



**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

30 June 2011

**Subject Heading:**

**P0652.11 – Land between 2 & 174  
Daventry Road, Harold Hill, Romford**

**Two No. three bedroom semi-detached  
houses with provision of a parking  
area for local resident use (Application  
received 16<sup>th</sup> May 2011, revised plans  
received 27<sup>th</sup> May 2011 and additional  
plan received 21<sup>st</sup> June 2011)**

**Report Author and contact details:**

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**Policy context:**

**Local Development Framework  
London Plan  
National Planning Policy**

**Financial summary:**

**None**

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

Clean, safe and green borough	[X]
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**

This application relates to the construction of a pair of semi-detached houses on a Council owned site. Members may recall that planning permission has previously been refused for the construction of two houses on this site. Planning permission was refused at the Regulatory Services Committee meeting on 24<sup>th</sup> March owing to Members concerns in respect of the creation of an enclosed alleyway and displacement car parking. This current application seeks to address the previous reasons for refusal. The planning issues are set out in the report below and cover the principle of the development, impact on street scene, residential amenity and highways/parking. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

**RECOMMENDATIONS**

It is recommended that planning permission be granted subject to the following conditions:

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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Car parking for dwellings - Before the dwellings hereby permitted are first occupied, two parking spaces per property shall be laid out and surfaced in accordance with the submitted plans to the satisfaction of the Local Planning Authority. The parking areas shall be 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Local resident's car parking area within the application site - Before the dwellings hereby permitted are first occupied, the area set aside for local resident's car parking within the application site as shown on plan number 10.6861.10 revision E shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking area shall be retained permanently thereafter for the accommodation of resident/visitor vehicles 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

5. Local resident's car parking area outside of the application site – Prior to the commencement of the development hereby permitted, the garages within the adjacent garage court (outlined in blue on the approved plans) shall be demolished and the site surfaced and laid out for local resident's car parking to the satisfaction of the Local Planning Authority. The parking area shall be retained permanently thereafter for the accommodation of resident/visitor vehicles 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

6. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. 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 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: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

8. 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.

9. Cycle storage - Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

10. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, including details of all boundary treatment to be retained and that to be provided, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details and the boundary treatment retained thereafter.

Reason: In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

11. Secure by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

12. External lighting of the development - Prior to the commencement of the development a scheme for the lighting of external areas of the development shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

13. External lighting of the nearby garage court - Prior to the commencement of the development a scheme for the lighting of the adjacent garage court (as outlined in blue on the approved plans) shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and residential amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

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 LDF Development Control Policies Development Plan Document Policy DC61.

15. Construction methodology - 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 authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) 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 LDF Development Control Policies Development Plan Document Policy DC61.

16. Land contamination - 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 I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A - Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a "Validation Report" must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, "Land Contamination and the Planning Process".

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

17. Sound attenuation - The dwellings hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact 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 and Noise'.

18. Obscure glazing - The proposed first floor flank windows serving bathrooms shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

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

19. No additional flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as

amended), no window or other opening (other than those shown on the approved plans), shall be formed in the flank walls of the dwellings 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.

20. Removal of Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008, Article 3, Schedule 2, Part 1, Classes A to E, no enlargements, improvements or other alteration shall take place to the dwellinghouses and no outbuildings or other means of enclosures shall be erected within the rear garden areas of the dwellinghouses 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.

21. Stopping up of Highway Land: The development shall not be commenced prior to six weeks after the publication of confirmation of the Stopping Up Order for that part of the application site which is highway land.

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 and to comply with statutory requirements under the Town and Country Planning Act 1990.

## **INFORMATIVES**

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway 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 the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.



2. In aiming to satisfy conditions 9, 10 and 11 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.
3. The applicant is advised that part of the application site is adopted public highway and as such the necessary application to make a stopping-up order under Section 247(A) of the Town and Country Planning Act 1990 (as amended) will need to be sought prior to the commencement of the development to extinguish the highway rights that currently exist.
4. 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.
5. 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.
6. With regard to surface water drainage it is the responsibility of a 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.
7. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP15, CP17, DC2, DC3, DC11, DC32, DC33, DC34, DC35, DC36, DC40, DC53, DC56, DC58, DC59, DC60, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3C.1, 3C.2, 3C.3, 3C.21, 3C.22, 3C.23, 3D.14, 3D.15, 4B.1, 4B.6 and 4B.8 of the London Plan.

**REPORT DETAIL**

**1. Site Description**

- 1.1 The application site is situated on the western side of Daventry Road to the north of no. 2 and to the south of no. 174. The site is presently open and occupied by a parking area for 14 to 16 cars and bordered by grass. The site has an area of 0.074 hectares. The site is bounded to the north, east and south by a footway which is adopted highway land. The footways connect Daventry Road with Straight Road. The application site is located within a predominantly residential area with two storey housing being the predominant housing type in the locality.

**2. Description of Proposal**

- 2.1 The application seeks full planning permission for the erection of a pair of semi-detached houses each containing three bedrooms.
- 2.2 The proposed semi-detached houses would be positioned fronting onto Daventry Road with their front elevations facing east. The proposed houses would each be of a pitched roof design with gabled ends and measure 10 metres in depth by 10.3 metres in width. The dwellings would be 4.7 metres in height to the eaves and 8.9 metres to the ridge. To the front elevation of each dwelling would be a porch canopy. Each canopy would measure 1 metre in depth by 2.5 metres in width and have a flat roof 2.3 metres in height. The exterior of the dwellings would be finished in coloured render with concrete roof tiles and UVPC windows.
- 2.3 The dwellings would be arranged internally to meet the Lifetime Homes standard and would achieve Code for Sustainable Homes Level 4. The proposed dwellings would be constructed using a timber frame system which would make the construction process faster than conventional brick developments. Conventional garden areas would be provided to the rear of the dwellings. Two parking spaces would be provided to the front of each house with cycle storage provided via sheds within the rear garden areas.
- 2.4 The proposed houses would be constructed on the site of an existing parking area which is utilised by local residents. The proposal would see six parking spaces retained for local residents use. The applicant has also indicated that an existing garage court opposite the application site containing a further seven spaces would also be made available for resident use.

**3. Background Information**

- 3.1 This application follows a previous refusal of planning permission (ref P0085.11) on the site which was also for the construction of a pair of semi-

detached houses. Members will recall that the Committee refused planning permission at the meeting on 24<sup>th</sup> March for the following reasons;

*The proposed development would result in the displacement of car parking onto surrounding roads which would be harmful to residential amenity contrary to the provisions of Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.*

*The layout of the proposed development would result in the undue enclosure of the adjacent public footpath creating an oppressive environment for users of the footpath and neighbouring occupiers contrary to the provisions of Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.*

- 3.2 This current application seeks to address the above reasons for refusal through the proposed stopping up of the alleyway to the northern boundary of the site adjacent to no. 174 Daventry Road. This application also differs from that previously refused in that an existing garage court on the eastern side of Daventry Road would be made available for local resident use. In all other respects this proposal remains the same as previously submitted.

#### **4. Relevant History**

- 4.1 P1731.10 - Four No. 3 bed terraced houses – Withdrawn
- 4.2 P0085.11 - Construction of 2No. 3 bed semi-detached houses with the provision of a parking area for local residents - Refused

#### **5. Consultations/Representations**

- 5.1 Neighbour notification letters have been sent to 41 adjoining addresses with four letters of representation being received and a petition with 139 signatures. The letters of representation received raise objection to the application on the grounds that the proposed gated alleyway would result in the dumping of rubbish, likelihood of lock to alleyway being broken, lack of car parking, difficulty for refuse to be collected, physical appearance of fencing, the proposal being an encroachment of civil liberties, being unable to park close to own property resulting in a vulnerability of personal attack.
- 5.2 The Borough Crime Prevention Design Advisor advises that the proposed stopping up of the alleyway would remove many of the potential vulnerabilities to crime of the development and pedestrians using the footpaths. In the event that planning permission is granted conditions are requested in respect of external lighting, boundary treatment, cycle storage and landscaping.
- 5.3 The London Fire and Emergency Planning Authority is satisfied with the proposals.

## **6. Relevant Policies**

- 6.1 Policies CP1 (housing supply), CP2 (sustainable communities), CP9 (reducing the need to travel), CP10 (sustainable transport), CP15 (environmental management), CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC11 (non-designated sites), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC53 (contaminated land), DC56 (light), DC58 (biodiversity and geodiversity), DC59 (biodiversity in new developments), DC61 (urban design) and DC63 (crime) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations.
- 6.2 The Supplementary Planning Document for Residential Design is a material consideration as is the Supplementary Planning Documents for Sustainable Design and Construction.
- 6.3 Policies 3A.1 (increasing London's supply of housing), 3A.2 (Borough housing targets), 3A.3 (maximising the potential of sites), 3A.5 (housing choice), 3A.6 (quality of new housing provision), 3C.1 (integrating transport and development), 3C.2 (matching development to transport capacity), 3C.3 (sustainable transport), 3C.21 (walking), 3C.22 (cycling), 3C.23 (parking strategy), 3D.14 (biodiversity), 4B.1 (design principles), 4B.6 (safety, security and fire prevention and protection) and 4B.8 (respect local context and communities) of the London Plan are relevant.
- 6.4 National policy guidance set out in Planning Policy Statement 1 'Delivering Sustainable Development', Planning Policy Statement 3 'Housing', Planning Policy Statement 9 'Biodiversity and Geological Conservation' and Planning Policy Guidance Note 13 'Transport' are also relevant.

## **7. Staff Comments**

- 7.1 This proposal is put before the Committee due to the application site being in Council ownership. The issues arising from this application are the principle of development, the layout and density of the development, design and street scene issues, impact on amenity, parking and highway issues, sustainability and community safety.
- 7.2 Principle of Development
- 7.2.1 The application site is presently formed by a parking area with a wedge of amenity grassland between the car park and Daventry Road. The partial loss of the parking area is discussed in further detail in the parking and highways section of this report. In principle however there are no policies which would advise against its loss. The proposal would also result in the loss of a wedge of green space (of 168 square metres in area) between the car park and Daventry Road. The land is not designated as public open space and as such no objection is raised to its loss. The application site is

located within a predominantly residential area and is considered to be suitable in principle for residential development in accordance with Policy CP1, subject to the detailed design of the proposals. The proposed residential redevelopment would contribute to the London Plan objective of increasing the overall supply of housing, specifically relevant are Policies 3A.1 and 3A.2.

7.2.2 Government guidance relating to sustainable development is contained within PPS1. This document refers in particular to the need to locate new development on land within existing urban areas. With reference to housing and sustainability local planning authorities are encouraged to make effective use of land within urban areas. Members may agree therefore that the redevelopment of the site would contribute to the principles of urban regeneration and sustainability. Furthermore staff are of the view that the proposal would contribute to the Council's vision namely the Living Ambition agenda.

7.2.3 In the event that Members are minded to grant planning permission staff recommend that a condition be imposed requiring an investigation of any potential contamination of the site.

### 7.3 Density and Site Layout

7.3.1 Policy DC2 seeks to guide a higher density of development to those parts of the Borough having good access to public transport. In this instance, the application site falls within a PTAL zone where a density of 30-50 units per hectare is anticipated. The proposed development would provide a pair of semi-detached houses. This would result in a density of 27 units per hectare, which is slightly below the anticipated density range. Notwithstanding this, staff are of the view that the density of development is acceptable as it would be commensurate with local character and would make an efficient use of urban land in accordance with PPS3.

7.3.2 The proposed houses would be arranged on the site so as to allow the provision of some landscaped areas to the front of the building with private amenity areas being located to the rear. Staff are of the view that the proposed site layout and plot sizes would be compatible with the existing street scene and local character.

7.3.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In this instance each of the proposed dwellings would benefit from private rear garden areas of approximately 45 square metres. Staff are of the view that the proposed rear garden areas would provide each dwelling with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

7.3.4 The proposed dwellings would have rear garden depths of 9 metres. Garden depths for surrounding properties generally achieve a depth of between 13 and 15 metres. Staff are of the view that the proposed rear garden depths, whilst of a lesser depth than those to be found in the local area, would not be harmful to local character. The proposal shows a scheme of hard and soft landscaping to the front and rear of the proposed building which staff consider to be acceptable subject to the submission of further details via condition.

7.3.5 Policy DC63 requires new development to address safety and security in the design of new development. Members will recall that the previous application would have resulted in the existing footpath which runs adjacent to the northern site boundary being enclosed on either side whereas at the moment the site affords open views towards this path. The previous application was refused by Members partly on the basis that the creation of an enclosed footpath would have been harmful to footpath users. In order to address this reason for refusal the applicant has entered into discussions with the Council with a view to closing off the footpath which is currently adopted public highway. Through this application it is proposed to stop up the existing footpath with lockable gates to be installed at either end. The stopping up of the footpath would prevent its use which staff consider would address the second reason for refusal of the previous application. In the event that Members were to grant planning permission for this development then the applicant would need to apply to the Council separately for a stopping-up order under Section 247(A) of the Town and Country Planning Act 1990 (as amended) which would then formally extinguish the highway rights that currently exist. Once the stopping up of the footpath has been established it is anticipated that the land would be disposed of by the Council's Housing Department to the applicant so that it can be included into the garden area of the proposed house to plot 1. Until such time as the land can be transferred to the applicant the maintenance of the closed off footpath would be undertaken by Homes in Havering on behalf of the Council.

#### 7.4 Design/Impact on Street scene

7.4.1 The character of the area is typified by two storey semi-detached and terraced housing of a similar architectural style. The proposed dwellings would be of traditional design which staff consider would be in keeping with the general character of the area. The proposed pair of semi-detached houses would be comparable with surrounding dwellings in terms of general proportions and detailing. The eaves height of the proposed houses would sit lower than that of the adjoining properties to either side of the site however the ridge line would be 1 metre greater than the adjoining properties. This aspect of the proposals was put to Members as a judgement at the time of the previous application and the Committee did not refuse permission on this ground. Staff are of the view that the proposed difference in roof height is acceptable and that the variety in building height would provide visual interest to the existing street scene. Given the siting of

the proposed houses the rear elevation of the building would be visible from Straight Road. Staff are of the view that whilst the houses would create a more developed feel to the street scene, this would not be harmful.

7.4.2 It is considered that the design and appearance of the proposed dwellings is of an acceptable quality, in accordance with relevant guidance. The proposed dwellings would utilise a mixture of materials including coloured render, concrete roof tiles and UPVC windows. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring dwellings. In any event full details and samples of materials can be controlled by condition should Members be minded to grant planning permission.

7.4.3 The design of the proposed dwellings is such that they would be fully accessible to those with disabilities, with each of the dwellings being built to meet the Lifetime Homes standard. The proposal is considered to accord with Policy DC7 in this respect and would provide residential accommodation to meet the needs of individuals throughout their lives through changing circumstances.

7.4.4 Through the policies of the Local Development Framework the Council is seeking to address climate change by encouraging the highest standards of sustainable construction and design in new development proposals. The proposed development would make use of modern sustainable design techniques, materials and construction methods. The proposed development aims to gain Code for Sustainable Homes Level 4, which is beyond the current requirements given in Policy DC49. Staff are of the view that the proposal would act as a showcase development for the Council's sustainability agenda and contribute positively to the regeneration of Harold Hill.

## 7.5 Impact on Amenity

7.5.1 The proposed dwellings would front onto Daventry Road and as such would result in a back to flank relationship with nos. 176 and 182 Daventry Road to the rear (fronting the green space). The proposed dwellings would be separated by a distance of 13 metres which staff consider would be acceptable to prevent a material impact in terms of overshadowing or loss of light. Given the siting of the adjoining properties the rear of the proposed houses would overlook the area to the green and front gardens of the adjoining properties. Staff are of the view that the proposed relationship is acceptable and would not result in a loss of privacy to adjoining properties.

7.5.2 The proposed dwellings would be largely contained within the existing building line of properties fronting onto Daventry Road. The proposed dwellings however would be slightly deeper than the existing neighbouring properties to either side of the site. The proposed dwellings would project approximately 2 metres beyond the existing rear building lines formed by nos. 164 to 174 Daventry Road. The proposed dwellings would be

separated from the flank site boundary to the north by a metre and would be further removed from the boundary with adjoining property at no. 174 Daventry Road by the existing right of way. A separation distance of 5.4 metres would be achieved between the flank of the proposed houses and the flank wall of no. 174 Daventry Road. The proposed houses would be separated from the southern site boundary by a distance of 13.6 metres. Staff are of the view that this distance would be acceptable to prevent the proposed houses having a harmful impact in terms of a loss of light or overshadowing.

7.5.3 In the flank walls of the proposed dwellings two windows are proposed, one at ground floor to serve a WC and one at first floor to serve a bathroom. The ground floor window to the north facing elevation would be capable of being screened by a boundary fence with the first floor windows capable of being conditioned with obscure glazing. Staff are of the view that these arrangements would suitably maintain the privacy of adjoining occupiers.

## 7.6 Parking and Highway Issues

7.6.1 The application site is presently open and occupied by a parking area for 14 to 16 cars and bordered by grass. The parking area is understood to have been provided as part of the estates original layout. The site is one of a number of parcels of land within the area which are being sold by the Council to Housing Associations in order to provide new affordable housing. The Council's Housing Department has advised that despite the site presently being a parking area, local residents have no legal entitlement to park on the land. Furthermore the applicant has no obligation to provide parking for local resident use. Notwithstanding this the applicant, in an effort to appease local residents concerns, has previously reduced the amount of development proposed for this site (from an initial proposal of four houses) in order to retain a reduced parking area for local resident use.

7.6.2 The majority of houses within Daventry Road presently have off street parking provided to the front garden area and as such the road is not judged to be overly congested by parked vehicles. The presence of a number of vehicular crossovers means that any displacement parking as a result of this proposal is likely to be pushed into the wider area. The roads surrounding the application site are not presently subject to any parking controls. There are however marked bays on the pavement along Daventry Road. The Council's Highway Engineers have advised that they would be unlikely to pursue parking restrictions, such as a Controlled Parking Zone, in this location given that an on street parking problem does not currently exist. If in the future such a problem did develop then parking controls could be explored and adopted separately through the Council's Highway Advisory Committee.

7.6.3 At the time of staff's visit on a weekday morning the existing car park was occupied by eight vehicles. Photographs submitted by local residents (in connection with the previous application) indicate that during the late



afternoon and evening period the car park is often almost full. In deciding to refuse planning permission for the previous application Members considered the loss of the existing parking area and the potential for displacement car parking onto the highway. This current proposal would see the retention of a smaller parking area for eight cars adjacent to the proposed houses as per the previous application. In addition the applicant has outlined that the existing garage court on the eastern side of Daventry Road which is accessed by a single track road between nos. 7 and 9 would be made available for local resident use. The existing garages within the garage court would be demolished to provide a new open parking area for up to eight cars. The retained parking area next to the proposed houses together with the parking made available within the garage court would therefore make provision for a total of 16 cars. Members will note that this is a comparable number of spaces to the existing situation. Staff are of the view that the amount of resident parking to be made available would be sufficient to prevent displacement parking onto the highway and into the wider area.

- 6.7.4 Members will note from the recommendation section of this report that separate planning conditions are recommended for the retained portion of car park adjacent to the proposed houses and the adjacent garage court. Condition 4 is suggested in order to ensure that the adjacent garage court is made available for local resident use prior to the commencement of the development. Condition 5 is suggested in order to ensure that following construction of the houses but prior to their first occupation the retained portion of car park would be made available for local resident use. Staff are of the view that this phased approach would ensure that adequate parking is made available throughout the construction period.
- 6.7.5 Access for each of the proposed dwellings would be taken from Daventry Road via new vehicular crossovers. The retained spaces for residents use would continue to be accessed from Daventry Road. The proposed access arrangements are considered to be acceptable and would not result in any adverse highways issues.
- 6.7.6 In respect of parking issues Policy DC33 seeks to ensure that the proposal provides adequate car parking on site for the proposed houses. The Council's adopted car parking standard recommends the provision of 1.5-2 spaces per unit in this location. The proposal would see the provision of two spaces per dwelling which is considered to be acceptable.
- 6.7.7 The submitted plans indicate that cycle storage would be provided via sheds within the rear gardens of each property. Should Members be minded to grant planning permission for this proposal then staff consider that a condition requiring further details would be reasonable.
- 6.7.8 The proposed stopping up or closure of the existing footpath adjacent to the northern site boundary would not have an adverse impact on pedestrian movement through the site as it would still be possible to use the existing footpath adjacent to the southern site boundary.

6.7.9 Policy DC40 advises that planning permission will only be granted for developments where suitable waste and recycling storage facilities are provided. In this case it is envisaged that refuse and recycling would be stored within the rear garden area of each property using the black and orange sack method. On collection day the sacks would then be placed at the property boundary for roadside collection. In the event that Members are minded to grant planning permission a condition requiring further details in this respect could be imposed.

## **7. Conclusion**

7.1 Members will be aware that this planning application follows a previous application for two semi-detached houses, which was refused on the basis of the potential for overspill car parking from the partial loss of the existing parking area and the creation of an enclosed footpath. Residential development on the site is considered to be acceptable in principle having regard to Policy CP1 of the LDF. Whilst in principle there are no objections to the partial loss of the existing parking area Members have previously refused planning permission on the grounds that the proposal would result in displacement car parking onto the public highway. In addition to the retention of eight parking spaces use within the application site this revised proposal would see a nearby garage court made available for local resident use. Staff are of the view that the availability of the nearby garage court together with the retained parking spaces within the site itself would be sufficient to prevent the overspill of cars onto the highway. Staff recognise however that this is a matter of judgement for Members.

7.2 The proposed houses are considered to be acceptable in terms of scale, form, massing and visual impact. In order to address the second reason for refusal of the previous application this proposal would see the existing footpath adjacent to the northern site boundary closed off through the stopping up order process. Staff are of the view that this arrangement would satisfactorily address the reason for refusal of the previous application. 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. The development is also considered to be acceptable in respect of highway issues. It is therefore recommended that planning permission be granted subject to conditions.

## **IMPLICATIONS AND RISKS**

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

This report concerns only material planning issues. Any land transaction between the applicant and the Council is dealt with independently.

**Legal implications and risks:**

This application is considered on merits and independently from the Council's interest as owner of the site.

**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 form, plans and supporting statements received on 16<sup>th</sup> May 2011 and 27<sup>th</sup> May 2011.