



**REGULATORY
SERVICES
COMMITTEE**

REPORT

8 March 2012

Subject Heading:	P1583.11 – 29 Lessington Avenue, Romford – erection of railings to site frontage, surfacing front driveway, provision of window security (Application received: 28 October 2011; revised plans received 2 December 2011; amended details received 13 January and 3 February 2012)
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Policy context:	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
Financial summary:	None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The proposal relates to an application for the erection of railings to site frontage, surfacing front driveway and provision of window security. Staff consider that the proposal would accord with environmental policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

That planning permission is granted subject to the following conditions:

1. Time Limit for Commencement The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. 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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Visibility Splays Pedestrian visibility splays shall be provided 2.1m wide to either side of the vehicular access to the satisfaction of the Local Planning Authority. The approved visibility splays shall be kept permanently unobstructed (with the exception of the approved railings) with no planting or other attachments exceeding 0.6m above ground level within the splay area thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

4. Design of Railings The railings to the sliding gates shall align with the fixed railings when in the open position to ensure that no obstruction of the visibility splay occurs.

Reason: In the interests of Highway Safety.

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

Reason: To insure the scheme has adequate landscaping and to ensure any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme and that the development accords with Policy DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document and in accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

6. Colour of Railings The proposed railings shall be finished in black and thereafter retained.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

INFORMATIVES

1. While condition 1 above gives the applicant the standard 3 year time limit in which to begin to implement the approved scheme, the applicant is reminded that the requirements of the Enforcement Notice were to ensure that the approved scheme was implemented within 9 months of the Planning Inspectorate decision letter dated 7th April 2011, i.e., by 6th January 2012. Since this date has now been passed, these works should be undertaken as a matter of urgency, in line with an agreed timetable.
2. INF23 Reason for approval:
The proposal accords with Policies DC32, DC33, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation 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 and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

Background

The application was deferred from 15th December 2011 Regulatory Services Committee to allow officers to discuss with the applicant the concerns raised by the Committee. Specifically this related to Members' concern that the visual impact of the proposed security measures would result in the property looking out of character in the street scene to the detriment of neighbouring amenity in a residential area. The applicant has made changes to the proposed window security measures and the landscaping details. The applicant has indicated that they are not willing to amend the railings/gate details previously submitted as following advice from the Crime Prevention design Advisor raising concerns regarding the effectiveness of the proposed window treatment against forced entry, they feel that the need for the railings is greater to prevent any attempts at forced entry. The changes to the window and landscaping been integrated into the remainder of this report, together with Staff comments on the amended scheme.

1. Site Description

- 1.1 The site is comprised of a detached bungalow with side and rear extensions, including a large conservatory. The property appeared vacant at the time of the site visit, however the lawful use of the building is for mixed purposes of residential, a children's after school/holiday club, and place of worship for Friday Masjid (for 1 hour), Ramadan, Eid and Haj. There are two accesses to the highway via gates in the current railings with parking in a single garage and on the forecourt area. At the time of the site visit, the front windows were hidden behind steel cladding and the front forecourt area was mainly concreted over.
- 1.2 The surrounding area is mixed in character; while mainly two-storey residential predominate, the site is directly opposite Crowlands Primary Schools and backs onto Romford Stadium (dog racing track) at the narrow part of its triangular garden.
- 1.3 There are parking restrictions in place including double lines to the bend near the property and residential parking bays in roads connecting to London Road to the north; otherwise there is some unrestricted on-street parking availability.

2. Description of Proposal

- 2.1 The proposal is for the erection of railings to the site frontage, surfacing the front driveway and provision of window security.

- 2.2 The proposal involves the erection of front boundary 1.8m high railings on a 0.075m high plinth and a single vehicle access gate to the same height in black with a fleur-de-lis detailing. The front driveway would be re-laid as permeable paving using a resin-bound paving with gravel which would be porous.
- 2.3 There would be planters of between 0.4m and 0.6m wide to the front railings and to the side fencing except where the access is. The landscaping would be kept below 0.6 metres within the visibility splay areas. It is proposed to provide relatively dense planting including outside the visibility splays some evergreen climbers against the railings. Clematis armandii is an evergreen with small leaves, small flowers and pretty flower seed heads. It is relatively fast growing and would be able wind itself around the railings such that it would appear in places to be growing on both sides of the railings.
- 2.4 In respect of window security, as a change to the previously submitted Crimeshield which would have provided a screen either in front or behind the existing windows which would look like tinted glass and would have allowed 60% of light to pass through, the amended proposal is to use Windowshield Barrier. This Barrier is polycarbonate glazing between 200 and 300 times stronger than glass but would be transparent and would appear as a discrete secondary glazing unit. Details submitted indicate that the glass protection would not affect the appearance of the property while protecting the property. It can be cleaned and is scratch resistant.
- 2.5 The applicant indicates that the security measures are necessary as the property has been the subject of stoning and fire bombing attacks which have meant that it has become extremely difficult for the applicant to obtain insurance for the premises.

3. History

- 3.1 P1334.97 – Change of use to after school club Monday to Friday for about 2 hours – granted 6/2/98 for a limited time until 28/2/1999
- 3.2 P0024.99 – Change of use to permanent after school club and holidays for the full day – granted 19/3/99
- 3.3 P2440.06 – Change of use to Use within Class D1 – refused 26/3/07
- 3.4 E0006.07 – Change of Use to D1 for use as a Friday Masjid – refused 10/7/07; subsequent appeal – Certificate Granted
- 3.5 Enforcement Notice served in respect of the hardstanding, steel window casements and front boundary treatment – subsequent Appeal dismissed and the Enforcement Notice upheld with variations 7 April 2011

4. Consultation/Representations:

4.1 6 neighbouring and nearby properties were notified of the application. 2 pieces of correspondence have been received objecting to the proposal on the following grounds:

- the spikes on top of the fencing represent a Health and Safety hazard
- the metal mailbox affixed to the outside of the fencing is a hazard to pedestrians, particularly children from the school opposite
- the railings have a severe cage-like appearance and have an adverse impact on visual amenity in the streetscene

An objection was also made on the basis that the application should not have been validated because it was previously rejected and then rejected on appeal.

4.2 The Metropolitan Police Crime Prevention Design Advisor has written to advise that there have been a number of crimes at the application property and he confirms that he has been involved in the consideration of what crime prevention measures may be appropriate in this mainly residential area. He has no specific objections to the proposal.

5. Staff Comments

5.1 The issues in this case are the principle of the development, the impact of the development in the streetscene and on residential amenity. Policies CP17, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant. SPD on Designing Safer Places and Policies 7.3 and 7.4 of The London Plan (2011) and PPS1 and Safer Places: The Planning System and Crime Prevention.

Principle of development

5.2 The proposal is for railings to the front boundary, hardstanding and window treatments to a building which is used for a number of purposes including residential, an afterschool/holiday/club and place of worship (mainly 1 hour per week on Fridays).

5.3 Staff consider that the proposed works associated with this building would be acceptable in principle, subject to detailed consideration below.

Impact in the Street Scene

5.4 The proposed works, being to the front of the property, would all be visible in the streetscene. The proposed fencing is in the form of 1.8m high black railings on top of a 0.075m plinth with hardstanding and landscaping being

applied to the ground (replacing the existing concrete) and Windowshield Barrier being provided to the windows.

- 5.5 While the railings would be higher than most boundary treatments in the locality, they would be permeable enabling a view of the property behind and would be similar in style to the school railings opposite. This would be supplemented by planting directly to the rear of the railings (except where the gates are located) which would help to soften its impact in the streetscene. Staff therefore consider that the railings would have an acceptable impact on visual amenity whilst at the same time affording a higher than normal level of security to the mixed-use building.
- 5.6 The proposed hardstanding would be porous and bound gravel such that it would overcome concerns raised by the Planning Inspector in considering the recent Enforcement Notice appeal both in respect of drainage of surface water and in that it would be more in keeping with the residential character of the area. This is supplemented by planting to the front and side boundaries which should ensure that the hardstanding does not appear overly excessive or harsh. Staff therefore consider that the proposed hardstanding/landscaping would be appropriate and in character in the locality.
- 5.7 The proposed security window treatment would be visible in the streetscene. According to details submitted, as there has been damage to the windows of the property it is expected that it would be provided to the outside of the windows. It is proposed to provide the transparent thick polycarbonate glazing to the outside of the window with a window surround which would blend with the existing window materials. Staff consider that the proposed security window treatment would overcome the crime issues highlighted whilst not resulting in unsightly or overly large window protection such as external shutters or metal casing which would be out of context in this residential area and to a residential property.
- 5.8 Staff consider that the proposal would have an acceptable impact on visual amenity in the streetscene. Members may place different weight on this issue and decide that the proposals would be unacceptable in terms of visual amenity to the detriment of visual amenity in the streetscene.

Impact on Residential Amenity

- 5.7 The application site generally appears vacant and unused except for when prayer meetings occur. The large areas of concrete hardstanding to the front and rear of the site and paling fencing and existing metal window protectors makes the property appear to be in use for commercial operations uncharacteristic of this residential area. It is considered that the proposed works would have a generally positive impact on residential amenity.
- 5.8 The use of the building is lawful and the proposal seeks only to provide a suitable front garden to the existing residential property. It is not considered

that the proposed works would have any direct impact on residential amenity, other than in general terms.

Highways

- 5.9 The proposed front boundary treatment would raise no highways or parking issues provided pedestrian visibility splays are provided either side of the vehicular access. A suitable condition can be attached to any grant of planning permission.

Secured by Design

- 5.10 The Crime Prevention Design Advisor has written to advise that 14 crimes have been reported at the application property with 8 of them being criminal damage to windows. It is his view that the proposed measures would provide adequate protection to the property and anyone using it.

6. Conclusions

- 6.1 Staff consider that the proposal which is to overcome crime at the application site while being acceptable in a residential area does achieve this aim without resulting in any harm to visual or residential amenity and would be acceptable in terms of highway safety. Members may place different weight on the issues raised, nonetheless Staff considered that the proposal would be acceptable in terms of its impact in the streetscene, on residential amenity and highways and therefore recommend that planning permission is granted.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 None

9. Human Resource Implications:

- 9.1 None

10. Equalities and Social Inclusion Implications:

- 10.1 The proposal would enable those using the property including residential occupiers, the children attending the after-school/holiday club and people

attending the property for prayers on Fridays and during Ramadan, Eid and Haj to do so with a reasonable level of peace and safety.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.