13. Section 106**

13.1 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.

13.2 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.

13.3 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.

13.4 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.

13.5 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.

- 13.6 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.
- 13.7 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.
- 13.8 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. Five new dwellings will equate to a contribution equating to £30,000 for educational purposes.

## **14. Conclusion**

- 14.1 Staff consider the site to be acceptable in principle for residential development. Staff consider that the proposal would not result in material harm to the character and appearance of the streetscene. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. Staff consider the amount and configuration of the parking proposals to be acceptable. A Section 106 Legal Agreement will prevent future occupiers of the proposal from purchasing parking permits. There would be a financial contribution of £30,000 for education purposes. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

## IMPLICATIONS AND RISKS

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

None

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

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

### **Human Resources implications and risks:**

None

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to equality and diversity.