



**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

21 July 2011

<b>Subject Heading:</b>	<b>P0322.11 – 63 Pettits Lane, Romford</b>  <b>Revised parking layout to create additional parking spaces with relocated boundary fencing (Application received 15<sup>th</sup> March 2011)</b>
<b>Report Author and contact details:</b>	<b>Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk</b>
<b>Policy context:</b>	<b>Local development Framework</b>
<b>Financial summary:</b>	<b>None</b>

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

- Clean, safe and green borough
- Excellence in education and learning
- Opportunities for all through economic, social and cultural activity
- Value and enhance the life of every individual
- High customer satisfaction and a stable council tax

**SUMMARY**

The application seeks permission to revise the existing parking layout of the nursery on site to create additional parking spaces with relocated boundary fencing.

This proposal is put forward before the committee due to the applicant being a direct relative of an elected councillor. This report has been passed to the

Monitoring Officer and the Monitoring Officer is satisfied that the application has been processed in accordance with standard procedure.

Staff consider that the proposal would accord with relevant policies contained in the LDF Core Strategy and the Development Control Policies Document Plan. Approval is therefore recommended, subject to planning conditions.

## RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

1. 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. 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. The parking spaces shall be allocated as following, 1-5 & 8 for staff parking and spaces 6-7 as a drop off zone. Thereafter, this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate on-site parking is available.

4. The proposals shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access(es), set back to the boundary of the public footway. There shall be no obstruction or object higher than 0.6metres within the visibility splay(s).

Reason: In the interests of highway safety.

5. The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason: To ensure the interests of the travelling public are maintained and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

6. The 8 parking spaces shall remain in use for the nursery at 63 Pettits Lane only.

Reason: To ensure adequate on-site parking is available.

7. Before any of the development hereby permitted is commenced, details and samples (where appropriate) of all materials to be used in the construction of the car parking and fencing 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: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the Core Strategy and Development Control Submission Development Plan Document Policy DC61.

8. The development hereby permitted shall not be implemented other than in conjunction with a planning permission granted pursuant to planning application reference P0301.11.

Reason: To ensure the proper development of the application site.

## **INFORMATIVE**

1. The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy DC33, DC36, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now 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 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. 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 & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
3. The developer, their representatives and contractors are advised that planning approval 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.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The site lies on the eastern side of Pettits Lane on the junction with Havering Drive and comprises a detached two storey building currently used as a nursery. Off street parking is provided in bays accessed from Havering Drive with garages behind. The front of the property is occupied by a grassed area with nursery signage, while the boundaries are enclosed by close boarded fencing. The locality is predominantly residential in nature and typified by two storey dwellings with off street parking.

### **2. Description of proposal**

- 2.1 Permission is sought for a revised parking layout to create additional parking spaces with a relocated boundary fence. There would be an additional 2 spaces to bring the total to 8. Parking spaces 1 and 2 are located in the existing garages. Spaces 3-5 and 8 are located off a crossover from Pettits Lane which will require an extension to incorporate space no. 8. Spaces 6 and 7 are located in front of the garages and are accessed from an existing crossover from Pettits Lane. The existing fencing divides the parking area in two halves; this would be removed to leave an open area of hard standing. The existing fence would be relocated to enclose space no. 8 from the garden area.
- 2.2 This application is linked to P0301.11 which seeks to vary the conditions imposed under P2091.04 to allow for an increase in children from 20 to 30 children on site.

### **3. Relevant History**

- 3.1 P0301.11 – Variation to condition 4 of P2091.04 to increase the number of children on site from 20 to 30 – under consideration.

P1211.10 – Variation to condition 3 and 4 of P2091.04 to increase the number of children on site from 20 to 34 and number of children allowed outside from 10 to 20 – withdrawn.

P1212.10 – single storey garden pavilion – approved.

P2091.04 – Permanent retention of day nursery to first floor – approved.

P1593.03 – Extension of temporary planning permission for a further year – use of first floor as day nursery) – approved.

P0597.02 – Erection of no. 2 covered ways, and change of use of first floor from domestic to early years centre – approved.

P1470.99 – Single storey side extension and change of use of ground floor to day nursery with self contained flat above – approved.

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

4.1 Neighbour notification letters were sent to 15 properties. One representation was received, stating the following objections:

- Area is residential in nature
- Garden would decrease in size
- There are already excessive noise levels from the garden
- Current garages are not used by the nursery, so there is a shortfall in parking

#### **5. Staff Comments**

5.1 The issues for Staff to consider relate to the impact the increase in the number of children allowed on site would have upon the amenity of neighbouring occupiers, highway and parking demand.

5.2 Policies to be considered are DC29 (Educational premises), DC33 (Car Parking), DC36 (Servicing) and DC61 (Urban Design).

5.4 Principle of development

5.4.1 Policy DC61 states that planning permission will only be granted where development responds to distinctive local building forms, and respects the scale, massing and height of surrounding development.

5.4.2 Policy DC29 seeks to ensure that the provision of educational facilities is of a high quality. The additional parking would be required to facilitate a proposal for an increased number of children on site.

5.5 Design/Impact on Street scene

5.5.1 There would be an enlarged area of hard standing visible from the public highway. As this would appear as an extension onto an existing driveway; this is not considered to materially alter the character of the street scene. The existing fencing dividing the car park by the telegraph pole would be removed to create a larger, open area; the removal of fencing raises no concern from Staff, as it currently appears untidy within the streetscene.

## 5.6 Impact on Amenity

- 5.6.1 It is proposed to create an additional parking space, by removing an existing garden shed and increasing the area of hard standing. This would be accessed via an extended crossover. The garden area of the nursery would be smaller as a result, however, the garden area is currently occupied by a shed rather than open play space, and it is considered that there would be no loss of amenity to the nursery. The enlarged hard standing would increase the number of vehicles which can park, however, this intensity in use is not considered to result in a loss of amenity to neighbouring occupiers given the overall scale of development.

## 5.7 Highway/Parking/Access

- 5.7.1 Representations from Highways recommend the extension of the crossover to form 8 side by side parking spaces, including the extension towards Pettits Lane to provide an additional space. Subsequent Staff discussions have later considered this impractical as it would require the relocation of an existing telegraph pole, which would result in high cost to the applicant. Highways have stated that spaces 6 and 7 are impractical and should be removed as they block the garages. However, this is an area of existing hard standing and is currently being used for staff parking. As this is an existing situation, Staff raise no objections and it considered that a refusal on parking grounds would be difficult to substantiate given the wider improvements made to the parking layout. Highways have stated that this area in front of the garage could be used as a drop off zone.
- 5.7.2 It is considered that parking spaces 6 and 7 could be utilised as a drop off zone as per highway comments. Utilising this area as a drop off zone is not considered to prejudice the use of spaces 1 and 2 in the garages, as the drop off zone is not intended for long stay parking, instead for the drop off and collection of children from the nursery. This drop off zone can be secured by way of condition. A condition can also be used to secure staff parking in spaces 1-5 & 8.
- 5.74 The representation received stated that one of the garages is not used by the applicant and is rented out. The plans however, state that all parking spaces on site would be used by the applicant to provide parking. As this meets the policy, there is no objection. Furthermore, the increase in numbers of children can only be implemented once all parking has been provided.

## 6. Conclusion:

- 6.1 Staff consider that the revised parking layout to create additional spaces is acceptable. This revised layout creates one area of hard standing which provides 8 parking spaces. Although comments from Highways deem spaces 6 and 7 impractical as they are located forward of the garage, this is an existing area of hard standing and parking, as the number of parking

spaces meets the Highway standard, a drop off zone can be utilised in this area front of the garage, which would not prejudice the practicality of the garages. Staff considered the proposals acceptable.

## IMPLICATIONS AND RISKS

**Financial implications and risks:** None

**Legal implications and risks:** None

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

**Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity. There is an existing need for nursery school places in Romford Town. There is an additional application on site which seeks to increase the number of places at the nursery; this would not be possible without the variation to the parking layout.

## BACKGROUND PAPERS

Application forms and plans received 28/02/2011

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.