



Application Reference:	P2103.17
Location:	49 Malvern Road, Hornchurch
Ward:	Romford Town
Description:	Existing bungalow demolished, proposed 2No. x 4 bedroom detached house
Case Officer:	Cole Hodder
Reason for Report to Committee:	A Councillor call-in has been received.

1. BACKGROUND

- 1.1 The application was called in by Councillor Joshua Chapman prior to the implementation of the delegated power changes agreed by Governance Committee and Council. The call-in has been honoured on the basis on which it was originally lodged.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The site benefits from a previous permission enabling the developer to construct a pair of semi-detached dwellings. Whilst the visual impacts associated vary slightly, on balance they are not considered to be materially greater than previously considered. Accordingly officers do not consider that there are sufficient grounds to substantiate a refusal.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to:

The prior completion of a legal agreement to secure the following planning obligations:

- A financial contribution of £6,000 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.

- 3.2 That the Head of Planning is delegated authority to negotiate the legal agreement indicated above.
- 3.3 That the Head of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time Limit 3 years - Development must be commenced no later than three years from the date of this permission.
2. Accordance with plans - The development must not deviate from the approved plans.
3. Materials - Details/samples of all materials to be used in the external construction of the building.
4. Landscaping - Details of any/all hard and soft landscaping within the site including any proposed planting
5. Boundary Treatment - Details of all proposed walls, fences and boundary treatment
6. Compliance with Part M4(2) of the Building Regulations - The dwelling show comply with Part M4(2) of the Building Regulations
7. Compliance with (Reg 36 (2)(b) / Part G2 of the Building Regulations) - The building shall comply with Part G2 of the Building Regulations.
8. Construction Hours - All building operations in connection with the development shall take place only between 8.00am and 6.00pm Monday to Friday and 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.
9. Noise Insulation - The dwellings shall be constructed to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise
10. Cycle Storage - Details of cycle storage provision
11. Refuse and recycling - Details of refuse storage

12. Construction Methodology - The applicant is required to provide a detailed Construction Method Statement.
13. Balcony Condition - The roof area of the rear projection shall not be used as a balcony, roof garden or similar amenity area without separate planning consent.
14. Flank window condition - 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) unless permission is sought.
15. Obscure Glazing - Flank windows shown shall be permanently glazed with obscure glass not less than level 4 obscurity on the standard obscurity scale.
16. Removal of permitted development rights - 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 permission having first been sought.

Informatives

1. Approval no negotiation
 2. Approval and CIL
 3. Street name and numbering – Prior to occupation the dwellings hereby permitted must be Street Named and/or Numbered by LB Havering's Street Naming and Numbering team
- 3.4 That, if by 5 November 2018 the legal agreement has not been completed, the Head of Planning is delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

4.1 Proposal

- This application seeks permission for demolition of the existing detached dwelling and the construction of a pair of semi-detached dwellings with living accommodation within the roof as an integral feature. Dormer windows are proposed to the front and rear elevations.

4.2 Site and Surroundings

- The application plot comprises an area of some 350m², inclusive of a single detached bungalow with a footprint of 70m²
- The dominant building form within the locality is pairs of two storey semi-detached houses, with minimal setback from the back edge of the highway.

- Parking is provided in on-street bays which are for the use of resident permit holders only.

4.3 Planning History

The following planning decisions are relevant to the application:

P0621.08 - Development of two three bedroom dwellings - Approved but development not implemented

P1804.16 - Demolition of existing detached bungalow and construction of two semi-detached dwellings (three bedrooms) - Approved and capable of being implemented until 7 August 2020.

5 LOCAL REPRESENTATION

5.1 A total of twenty nine neighbouring properties were notified about the application and invited to comment.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: Three of which, three objected.

Petitions received: One objecting, containing forty-three signatories

The following Councillor made representations:

- Councillor Joshua Chapman is concerned that the site is too small and thin to accommodate dwellings of the size sought and that the proposals could be representative of an overdevelopment of the site.
- In addition concerns are expressed over increased parking problems within a road where parking is already considered to be a problem.
- The design of the dwelling houses is not considered to complement the character of the neighbourhood with a modern design that would be in stark contrast with the other Victorian properties.

Representations

5.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Impact on parking and the increased competition for spaces

Non-material representations

5.4 The following issues were raised in representations, but are not material to the determination of the application:

- Prospective occupancy, potential HMO etc. The applicant seeks consent for two residential dwellings and accordingly members must consider the development as such.

5.5 Highway Authority: Objection to the proposals. The site has a PTAL of 2 (poor) which attracts a parking standard of 1 -1.5 spaces per unit. With the number of bedrooms it is expected that parking should be provided at the higher end of this range. Accordingly there is concern that the development will place pressure on the existing residents' parking scheme. DC33 applies. Highway Authority acknowledges that there is an extant permission under P1804.16 for three bedroom dwellings.

6 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the application that the committee must consider are:

- The impacts of the development over and above those previously considered in the determination of application P1804.16.
- The visual impacts associated with the formation of dormer windows to the front roof slope, the increased ground floor footprint and formation of Juliet balconies to first floor rear elevation. In all other respects the dwellings are as previously considered.
- The acceptability of the development without any provision for off-street parking having been made, mindful that consent has been granted previously for a parking-free scheme at the site.

6.2 Formation of dormer windows

- Whilst recognised to be of a width greater than that set out within the Residential Extensions and Alterations Supplementary Planning Document, the dormer windows would be modestly proportioned.
- The street-scene and immediate surroundings of the application site are of varied character and lack uniformity with contrasting dwelling types observed during site inspection.
- Accordingly whilst front dormers are not prevalent within the immediate locality, this is not in itself sufficient justification for a decision to refuse planning permission.

6.3 Other visual changes

- The increased ground floor footprint would not result in any unacceptable harm to neighbouring amenity. An addition of a 3.0m single storey

element to each property is shown. There would remain an adequate separation from shared boundaries.

- The formation of a 'Juliet Balcony' at first floor level to serve each dwelling would not result in any increased levels of overlooking/loss of privacy that could reasonably be considered to be more harmful than that of traditional fenestration, or views from the rear dormer windows as part of the extant permission for the site.

6.4 Vehicle parking

- The application property has no off-street parking and the current proposals would make no provision for off-street parking. The introduction of a new dwelling would represent an intensification of the existing residential use and the Highway Authority have objected on the basis that there would be potential for increased parking stress.
- It is important to recognise that the site benefits from an existing permission that allowed an additional 3 bed dwelling with no provision made for off-street parking for either the host/proposed unit. That decision is a material consideration. However, it is also noted that the 4 bed nature of this proposal would lead to a greater impact on the highway than that permitted by the existing permission.
- Whilst car parking was observed to be in fairly high demand in this location particularly in the evenings, it was concluded previously that an effective on-street parking control system was in place. Properties located on Malvern Road tended not to benefit from off-street parking and the view taken previously was that the addition of one new dwelling (having had regard to the existing arrangement) would not be of sufficient detriment to form sole grounds for refusal.
- Whilst it is reasonable for there to be some expectation for off-street parking, given the earlier decision to grant permission and the absence of quantifiable harm between the previous scheme and this one, staff consider a refusal on the basis of lack of parking would be difficult to sustain were an appeal submitted.
- Potential occupiers of the proposed dwellings would be aware of the absence of off street parking and consequently the need to apply for a parking permit before deciding whether to purchase a property in this location. Were the application to provide off-street parking, this would not offset the loss of community parking bays which would be required to facilitate such an arrangement.

Local Financial Considerations

- 6.5 The proposal would attract the following section 106 contributions to mitigate the impact of the development:

- Up to £6,000 towards education infrastructure.

6.6 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:

- £4,720 Mayoral CIL towards Crossrail

Conclusions

6.7 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.