



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
15 September 2011**

**Havering Town Hall,
Main Road, Romford**

Members 11: Quorum 4

COUNCILLORS:

**Conservative Group
(7)**

**Residents' Group
(2)**

**Labour Group
(1)**

**Independent
Residents'
Group
(1)**

Barry Oddy (Chairman)
Barry Tebbutt (Vice-Chair)
Sandra Binion
Jeffrey Brace
Robby Misir
Frederick Osborne
Garry Pain

Linda Hawthorn
Ron Ower

Paul McGeary

Mark Logan

For information about the meeting please contact:

Richard Cursons (01708 432430)

E-mail: richard.cursons@havering.gov.uk

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

The Chairman will announce the following:

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting of the Committee held on 25 August 2011 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS WITHIN STATUTORY LIMITS (Pages 7 - 16)

6 P0827.11 - ELMHURST LODGE, TORRANCE CLOSE, HORNCHURCH (Pages 17 - 46)

- 7 **P1153.11 - LAND REAR OF 28-30 SWINDON LANE, HAROLD HILL** (Pages 47 - 60)
- 8 **P1155.11 - LAND ADJACENT 9 ORCHIS WAY, HAROLD HILL** (Pages 61 - 76)
- 9 **P1156.11 - LAND ADJACENT 15 OXFORD ROAD, HAROLD HILL** (Pages 77 - 92)
- 10 **P1152.11 - LAND ADJACENT 19 LEAMINGTON CLOSE, HAROLD HILL** (Pages 93 - 108)
- 11 **A0040.10 - 13 FARNHAM ROAD, HAROLD HILL** (Pages 109 - 114)
- 12 **P0788.11 - ST. ALBANS RC SCHOOL, HORNCHURCH** (Pages 115 - 122)
- 13 **P1093.11 - 13 FARNHAM ROAD, HAROLD HILL** (Pages 123 - 128)
- 14 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS OUTSIDE STATUTORY LIMITS** (Pages 129 - 166)
- 15 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Ian Buckmaster
Committee Administration and
Member Support Manager**

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Thursday 25 August 2011 (7.30pm – 8.45pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair), Sandra Binion, Jeff Brace, Robby Misir, Garry Pain, Barry Tebbutt and + Billy Taylor

Residents' Group Linda Hawthorn
Ron Ower

Labour Group Paul McGeary

**Independent
Residents' Group**

An apology for absence was received from Councillor Mark Logan

+ Substitute Member: Councillor Billy Taylor (for Fred Osborne)

Councillors Wendy Brice-Thompson, Steven Kelly, John Mylod and Frederick Thompson were also present for the parts of the meeting.

12 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

There were no declarations of interest.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

69 MINUTES

The minutes of the meetings held on 21 July and 4 August 2011 were agreed as a correct record and signed by the Chairman.

70 P1803.10 – 178 CROW LANE ROMFORD - steel clad building and P1804.10 – 178 CROW LANE ROMFORD canopy

Members were advised that the above two applications had been withdrawn by the applicant prior to the meeting.

71 P0991.11 – 21 RICHMOND ROAD ROMFORD - Change of Use to part of site to reinstate autoservice use (B2)

The report before members detailed an application for permission for the part change of use of the site in order to reinstate vehicle servicing. The site was currently in operation as an MOT testing station which would remain.

It was noted that three letters of representation had been received.

It was noted that the application had been called in by Councillor Frederick Thompson on the grounds that the development was unsuitable within a residential area.

With its agreement, Councillor Thompson addressed the Committee.

Councillor Thompson remarked that the proposal, if approved, would lead to an intensification of usage of the area and would create a noise nuisance for local residents. Councillor Thompson urged the Committee to refuse the application.

During the debate, members discussed whether servicing works would take place inside or outside of the site's buildings. Officers confirmed that there was a condition in place ensuring that vehicle servicing and MOT works would only take place within identified buildings.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

72 P0517.11 – 39 WOOD LANE, HORNCHURCH - Infill extension of existing patients entrance, relocation of patients entrance with front canopy, single storey rear extension with external alterations

The report before members detailed an application for an infill extension of the existing patients entrance, the relocation of the patients entrance with a front canopy and a single storey rear extension with external alterations.

Members noted that consideration of the application had been deferred at a previous meeting of the committee on 30 June so that staff could provide further information on various issues which were addressed in the report before members.

It was also noted that one letter of representation had been received.

It was noted that the application had been called in by Councillor Steven Kelly on the grounds that No. 39 Wood Lane was a medical centre, which needed to be developed and expanded. The single storey rear extension would not be intrusive on neighbouring

properties. The Medical Centre had short opening hours, as it was closed from 7pm until 9am.

With its agreement, Councillor Kelly addressed the Committee. Councillor Kelly advised that the medical centre would provide increased patient consultations, services offered to patients and ensured that centre's continued compliance with the Care Quality Commission. Councillor Kelly remarked that the new report before members was a more balanced report which lent itself towards approval. Councillor Kelly urged that the Committee approve the application.

Councillor Kelly also asked if an informative could be place within the application to remove the proposed canopy.

During the debate members discussed the possible impact of the extension on neighbouring properties and sought clarification of the type of roof that the extension would have.

A motion was proposed by Councillor Ower and seconded by Councillor Brace that planning permission should be granted on the basis that the proposal as submitted in particular the single storey rear extension element, by reason of its excessive depth, would have a harmful effect on the rear garden setting of the attached neighbouring property creating a relationship contrary to supplementary planning guidance. However the flat roofed extension was of modest height such that the harm was limited in degree. However in these exceptional circumstances that harm was outweighed by the proposal's benefits in meeting the local community's medical needs by providing improved GP premises for existing and future populations of the area, consistent with the objectives of policy CP8 of the LDF.

Approval was subject to the 6 planning conditions listed within the body of the report and the replacement of drawing number 11.0026 PL01 Revision A with 11.0026 PL10 Revision D

The vote for the motion to grant planning permission was carried by 8 votes to 2. Councillors Oddy and Tebbutt voted against the motion to approve planning permission

It was **RESOLVED** that planning permission be agreed contrary to officer recommendation. The vote for the resolution to grant planning permission was carried by 8 votes to 2. Councillors Oddy and Tebbutt voted against the motion to approve planning permission.

73 P0784.11 – 23-27 HIGH STREET HORNCHURCH – Restoration of existing building and conversion of the ground floor to a dentists surgery. Construction of a detached block to the rear of the site comprising 5 two bedroom apartments

The report before members detailed an application for the restoration the existing premises on site, creating a dentist surgery at ground floor and retaining the three flats at first floor level. In addition to the restoration of the existing building, a detached block is proposed to the rear of the dwelling comprising of five 2 bedroom self contained flats.

Members noted that the proposed development allowed for seven parking spaces as opposed to nine which was stated in the report.

It was also noted that there had been four letters of representation including one from the Church situated adjacent to the site.

It was noted that the application had been called in by Councillor John Mylod as he considered there was an urgent need for the site to be redeveloped to improve the appearance of the area and prevent antisocial activities. Councillor Mylod was also concerned about losing the opportunity to achieve redevelopment of the site.

With its agreement, Councillor Mylod addressed the Committee.

Councillor Mylod advised that the properties had been empty for almost ten years and had attracted instances of anti social behaviour. Councillor Mylod also advised that ownership of the properties had been difficult to determine due to length of time the properties had been empty.

During the debate members questioned the issue of bulk and mass of the development which appeared negligible in view of the Mecca bingo hall situated adjacent to the site. Members also questioned the amount of parking spaces that were afforded to the development. Officers advised that the parking provision was low but considered acceptable for a town centre location.

Discussions also focused on the access/egress arrangements for the site and the provision of amenity space for residents.

A motion was proposed by Councillor Hawthorn and seconded by Councillor Ower that consideration of the planning application should be deferred to allow officers to provide further information regarding the provision of amenity space for residents.

The vote for the motion to defer was lost by 3 votes to 7. Councillors Hawthorn, Ower and Pain voted for the motion to defer planning permission.

It was **RESOLVED** that planning permission be refused as per officer recommendation. The vote for the resolution to refuse planning permission was carried by 7 votes to 2 with 1 abstention. Councillor Pain voted against the motion to refuse planning permission. Councillors Hawthorn and Ower abstained from voting.

74 P0980.11 – SOUTH ESSEX CREMATORIUM, OCKENDON ROAD, UPMINSTER - Single storey garage/workshop and single storey demountable building for use of staff office/mess room

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

75 P1062.11 – HILLDENE SERVICE STATION, HILLDENE AVENUE, ROMFORD - Vacant petrol filling station and mechanical car wash, to a hand car wash and valeting service

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was 9 votes to 1. Councillor Tebbutt voted against the proposal.

76 P1070.11 – LAND BETWEEN VIKING WAY AND UPMINSTER ROAD SOUTH, RAINHAM - Construction of a new road linking Viking Way and Upminster Road South to enable the introduction of a one-way system through Rainham Village. Alterations of access arrangements to Tesco together with the reconfiguration of the store car park layout

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

77 C0001.11 – RAPHAEL PARK, ROMFORD - Conservation Area Consent for the demolition of the existing café and toilet block and restoration of land to park

The Committee considered the report and without debate **RESOLVED** to delegate to the Head of Development and Building Control authority to grant Conservation Area Consent subject to referral of the application to the Secretary of State under the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and no contrary

determination by the Secretary of State being received, subject to the conditions contained in the report.

- 78 P0770.11 – RAPHAEL PARK, ROMFORD - Construction of a timber bridge over Black's Brook adjacent to the Parkland Avenue entrance to replace an existing concrete culvert together with soft landscaping works and footpath realignment**

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 79 P1068.11 – 17 BRIAR ROAD, HAROLD HILL - Change of use from A1 (retail) to A2 (financial and professional services)**

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 80 P1036.11 – LAND TO THE REAR OF NOS. 1-13 HAMILTON DRIVE, HAROLD WOOD - Demolition of existing garages and the construction of a detached three bedroom house with associated hard and soft landscaping**

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 81 P1820.10 – 8 BROOKSIDE EMERSON PARK, HORNCHURCH - Demolition of existing house and construction of replacement dwelling.**

One late letter was reported to committee which objected to the proposal for reasons already summarised in the report.

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 82 P0919.11 – 91 SHEPHERDS HILL HAROLD WOOD - Single storey front, side and rear extensions, replacement doors and windows and associated external alterations, extract ducting, enclosed yard/bin store, reconfiguration of parking area and alterations to form a single point of access, hardstanding, landscaping and patio area.**

The Committee considered the report and **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.



Regulatory Services Committee

15 September 2011

ITEM 5

WITHIN STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-7	P1212.11	Emerson Park	The Willows, Hubbards Close, Hornchurch

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REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

APPLICATION NO:	P1212.11	
WARD :	Emerson Park	Date Received: 5th August 2011
ADDRESS:	The Willows Hubbards Close Hornchurch	
PROPOSAL:	Replacement / resiting of bungalow revised plans received 5-9-2011	
DRAWING NO(S):	1/711 - Existing / Proposed siting of dwelling 2/711A - Proposed layout / site plan 3/711 - Proposed elevations 4/711 - Existing site layout	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

No.

RECOMMENDATION

That planning permission is granted for the reasons given in this report.

SITE DESCRIPTION

The application site comprises of a single storey detached dwelling to the northern side of Hubbards Close, Hornchurch and is known as The Willows. The site is within the Metropolitan Green Belt and the area surrounding the application site has an open feel and appearance. To the east of the application site is Hubbards Chase piggery and towards the north are open fields. Towards the west and south of the site, the area is characterised by single storey bungalows on relatively large plots. The site has access off Hubbards Close and currently has no provision for off-street parking. Ground levels slope down towards the east.

DESCRIPTION OF PROPOSAL

The Council is in receipt of an application seeking permission for a new replacement bungalow.

The proposed bungalow would have a width of 20m and a depth of 8.8m. It would have a pitched roof with hipped ends with a maximum height of 6m to the ridge and 2.8m to the eaves.

The internal layout would comprise an entrance hall, bathroom, utility room, kitchen, dining room, lounge, 3 bedrooms and 2 en-suites. Windows and doors would generally be to the front and rear with a flank wall window to each side.

The bungalow would be set back from Hubbards Close by approximately 9.5m. There would be a garden area towards the rear, measuring 1120sq.m.

RELEVANT HISTORY

P1486.09 - Construction of pitched roof over flat roofed dwelling - Withdrawn.

REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

P0038.10 - Pitched roof to flat roofed dwelling - Approved.

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 5 neighbouring properties with no letters of representation received.

RELEVANT POLICIES

Policies CP14 (Green Belt), CP17 (design), DC32 (road network), DC33 (car parking), DC45 (appropriate development within the Green Belt) and DC61 (urban design) of the Core Strategy and Development Control Policies Development Plan Document are material considerations.

Residential Extensions and Alterations SPD

Policies 1.1B and 7.16 of The London Plan (2011) and PPG2 (Green Belts) are also material considerations.

PPG2 (Green Belts)

STAFF COMMENTS

The issues to be considered in this case are a) the principle of development; b) design/street scene issues; c) impact upon the Metropolitan Green Belt and d) amenity implications.

PRINCIPLE OF DEVELOPMENT

The application site falls within the Metropolitan Green Belt. National and local policies refer to a presumption against inappropriate development in Green Belt areas. Paragraph 3.4 of PPG2 states that "limited extension, alteration or replacement of existing dwellings" is not inappropriate providing the advice in Paragraph 3.6 is heeded. Paragraph 3.6 states that extensions should "not result in disproportionate additions over and above the size of the original building." According to PPG2, the replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces.

Policy DC45 of the Council's LDF deals specifically with extensions to dwellings in the Green Belt and states that "Extensions, alterations and replacement of existing dwellings will be allowed provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling".

The existing dwelling which is also still in its original condition, has a volume of 525 cubic metres and covers a footprint of 184sq metres whilst the volume of the proposed dwelling would be approximately 819 cubic metres with a footprint of 177sq metres. The proposed dwelling would also have a height of 6m to the top of the ridge of the main roof and the existing dwelling has a maximum height of approximately 3m. The replacement bungalow would result in a volume increase of 55.8% and a height increase of 3m.

The proposed replacement dwelling would be marginally over the recommended 50% increase in volume. Staff are of the opinion that the proposal would comply with the aims and objectives of DC45 of the LDF and PPG2 in that the replacement dwelling is not disproportionately larger than the original dwelling it would replace. The proposal is therefore not considered to be inappropriate in Green Belt terms and acceptable in principle subject to no other harm to the openness of the Green Belt.

REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

GREEN BELT IMPLICATIONS

Staff acknowledge that the replacement bungalow would result in a 55% increase in volume compared to the original dwelling on the site. The increase in volume is mainly due to the hipped roof which would increase the height from 3m to 6m. The footprint would be reduced from 184sq.m to 177sq.m.

Whilst there is an increase overall in height and volume of the proposed bungalow, consideration should be given to the location of the existing and proposed bungalows and whether there is an overall improvement in terms of the proposed location and general appearance. The proposal would involve resiting the bungalow towards the front of the site, approximately 9.1m from the edge of Hubbard Close. It was noted upon site inspection that this part of Hubbards Close have bungalows of similar size, proportion and in similar positions compared to the proposal. The development would have a front building line which would line up with the adjacent properties at "Clarewood", "The Outlook" and "Pegasus". With the majority of buildings in the vicinity being located closer to the edge of the road, Staff are of the opinion that the resiting of the bungalow towards the front of the site would help to maintain the openness of the Green Belt towards the rear which is more consistent with the surrounding area compared to the current situation.

The existing bungalow is of a poor construction and in a dilapidated condition. In Staff's opinion, the building is not fit for living accommodation and has an adverse appearance on the Green Belt. The replacement building would be a new structure and in Staff's opinion, an improvement of the current situation on the site. The new bungalow would potentially, with the correct use of materials, have a more appropriate appearance in the Green Belt and with landscaping conditions, the overall appearance of the site can be improved. Should Members be minded to grant permission, Staff would recommend an appropriate condition to require the applicant to remove all other equipment which is currently unlawfully stored on the site.

In light of the above, Staff present Members with a balanced judgement. Whilst the proposal would result in an increase in volume and height of the proposed bungalow, the overall increase in volume would be marginally above the 50% as recommended in Policy DC45 of the LDF. Due to the minor increase in overall volume and height and a reduction in the footprint compared to the existing bungalow, Staff are of the opinion that the proposal accords with the guidance of PPG2 as the replacement bungalow would not be disproportionately larger than the bungalow it replaces. Members may also wish to give consideration to the benefits in replacing the dilapidated building with a bungalow which would visually be more in keeping with this part of the Green Belt and have a siting consistent with its neighbouring properties.

In Staff's opinion, the benefits of the proposal would outweigh any potential harm the proposal may have as a result of the increase in volume and height. Staff are of the opinion that the new position would be beneficial to maintain the Green Belt towards the north of the site. Members are invited to make a judgement on this aspect of the proposal.

Notwithstanding the proposal's acceptability in Green Belt terms, given its exceedence of the 50% guidance as provided in the LDF, Staff are of the opinion that any further development may result in material harm to the openness of the Green Belt. For this reason, a condition is recommended to remove all permitted development rights to prevent any future development from occurring without due consideration by the Local Planning Authority.

DENSITY/SITE LAYOUT

The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing

REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

The proposal would leave a rear garden area of approximately 1120sq.m. The garden area would be private, screened from public views and is considered to be of a usable size, similar to those at neighbouring properties in the vicinity of the application site. It is therefore considered that this amenity area is in a usable form and would provide a quality amenity area for future occupiers.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Staff noted upon site inspection that properties towards the west of the application site consist of bungalows with pitched roof designs. The application site, The Willows, is the only bungalow with a flat roof. In Staff's opinion, the proposed replacement bungalow would be an improvement of the current dilapidated bungalow. The proposed pitched roof would be more in keeping with other bungalows along Hubards Close and with the correct use of materials, the bungalow would be in keeping with the character of the Green Belt.

The proposal has a sufficient set-back from the edge of the highway and spacing between the proposal and the site boundaries are considered acceptable.

The proposal is single storey in height and given the above circumstances, it is not considered that the development would have an adverse impact on the character and appearance of the street scene. Indeed, Staff are of the opinion that the proposal would be an improvement of what is currently on the site and therefore complies with the aims and objectives of Policy DC61 of the LDF.

IMPACT ON AMENITY

There are no neighbouring dwellings towards the north or east of the application site. The nearest neighbouring dwellings are towards the west and south, both approximately 40m away.

"The Old Forge" is on the opposite side of the road towards the south and "Clarewood" is towards the west. There is a garage between the subject site and Clarewood.

Given the distance of neighbouring dwellings from the proposed bungalow, the proposal is not considered to have any harmful impact in terms of overshadowing to neighbouring properties. Due to the orientation of buildings in an east-west direction, it is not considered that any unreasonable levels of overshadowing would occur to the neighbouring properties. The roof will further have a pitched design, being angled away from Clarewood, mitigating any potential impact on amenity. No windows or development is proposed within the roofspace and no potential for overlooking therefore exists. The proposal is considered to comply with the aims and objectives of Policy DC61 of the LDF with no material harm to any of the neighbouring properties.

HIGHWAY/PARKING

Policy DC33 of the Local Development Framework is relevant. For a development of this type and in this location, a parking standard of 2 - 1.5 spaces per unit would be required. Although the submitted drawings indicate no provision for car parking, Staff are satisfied that the site can easily accommodate the required number of spaces. An appropriate condition will be attached

REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

to require the applicant to submit details of the parking layout and how it will be surfaced.

The Highways Authority raised no concerns in respect of the proposal as the development is sited on a private, "unadopted road".

KEY ISSUES/CONCLUSIONS

The scheme is contrary to Policy DC45 as the development would result in a 55% increase in volume over and above the existing bungalow it replaces. The replacement bungalow would also be higher compared to the existing and therefore materially larger. Staff are however of the view that the proposal would not be disproportionately larger compared to the building it replaces and would therefore comply with PPG2. It is further considered that the benefits of the new location and design of the replacement bungalow would outweigh any potential harm to the openness of the Green Belt. The proposal is therefore acceptable in Green Belt terms however, Members are invited to apply their judgement.

The proposed amenity space would fulfil the requirements of the Council's Residential Design SPD. The development would not be harmful to the character and appearance of the street scene and would not result in any harm to the amenities of neighbouring occupiers. No parking or highway issues are raised.

Subject to conditions, the proposal is considered acceptable and therefore recommended for approval.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to conditions

1. S SC4 (Time limit) 3yrs
2. S SC06 (Parking provision)
3. M SC09 (Materials)
4. M SC11 (Landscaping)
5. S SC32 (Accordance with plans)
6. M SC45A Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall be constructed 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

REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

7. SC46 (Standard flank window condition)

8. M SC62 (Hours of construction)

9. Non standard condition

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.

REGULATORY SERVICES COMMITTEE

15th September 2011

WITHIN STATUTORY PERIOD

- 10.** Non standard condition
Prior to commencement of the development hereby permitted, all equipment and goods stored on the site shall be removed and the site shall remain a residential curtilage only, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect and maintain the openness of the Metropolitan Green Belt.

- 11.** Non standard condition
Prior to commencement of the development hereby permitted, all existing buildings / dwellings / bungalows / living accommodation on the site shall be demolished and removed from the site entirely and no replacement buildings apart from those granted as part of this planning permission shall be erected on the site without prior consent in writing from the Local Planning Authority.

Reason:

To protect and maintain the openness of the Metropolitan Green Belt.

1 INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33, DC45 and 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.

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6

REGULATORY SERVICES COMMITTEE

REPORT

15 September 2011

Subject Heading:

P0827.11 - Elmhurst Lodge, Torrance Close, Hornchurch

Demolition of existing residential care home (Use Class C2) and construction of 27 new residential units, comprising 21 houses and 6 apartments, including affordable housing, in buildings rising to between 2 and 2.5 storeys with associated car parking, landscaping and infrastructure works (Application received 22nd June 2011).

Report Author and contact details:

Helen Oakerbee (Planning Control Manager) 01708 432800

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	<input 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 application is for the demolition of the former Elmhurst Lodge care home and two semi-detached houses and the construction of residential development, comprising 21 houses and 6 apartments. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. A Three Dragons viability assessment has been submitted by the applicant to justify the level of affordable housing and the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard. Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

RECOMMENDATIONS

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:

- The provision on site of 22% of the units within the development as affordable housing for shared ownership purposes.
- The payment of a financial contribution of up to maximum of £466,779.38 towards additional school places within the Borough.
- The payment of a financial contribution of £27,000 towards highway works within the vicinity of the site.
- The payment of a financial contribution of £8,000 towards the cost of new tree planting within Harrow Lodge Park and its initial maintenance.
- The payment of a financial contribution of £5,000 towards the cost of providing a new hedge adjacent to the southern boundary of the site along the length of the boundary and its initial maintenance.

- All contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

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 - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced 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. Use of garages - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) the garages hereby permitted shall be made permanently available for the

parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason: To provide satisfactory off-street parking at the site and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

5. 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.

6. 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 their 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.

7. Tree construction methodology - Prior to commencement of the construction of the road and footway a construction methodology shall be submitted to the Local Planning Authority. This shall show that initial excavations within the root protection area of the existing Oak tree to the east of the current site entrance (tree reference number 13) have been carried out by hand digging under the supervision of the site arboriculturalist to determine the existence of any roots with a diameter greater than of 25mm. Any such roots are to be mapped and a scheme produced to show their retention through technical solutions (such as bridging over) where this is possible given the adjacent excavation(s). No work in excess of the initial, hand dug excavation, is to be carried out until the Local Planning Authority is satisfied that the tree(s) can be safely retained and the submitted scheme has been approved in writing. Should the tree's safe retention not be possible the Council will require the replacement of each removed tree by another of the

same species with a stem girth of between 12- 14cm within the first available planting season (November to March) to be planted within 5 metres of the site of the original tree to the Council's satisfaction. Should any replacement tree fail or be seriously damaged within 5 years of planting it shall be replaced at no cost to the Council.

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. Tree Protection - No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Details shall also be provided of the construction method for the development, including detailed measures for the construction of foundations and footings. Such agreed measures shall be implemented and /or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

9. 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.

10. 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.

11. 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.

12. Secure by Design - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

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.

13. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road 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 first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

14. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority outlining details of how the proposed ecological report and bat assessment report recommendations and associated habitat enhancement measures will be implemented. The development shall thereafter be carried out in accordance with the agreed details.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

15. Hours of construction - No construction works or 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 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.

16. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to 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.

17. 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.

18. 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 (the Phase I Report having already been submitted to 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 site 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 two parts:

Part A - Remediation Scheme 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.

19. Sustainability - No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

20. Renewable energy - The renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

21. Sound attenuation - The houses hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and the flats 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'.

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

23. 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.

24. Surface Water Drainage - Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include the following surface water discharge rate restrictions stated in the submitted Flood Risk Assessment (dated May 2011):

Peak Existing 1 in 1 year discharge rate of 34 litres per second.

Peak Existing 1 in 30 year discharge rate of 66 litres per second.

Peak Existing 1 in 100 year discharge rate (including a 30% allowance for climate change) of 92 litres per second.

Reason: To prevent the increased risk of flooding and to improve and protect water quality.

25. Archaeology - A) the applicant should secure the implementation of a programme of archaeological field evaluation and survey in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.
B) The results of the field evaluation should inform a mitigation strategy to either conserve archaeological assets or ensure their recording through excavation prior to the development.
C) The investigation results should be assessed, any significant results analysed and published, and the archive securely deposited.
The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority."

Reason: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological evaluation to inform determination of any detailed planning consent.

26. Screens to garages – The timber screen to the staircases of the detached garages on plots nos. 1, 2, 4, 9 10 shall be permanently retained in

accordance with the details shown on the approved drawing nos. 11110-PL04.

Reason: In the interests of maintaining neighbouring privacy and amenity and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

27. Use of outbuildings - The detached garages/playrooms on plot nos. 1, 2, 4, 9 & 10 hereby approved shall be used solely for purposes ancillary to the enjoyment of the dwelling on the plot within which each garage is sited, and shall not be used separately or independently from the related main dwelling at any time, including use as separate residential dwellings.

Reason: To ensure the use of the outbuildings remains compatible with the character of the development and the amenity of the locality and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

28. Obscure glazing All windows, rooflights and dormers within the development, which are denoted on drawing nos. 11110 PL04, 11110 PL05 and 1110PL06 as being obscure glazed, shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority.

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

29. 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.

30. Details of ground levels - Prior to the commencement of the development details of the existing ground levels and the proposed finished ground levels of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of

access, amenities of adjoining properties, and appearance of the development. Also in order that the development complies with Policy DC61 of the LDF Development Control Policies Development Plan Document.

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 condition 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 development of this site is likely to damage archaeological remains. An archaeological field evaluation will establish the extent and significance of any surviving remains and enable the mitigation of the impact of the development to be planned as part of detailed planning consent.

4. In order to check that the proposed storm water system is acceptable the following information should be provided:

A clearly labelled drainage layout plan showing pipe networks and any attenuation features and storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.

- Calculations showing the volume of any attenuation features is also required (this is best shown on the drainage layout plan).
- Confirmation of the critical storm duration.
- Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

5. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP15, CP16, CP17, CP18, DC2, DC3, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63, DC68, DC70 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. The proposal is considered to accord with Policy DC6 as the amount of affordable housing provision has been justified through the submission of a Three

Dragons viability appraisal, which has been independently tested and found to be sound.

The proposal also accords with as well as the provisions of Policies 3.3, 3.5, 3.6, 3.8, 3.9, 3.13, 5.3, 5.7, 5.12, 5.13, 5.16, 5.21, 6.1, 6.9, 6.10, 7.3, 7.4, 7.6, 7.8, 7.14, 7.15, 7.19 8.2 of the London Plan. The proposal is below the density targets set out in Policy 3.4 of the London Plan and provides a greater level of car parking than set out in Policy 6.13. Staff however consider the density to be justified given the constraints upon the site of preserved trees, which reduce developable area and that the development is consistent with local character in this suburban location. The application does not comply with Policy 5.2 of the London Plan in that the energy element of the development is not equivalent to Code Level 4. The development does however envisage achieving Code for Sustainable Homes Level 3. Given the London Plan policy has been adopted post-submission of the scheme and compliance with local sustainability policies, this is considered acceptable in this case. Levels of parking are considered to be justified given the relatively low PTAL level of the site. The proposal is considered to be consistent with Policy 3.9 and Policy 3.12, which requires the maximum reasonable amount of affordable housing to be sought. A development viability appraisal has been submitted with the application, justifying the amount of affordable housing provided.

Planning Obligations

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.

REPORT DETAIL

1. Site Description

- 1.1 The application site is the former Elmhurst Lodge residential care home, which is a vacant, single storey building located on the south side of Hornchurch Road in Torrance Close. The site also includes a pair of two storey semi-detached houses. The site has an area of 1.05 hectares. The site includes an area of grass verge adjacent to the southern side of Hornchurch Road, within which there are a number of oak trees, which are the subject of a tree preservation order (TPO 05/2006). There are a further two preserved oak trees in the south-western corner of the site.
- 1.2 The site is accessed from an entrance on Hornchurch Road, which also forms the entrance to residential dwellings in Torrance Close. There are

changes in levels across the site, such that the site is generally on lower land than dwellings to the west but on higher land than dwellings to the east in Torrance Close. Much of the land around the care home building is soft landscaped, comprising mown areas of amenity land and natural vegetation. The southern boundary of the site, currently enclosed by chainlink fencing, adjoins the playing fields of Harrow Lodge Park.

- 1.3 To the east of the site lies Torrance Close, a residential cul-de-sac consisting of four pairs of two storey, semi-detached houses and a recently added detached two storey house. A detached house, no.37 Hornchurch Road, lies further east of Torrance Close. To the north-western corner of the site, there is a pair of two storey semi-detached houses, nos. 73 and 75 Hornchurch Road. Immediately west of the site are residential dwellings, forming part of the St. Leonard's Hamlet development, part of which is a designated Conservation Area. The houses closest to the site boundary do not lie within the Conservation Area, which is approximately 40m from the boundary. North of the site, the locality has a residential character, with two storey houses facing towards the application site.

2. Description of Proposal

- 2.1 The application includes the demolition of an existing vacant care home and a pair of semi-detached houses on the site and the construction of 27 new dwellings, comprising 21 houses and 6 flats.
- 2.2 The application proposes to retain and modify the existing site access from Hornchurch Road and maintain the existing route into Torrance Close. The main route through the site would run from north to south through the centre of the site bending in an easterly direction towards the rear part of the site. There would also be an access road created off the main route running west just behind the grass verge at the site frontage. This would give access to three detached dwellings, one with a detached garage/playroom, which will front on to Hornchurch Road.
- 2.3 In line with the main site entrance, set back over 35 metres from the site frontage, it is proposed to construct a block of 6 apartments. These will be contained within a two storey building with a steeply pitched roof within a communal amenity area. Parking for the flats will be provided adjacent to the landscaped area at the front of the site.
- 2.4 The remaining dwellings within the site are arranged on either side of the access road, together with four houses backing on to the southern site boundary. These are all substantial detached dwellings of varying designs, all with in curtilage parking. The dwellings vary between 2 and 2.5 storeys high. The proposed houses would have varying overall ridge heights of between 9 and 10 metres. Additionally, four of the dwellings have large detached garages/playrooms, which have external staircases leading to the upper floor. The proposed garages/playrooms would have a ridge height of 6 metres. In the south-eastern corner of the site it is proposed to construct a terrace of four dwellings, which back on to the western site boundary.

This part of the site forms a cul-de-sac with a communal parking area providing 6 spaces.

- 2.5 The grass verge at the front of the site is currently maintained as highway land. This area forms part of the application site and will be the subject of a stopping up order. It is however proposed to retain the trees on the site frontage and for them to continue to be maintained by the Council. The application proposes the removal of two preserved oak trees in the south-western corner of the site (within plot 10).
- 2.6 In terms of design, in addition to the apartment building, the development proposes eight different house types. These are of traditional design and incorporate steeply pitched tiled roofs with predominantly brick external finish, together with the use of render and tile hanging.
- 2.7 The application is accompanied by a suite of supporting documents, including a design and access statement, transport statement, sustainability and renewable energy report, arboricultural implications report, ecological report, built heritage statement, desk-based archaeological assessment, flood risk assessment, Phase 1 geo-environmental assessment, statement of community involvement and affordable housing toolkit analysis.

3. Relevant History

- 3.1 Z0002.11 Screening Opinion for Environmental Impact Assessment (EIA)- EIA not required 17.3.11

D0095.11 Certificate of Lawfulness to determine as to whether prior approval will be required for demolition of the existing buildings at the site of the former Elmhurst Lodge, Hornchurch – prior approval required and granted 4.7.11

4. Consultations/Representations

- 4.1 Prior to submission of the application the applicants undertook a community consultation event at Havering Bowls Club. Following receipt of the application, the application has been advertised on site and in the local press as a major development. Neighbour notification letters have also been sent to 101 local addresses. Eleven letters of representation have been received – eight letters of objection and three letters of support.

- 4.2 Objections to the scheme are raised on the following grounds:

- significant impact on protected trees
- loss of visual aspect and open space
- development out of character
- loss of light
- overlooking and loss of privacy
- conditions will not prevent additional overlooking in future
- additional traffic and impact on Hornchurch Road

- lack of public consultation
- noise of building
- no need for additional housing
- more details of boundary fencing required
- should be proper assessment of impact on schools and healthcare
- should have required an Environmental Impact Assessment
- restrictive covenant prevents buildings in excess of 1 storey
- breaches Human Rights Act
- adverse impact on ecology, including harm to protected species
- should not be developing on public land adjacent to Hornchurch Road
- harm to water infrastructure
- asbestos present in building to be removed
- hours of demolition unacceptable
- who will maintain trees in future

4.3 Support for the proposals is on the following grounds:

- concern about impact of preserved trees in south-west corner of site, i.e. danger of falling branches and root damage to property
- currently empty site prone to vandalism
- existing building could be put to other, less desirable uses

4.4 Natural England have advised the application should be considered against standing advice but that based on the surveys undertaken it is advised that permission could be granted and that the Authority should consider requesting ecological enhancements.

4.5 English Heritage have no comments to raise.

4.6 The Borough Wildlife Crime Officer for the Metropolitan Police requested that more in depth survey works be carried out (in addition to the survey undertaken in February 2011).

4.7 The Borough Crime Prevention Design Advisor has met with the architect and requested minor changes to the design of the proposals. Conditions relating to community safety have been requested if permission is granted.

4.8 The Environment Agency raise no objection to the proposals but request a condition relating to surface water drainage.

4.9 Essex & Suffolk Water have no comments on the application.

4.10 The Fire Brigade (water) requires an additional fire hydrant.

4.11 The Fire Brigade (access) confirms it is satisfied with the proposals.

4.12 Thames Water states the developer is responsible for ensuring adequate surface water drainage provision.

- 4.13 English Heritage Archaeology (GLAAS) request conditions if permission is granted.

5. Relevant Policies

5.1 National Planning Policy

PPS1 (Delivery Sustainable Development), Planning and Climate Change (Supplement to PPS1), PPS3 (Housing), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPG13 (Transport), PPS22 (Renewable Energy), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise), PPS25 (Development and Flood Risk) are material planning considerations.

5.2 Regional Planning Policy

Following its recent adoption the London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations).

There is also a range of Supplementary Planning Guidance to the London Plan.

5.3 Local Planning Policy

Policies CP1, CP2, CP9, CP10, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63, DC68, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

In addition, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD, Heritage

SPD, Landscaping SPD and Sustainable Design and Construction SPD are material considerations.

6. Staff Comments

6.1 The issues arising from this application are the principle of development, the density and layout of the new development, the design of the development and its impact on the character and amenity of the locality, including the nearby conservation area, the impact of the development on local residential amenity, parking and highway matters, the impact on trees and landscaping, environmental issues, including the impact on protected species and the ecology of the site, affordable housing and the impact on community infrastructure.

6.2 Principle of Development

6.2.1 The application site has formerly been used for residential purposes as a care home. The site is currently vacant and there is no objection in principle to residential development on this site, which would increase the Borough's supply of housing and accord with Policy CP1 and Policy 3.3 of the London Plan.

6.2.2 The proposal includes the demolition of existing buildings on the site, although prior approval has already been given by the Council to demolish the buildings on the site (reference Z0002.11). The buildings on the site are not of particular historic or architectural merit and there is no objection in principle to their demolition. Concerns have been raised regarding the safe removal of asbestos from the site. However, this is controlled by non-planning legislation and is not grounds for refusal. The applicants are aware of the presence of asbestos and requirements for safe clearance of the site.

6.3 Density and Site Layout

6.3.1 The application site has an area of approximately 1.05 hectares and proposes 27 units, giving a development density of 26 units per hectare. This is below the density range of 30-50 units per hectare set out in Policy DC2 and Policy 3.4 of the London Plan. It is noted however that London Plan density requirements are not to be applied mechanistically but should take account of local context and character, local design characteristics and transport capacity. Consideration has been given to all of these factors.

6.3.2 The nature of the site at present is generally spacious by reason of the expanse of highway verge and the preserved trees to the northern boundary of the site. The site abuts Harrow Lodge Park to the south, further adding to its open character. The preserved trees on the site and the need to retain access to Torrance Close add to the constraints on developable area within the site, such that developable site area is reduced to 0.9 hectares, giving a net development density of 30 dwellings per hectare. A PTAL assessment of the site has also been carried out and the site has a relatively low PTAL of 2. Having regard to these factors, Staff consider that the density of

development is acceptable in this case given the spacious character of the surrounding area and constraints upon the site.

- 6.3.3 The development proposes a mix of houses and flats, comprising 6 no. 2 bed units, 4 no. 3 bed units and 17 no. 4 bed plus units. This complies in principle with the aims of Policy DC2 in respect of dwelling mix. Tenure split and affordable housing provision will be addressed later in this report. Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. In this instance the proposed houses would each comply with the stipulated minimum standards therefore staff consider that the proposal would provide decent quality living environments for future occupiers.
- 6.3.4 In respect of site layout, all of the proposed dwellings within the site have adequate access to sunlight and daylight and provide a high quality living environment for future residents of the development. A minimum 10% of the units are designed to be easily adaptable for wheelchair use and the proposal is designed to comply with Lifetime Homes standards. The proposal is therefore considered to accord with Policy DC7 of the LDF in this respect.
- 6.3.5 In respect of amenity space provision, the Council's Residential Design SPD does not set prescribed amenity space standards but rather seeks to ensure that amenity space is provided in a high quality, functional and well designed manner. Amenity space should also be private and not unreasonably overshadowed. The proposed development provides substantial private gardens for the majority of the dwellings within the site. The shallowest rear garden is to plot 14, with a garden depth in the region of 7m. However, the plot is reasonably wide at some 11m and benefits from open aspect across the playing fields to the rear. All of the dwellings are considered to be provided with entirely acceptable amenity space provision, which accords with the aims of the SPD. The proposed flats have a communal amenity area, located to the south of the block. The flats have purposely not been designed with balconies in order to ensure the design of the block blends in with surrounding development and to prevent undue overlooking of neighbouring property. However, the amenity area provided is considered to be private, well designed and to provide a suitable degree of amenity for occupiers of the proposed flats.
- 6.3.6 The proposal is considered to be acceptable in principle in terms of Secure by Design objectives and there have been discussions between the developer and the Borough Crime Prevention Design Advisor. It is recommended that a condition be attached to ensure community safety objectives are met.

6.4 Landscaping and Trees

- 6.4.1 The site proposes the retention of the landscaped verge at the front of the site. A stopping up order would be required, which would be undertaken separately from the planning process. The exact limits of this have not yet been agreed although it is expected that the Council would continue to maintain the site frontage. This will be subject to a separate report to committee when the extent of the proposed stopping up order is known.
- 6.4.2 It is proposed to retain all the trees on the site frontage. Information has been submitted with the application which indicates that the tree roots lie very deep and that the construction works could be undertaken without harm to the root system of the trees or damage to the trees themselves. With regard to the single oak tree at the front of the site on the left hand side of the entrance road, although this tree has been shown to have deep supporting roots the proposed excavations are very close, within one metre. While the site investigations carried out so far seem reliable, it may be the case that when ground is removed to make way for the widened access road, some supporting roots may need to be severed. Whilst Staff are satisfied at this stage with the proposals it is recommended that any excavations permitted within that area, including for the construction of the proposed wall and pier at the entrance, is conditioned to require hand digging and the bridging over of any supporting roots should they be found.
- 6.4.3 In respect of the two preserved oak trees in the south-western corner of the site, the application proposes the removal of these trees. Staff acknowledge that these trees contribute to local amenity, mainly as they are clearly visible for some distance from within the adjacent Harrow Lodge Park. Staff have also inspected the trees and although one tree was found to have two limbs with cavities, which should be removed, both trees are in an overall safe and healthy condition. Furthermore, the ground root survey which has been undertaken suggests that the roots lie very deep and that the dwelling to plot 10 could technically be constructed without the loss of the trees, at least in the short term.
- 6.4.4 Notwithstanding that the trees can be retained, Staff have considered carefully whether it is reasonable to do so in this case. The density of development proposed on the site is low, affected as it is by existing constraints. The retention of the two trees in the south-western corner of the site could further prejudice the density of development, given the inappropriateness of trees such as this within a residential rear garden. Retaining the trees means that the usability of the proposed new gardens is severely compromised. Even though the two oaks will be reduced back substantially from their present size when the proposed house and patio is built, a very large amount of the garden will still be overshadowed by the trees and their natural leaf and fruit fall coupled with the shade they cast will severely affect the use of outdoor space. Given that the trees stand to the west of the new house and garden, they will significantly affect its use during the afternoon and evening when the garden is likely to be used most. The trees will also significantly shade the new house and detrimentally affect its

occupants who will have to cope with heavy shading for a large part of the day. It should also be noted that both trees dominate the adjacent rear gardens of 5 Landseer Close and 27 Wallis Close and already cause their owners concern because of their large size and close proximity to their homes. Even if the trees are heavily reduced as proposed in the submitted pruning methodology, they will still be substantial specimens and continue to cause problems of shading, leaf and fruit fall for everyone who lives around them.

- 6.4.5 The proposals have been considered in relation to the Trees in Relation to Construction SPD. This has the objective of retaining good quality trees, which are suitable in their setting. However, for the reasons set out above, Staff do not consider that this is a suitable setting for the trees in terms of their impact both on existing and future residents. Clearly the loss of the trees would have an impact on visual amenity and staff consider therefore that substantial replacement landscaping should be sought. In the short term this will not overcome the loss of visual amenity but would provide significant long term environmental benefit. It has been confirmed by the Parks Service that there is scope to carry out new tree planting in Harrow Lodge Park in the area to the south of the site (in addition to a new hedge that is proposed through the application) and the applicants have confirmed they would pay a S106 contribution of £8,000 for new trees. This would cover the cost of approximately 20 replacement trees, together with planting and aftercare costs.
- 6.4.6 The loss of the trees is a balanced judgement. If so minded, Members could judge that the loss of the TPO trees is unacceptable and Staff could go back to the developers if required to seek retention of the trees. However, weighed against the implications for the density of the development, the long term demands for pruning of the trees, the impact of the trees on the living conditions of both current and future residents and the opportunity to provide a high quality replacement planting scheme, which has the potential to create more long term benefit, staff recommend that the loss of the preserved trees be accepted.
- 6.4.7 Landscaping proposals have been submitted with the application indicating an acceptable mix of hard and soft landscaping throughout the site. Further details regarding the precise nature of hard landscaping materials and type, number and species of new planting will be required by condition. The landscaping proposals have been revised to include the provision of hedging to the southern boundary of the site. This is considered to be a welcome feature of the development as it will improve visual amenity when the site is viewed from playing fields to the south, as well as providing a more secure boundary and enabling ecological enhancement of the site. Parks have however requested a S106 contribution of £5,000 for additional tree planting in return for which they will undertake maintenance of the hedge in perpetuity. This will be in addition to the requirement to submit detailed landscaping proposals for replacement tree planting in lieu of the two preserved trees to be removed and the S106 contribution for £8,000.

Staff therefore consider on balance the landscaping proposals to be acceptable and to enable the site to maintain local character.

6.5 Design and Visual Impact

- 6.5.1 The application proposes a traditional form of design and construction, which is considered to be in keeping with the character and context of surrounding development. Each of the dwellings has pitched roof and conventional detailing and is constructed using facing stock brick with limited use of render and tile hanging and plain roof tiles. The proposed flatted block within the development has been purposely designed to convey the appearance of two storey houses, avoiding features such as roof accommodation or balconies, which are more often associated with flatted development. The flatted development is not considered to appear as a discordant feature within the development and overall the design of the proposed dwellings is considered to be compatible with the character of the locality.
- 6.5.2 In terms of scale and massing, the dwellings within the site range between 2 and 2.5 storeys, although many of the houses have a steeper than average roof pitch, which increases the overall ridge height. Within the site the ridge height of the proposed houses would range between 9 and 10 metres above ground level. This approach is judged to be acceptable in principle. Whilst local development is predominantly two storey, it does range in scale from the more modest ridge height of the two storey dwellings in Torrance Close to the more substantial properties in St. Leonards Hamlet to the west. In this context the overall scale and massing of development is considered to be acceptable.
- 6.5.3 The proposed detached dwellings on plots 1 to 3 will be the most prominent in the streetscene, although their visibility will be obscured to some extent, particularly during summer months, by the retained oak trees to the site frontage. The dwellings on plots 1 and 2 are relatively tall (house type 4) in the region of 9.5m to ridge height. The dwelling to plot 1 also has a large, detached garage, which sits forward of the house. This garage has useable roof space, giving the building a ridge height of some 5.5m.
- 6.5.4 These dwellings will be taller than the neighbouring dwellings at 73-75 Hornchurch Road. Staff do not however consider the proposed dwellings to be materially out of scale with neighbouring development and the streetscene, as they still appear as two storey dwellings and are set back into the site by at least 14m, considerably back from the building line set by 73-75 Hornchurch Road. This is considered to reduce the overall bulk and visual impact of the dwellings in the streetscene. It is also considered that the size of the site, particularly its wide frontage, will enable the new development to set its own, different character from neighbouring development, such that whilst local scale and massing should be respected it need not be rigidly adhered to. The garage to the front of plot 1 is considered, on balance, to be acceptable given it is set back at least 6m

from the front of the site and behind the building line of the neighbouring dwelling, which has its own forward projecting garage.

- 6.5.5 The flatted block within the site is designed as a two storey building. It also has a steeply pitched roof, giving a higher than average roof ridge, but given its position set back some 35m into the site, its overall scale and bulk is not considered to be visually intrusive or out of keeping in the locality.
- 6.5.6 Within the centre of the site, the houses on plots 4-10 and 19-21 will have a limited degree of visibility from public areas outside of the site. In the main they will be viewed in their own context from within the site and their bulk, scale and massing is considered to be acceptable. The St. Leonards Hamlet Conservation Area is situated some 40m to the west of the application site. In view of this distance and the maximum 2.5 storey height of the development it is not considered that there would be any material impact on the special character and appearance of the conservation area.
- 6.5.7 From the south, the development will be visible across the playing fields of Harrow Lodge Park, in particular development on plots 10-18. This is likely to be accentuated by the ridge height of the houses and levels changes, as the ground falls slightly towards the south. Some impact on views from the south is however inevitable from redevelopment of the site and the playing fields are not an area of special landscape value. Given the dwellings are situated in most cases between 6m and 13m from the southern site boundary and the proposals for enhanced landscaping to this boundary of the site, it is considered that the scale and massing of the proposed dwellings in this part of the site is within acceptable limits. No material harm to local character or visual amenity is therefore considered to result.
- 6.5.8 The overall design, scale, massing and character of the development is therefore considered to be acceptable and compliant with Policy DC61 of the LDF and Policy 7.4 of the London Plan.

6.6 Impact on Amenity

- 6.6.1 To the north-western corner, plot 1 within the site adjoins the side boundary of no.75 Hornchurch Road. This plot comprises a large, detached dwelling with a detached garage/playroom in front. The garage building lies directly alongside the flank wall of no.75 Hornchurch Road and it is considered this would have no material impact on residential amenity. The proposed dwelling on plot 1 sits back behind the rear building line of no.75 Hornchurch Road. Staff consider that as this dwelling is set at an angle to no.75 Hornchurch Road and is positioned between 2m and 5m from the party boundary this would be sufficient to prevent an unacceptably overbearing impact. There would be no direct overlooking as only one first floor flank window, serving a bathroom, is proposed. This could be obscure glazed by condition.
- 6.6.2 Plot 4 is situated to the rear of no.73 Hornchurch Road and shares a side boundary with no. 4 Landseer Close. The proposed dwelling on plot 4 is

positioned at an angle to both of the neighbouring properties such that no material harm to light or outlook is considered to occur. Staff have considered whether the first floor rear window of this dwelling would cause unacceptable overlooking of neighbouring property but judge that as it has an oblique relationship with neighbouring rear gardens and is some 10m from the boundary material loss of privacy would not occur. The proposed detached garage/playroom to the house on plot 4 is positioned alongside the flank of no. 4 Landseer Close and it is not considered would materially harm residential amenity. It is noted that the application site is lower than properties in Landseer Close and also that the staircase to the first floor of the garage building would have a screen around to prevent material overlooking of neighbouring property.

- 6.6.3 Turning to the houses on plots 5-9, these all back on to the western boundary of the site, which forms the side boundary of the houses in Landseer Close and Wallis Close, as well as a parking courtyard. The proposed houses are all set at varying distances from the western site boundary. The houses on plots 5-7 face towards the adjacent parking courtyard and are judged to have no material harmful impact on residential amenity.
- 6.6.4 Plots 8 and 9 however back on to the side boundary of no. 5 Landseer Close. The house on plot 8 is 14m from the western site boundary at first floor level but has a single storey rear projection of approximately 4.5m with a small first floor roof terrace. It is not considered the dwelling would materially harm the amenity of the neighbouring property as it backs on to the flank of the neighbouring property at a reasonable distance, with the first floor terrace positioned forward of the neighbours front façade, preventing direct overlooking or interlooking. The dwelling to plot 9 backs on to the side boundary of no.5 Landseer Close at a distance of at least 10m and is also on lower ground levels than the neighbouring property. It is considered not to result in material harm to neighbouring residential amenity.
- 6.6.5 Plot 10 is located in the south-west corner of the site and shares a rear boundary with the side boundary of no. 5 Landseer Close and no.27 Wallis Close. The proposed dwelling is set a minimum of 10 metres from the western site boundary with its rear elevation facing at an angle towards the rear of no.27 Wallis Close. It is considered that given the distance of the dwelling from this boundary, the angled relationship between the properties and the slightly lower ground levels within the application site, that the proposed dwelling would not result in material harm to the amenity of occupiers of neighbouring residential property. There is also, to some extent, screening provided by the existing preserved trees. However, Staff are satisfied that even if these trees were not there the relationship with neighbouring houses would be acceptable. The plot includes a substantial detached garage/playroom adjacent to the southern site boundary. This is not considered materially harmful to amenity and its impact as viewed from the south will be reduced by proposed soft landscaping to the boundary. It is therefore considered to be acceptable.

- 6.6.6 The proposed dwellings on plots 11-14 are not considered to have any material impact on residential amenity owing to their distance from the nearest residential properties.
- 6.6.7 In the south-western corner of the site it is proposed to construct a terrace of 4 no. two storey dwellings. The most northerly of these, on plot 18, adjoins the southern boundary of the site with no. 4 and partially no.5 Torrance Close. The rear elevation of plots 16-18 also faces east towards the rear garden of no. 4 Torrance Close. The proposed dwelling on plot 18 is designed with a gabled flank wall and an overall ground to ridge height of 9m. Owing to differences in ground levels between the site and neighbouring properties the ground level of the proposed dwelling will be higher than current ground levels within the site by up to one metre. However, the height differential between the new houses and the Torrance Close properties will be generally similar as the Torrance Close houses are built on higher ground.
- 6.6.8 The flank wall of the dwelling to plot 18 will be approximately 1.5m from the party boundary with nos. 4 & 5 Torrance Close. Members will wish to consider whether the relationship of the proposed dwelling to the neighbouring houses is acceptable. The proposed dwelling will have a visual impact as seen from the neighbouring properties. However, it may be considered that this relationship is acceptable given the separation distance between the properties and the position of the property to the side of nos. 5 and 4 Torrance Close rather than directly affecting the rear garden environment. The proposed dwelling has obscure glazed flank windows so no material sideways overlooking will result. A daylight/sunlight test and shading assessment has been undertaken in respect of the relationship of the dwelling with nos. 4 & 5 Torrance Close, which indicates that the impact of the development is within acceptable levels. On balance therefore staff consider that the proposed dwelling on plot 18 would have an acceptable impact in relation to the adjacent dwellings. The rear elevation of houses on plots 15-18 faces towards the rear garden of no. 4 Torrance Close but with garden depths of some 9.5m and the windows facing down the garden rather than towards the rear of the neighbouring house, this is not considered to give rise to material loss of privacy or amenity.
- 6.6.9 The proposed houses and flats on plot nos. 19-27 back on to the rear boundary of nos. 5 - 8a Torrance Close. Turning first to the detached dwellings proposed on plots 19-21. They are two storey dwellings, none of which have rear dormers, although the house on plot 21 does have accommodation in the roof space. They have garden depths of between 12m and 14m and a back to back relationship of at least 23m from the houses behind in Torrance Close. It is acknowledged that the proposed dwellings will be built on higher ground level than the properties to the rear by almost 1m. However, taking this into account, it is nonetheless considered that the garden depths and the distance of the properties from the neighbouring houses is sufficient to prevent a material loss of amenity to neighbouring residents.

6.6.10 The proposed flats will lie closer to the boundary with the dwellings to the rear, being positioned within 5m of the boundary with no.8a Torrance Close. This is however a side elevation of the proposed building and there is a back to flank relationship of over 14m. Ground levels are more consistent here and the east facing upper floor windows of the proposed flats are designed to be obscure glazed. Staff therefore consider the relationship between the properties to be acceptable and no material harm to amenity to occur. The proposal is therefore judged to comply with Policy DC61 of the LDF.

6.7 Environmental Impact

6.7.1 The application site is located in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted with the application and the Environment Agency has confirmed that the proposal is acceptable subject to conditions relating to surface water flooding. The proposal is considered to comply with Policy DC48 of the LDF and Policy 5.12 of the London Plan.

6.7.2 A land contamination desk top study has been carried out and details submitted with the application. A condition is recommended in respect of land contamination issues. The proposal is compliant with Policy DC53 and Policy 5.21 of the London Plan.

6.7.3 An energy strategy and sustainability statement have been submitted with the application. The energy strategy indicates that a 10% reduction in emissions will be achieved. The development will meet Code for Sustainable Homes Level 3. It is recommended that the aims of these statements be secured by condition.

6.7.4 It is noted that the London Plan 2011, adopted post-submission of the application, seeks to achieve a 25% reduction in CO₂ emissions over Building Regulations, which is equivalent to the energy requirement of Code Level 4. The application will meet Code Level 3 with reasonable endeavours to meet Code Level 4. However, this would require further renewable energy measures, which cannot be fully accommodated within the design of the scheme and that the scale of changes needed would not be viable. Some units across the development will however meet Policy 5.2 of the London Plan. It is further noted that Policy 5.2 does not require the scheme overall to achieve Code Level 4, just in respect of the energy element of the rating system. Staff consider, on balance, that the energy efficiency of the development proposed is acceptable.

6.7.4 Following an initial ecological survey of the site in February 2011, a second survey was undertaken in June 2011. In particular the survey focussed on the likely presence of bats, stag beetles and bumble bees on the site. A bat survey was undertaken. No evidence of bats was found during an internal and external check of the buildings on the site or emerging from the oak trees in the south-west corner of the site. Low levels of bat activity were recorded during the evening survey. The report therefore makes recommendations for the carrying out of works on the site and measures

which could be incorporated into the development to maintain the local bat population. Staff are satisfied that the proposed development would not adversely affect bats but that the recommendations within the report for site works and ecological enhancement should be secured by condition. Subject to this it is considered the proposal would accord with Policies DC58 and DC59 of the LDF.

- 6.7.5 The survey also checked for signs of other protected species and wildlife. In particular suitable habitats of value for stag beetles and bumble bees were recorded. It was noted that only limited habitat for stag beetles, bumble bees and other invertebrates existed on the site. Stag beetles are listed on Schedule 5 of the Wildlife and Countryside Act 1981, giving them a limited degree of protection. They are also a priority UK Biodiversity Action Plan species. Neither of these designations prevent the site from being redeveloped but sympathetic measures must be undertaken where possible to protect stag beetles during the course of development and to incorporate mitigation measures and habitat enhancement works. Various measures to achieve this are set out in the submitted ecological report. Staff consider that subject to conditions to ensure that the recommendations of the report are carried out the proposal would have an acceptable impact on wildlife and the bio-diversity value of the site, such that there is no material conflict with Policies DC58 and DC59 of the LDF or Policy 7.19 of the London Plan.
- 6.7.6 The site is within an Archaeological Priority Zone. An archaeological desk-based assessment has been submitted with this application. GLAAS confirm the development may affect archaeological remains and therefore recommend a condition if permission is granted. The application is consistent with Policy DC70 and Policy 7.8 of the London Plan.

6.8 Parking and Highway Issues

- 6.8.1 The application proposes to retain the existing access to the site from Hornchurch Road but with modifications to its design and layout. Following discussions with the Council's Highway Engineers the design of the access has been revised and Highways have now confirmed that the access arrangements and layout of the access road is acceptable.
- 6.8.2 The development proposes a total of 75 parking spaces. This is based on a ratio of at least one space per 2 bed unit, 1.5 spaces per 3 bed unit and 2 spaces per 4 and 5 bed unit within the development. This gives an average parking provision across the site of 2.77 spaces per unit. The site has a PTAL of 2 and Policy DC2 indicates parking provision should be in the range of 2-1.5 spaces per unit. Many of the spaces however comprise the driveways in front of garages rather than specifically designated parking bays and the level of parking provision is therefore considered acceptable.
- 6.8.3 The level of car parking exceeds that set out in the new London Plan, which is less than one space per one and two bed unit, 1.5 – 1 space per 3 bed unit and 2 spaces per 4 bed plus unit. However, this is not yet based on PTAL zones, which will be part of a forthcoming Housing SPG.

Furthermore, Policy 6.14 of the London Plan recognises that London is a diverse city that requires a flexible approach to identifying appropriate levels of car parking provision across boundaries. This means ensuring a level of accessibility by private car consistent with the overall balance of the transport system at the local level. The site is outside of any designated town centres and has a low PTAL level of 2. Staff therefore consider that having regard to local site circumstances and as the current London Plan standards are not based on PTAL's the levels of parking can be assessed flexibly and are considered acceptable.

- 6.8.4 Secure cycle parking is proposed for each residential unit. It is recommended that details be secured by condition, particularly in respect of cycle storage for the flatted development.
- 6.8.5 The site is considered to provide suitable access for servicing and delivery vehicle, including refuse trucks, and for emergency services access. No objection has been raised by the Fire Brigade in respect of access and it has been advised that one additional fire hydrant is necessary.
- 6.8.6 A Transport Statement has been submitted with the application. Highways are satisfied that the development will not adversely affect the capacity of Hornchurch Road but request a financial contribution of £27,000 to pay for highway works in the vicinity of the site in the interests of maintaining highway safety.
- 6.8.7 The proposal is considered to be acceptable in respect of parking and highway safety issues and in accordance with Policies DC32, DC33 and DC34 of the LDF.

6.9 **Affordable Housing**

- 6.9.1 The application proposes that the 6 no. 2 bed flats within the development will be provided as affordable housing. This equates to 22% of the units. They are proposed to be provided on a shared ownership basis. The applicants have submitted a Three Dragons viability appraisal to demonstrate that this is the maximum reasonable amount of affordable housing provision that can be sustained by the development. At the time of writing this report for committee the viability report was still being independently assessed. Members will be verbally updated on the evening of any conclusion reached. Subject to the viability report being found sound staff are satisfied that the proposal complies with Policy DC6 of the LDF and makes suitable provision for affordable units within the scheme.

6.10 **Community Infrastructure**

- 6.10.1 The proposal is considered likely to generate demand for additional school places in the locality. Based on this likely increased demand and the availability of school places locally the Council's Education service indicate that a maximum contribution of £466,779.38 is required towards the cost of providing these additional school places. A viability assessment has been

submitted with the application which indicates that the development can provide a maximum Section 106 contribution of £162,000. As outlined above at the time of writing the viability appraisal is still under review. Staff are of the view that subject to the viability appraisal being found sound that the application reasonably demonstrates that the amount of Section 106 contribution cannot be increased. If this is found to be the case then staff do not consider this to be grounds for refusal for the application. In the event that the financial appraisal is judged to be found it is recommended that the amount of S106 contribution be apportioned between the requirements of Highways (£27,000), Parks (£13,000) with the remainder being for Education.

6.11 Other Issues

6.11.1 Turning to other issues raised in representations, which are not covered elsewhere in this report. It is considered that adequate community consultation has been undertaken, through the Council's own statutory consultation processes and a public exhibition held by the developers in the local area. Noise during construction is not material grounds for refusal. However, conditions relating to construction methodology and hours of working can be imposed and will accord with Environmental Health recommendations. The utility companies have been consulted in respect of the proposals and there is no grounds to refuse the application based on the impact on water supply. Details of boundary treatments are not known at this stage but can be controlled through condition, as can future alterations to the dwellings. Staff are satisfied, through the formal screening process that was undertaken, that the development does not require Environmental Impact Assessment. If a covenant does exist in respect of this site, this would be subject of non-planning legislation and would not constitute material planning grounds for refusal of the application. Reference has been made to Article 6 of the Human Rights Act 1998. This Article provides the right to a fair trial. Article 8 of the Human Rights Act gives the right to respect for private and family life. It is not considered that this planning application, which has been assessed against adopted national and local planning policies, is in direct contravention of this legislation.

7. Conclusion

7.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. There is no harm to the nearby conservation area. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for retention of and replacement landscaping, protection and enhancement of the ecology of the site, and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.

- 7.2 The proposal makes provision for 22% of the units to be provided as affordable housing, which falls below that required by Policy DC6 of the LDF. However, the applicant has submitted a Three Dragons viability assessment to justify the amount of affordable to be provided as required by Policy DC6 and the London Plan. The viability assessment has also been provided to justify the amount of Section 106 contributions arising from the development. At the time this report was drafted for Committee the viability assessment was still being considered and Members will be updated verbally at the meeting of any conclusion reached in this regard.
- 7.3 Subject to the viability assessment being acceptable the proposal is judged to be acceptable in all other respects, subject to a legal agreement and conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

The application site comprises land which has been disposed of by the Council.

Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types and includes the provision of an element of affordable housing, thus contributing to the provision of mixed and balanced communities.

BACKGROUND PAPERS

None

**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 September 2011

Subject Heading:	P1153.11 – Land rear of 28-30 Swindon Lane, Harold Hill Demolition of existing garages and erection 1no. 2 bedroom bungalow with associated parking and garden area. (Application received 2nd August 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
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 a Council owned garage court. This application proposes the demolition of 13 existing garages and the erection of 1 no. 2 bedroom bungalow with associated parking and garden areas.

The planning issues are set out in the report below and cover the principle of development, impact on streetscene, residential amenity and highway/ parking. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

RECOMMENDATIONS

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 Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 2 x No. off-street car parking spaces for use by Plot 1 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that adequate car parking provision is made off street in the interests of highway safety.

4) 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) 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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

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 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 Development Control Policies Development Plan Document Policy DC61

6) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 10.6861.1500) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

7) 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 Development Control Policies Development Plan Document Policy DC61.

8) Construction Methodology Statement: 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 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:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

9) Visibility Splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

10) Highways Licence Agreement: 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 and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

11) Secured 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 LPA

Reason:

In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

12) Noise insulation: The building(s) shall be so 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 and Noise" 1994.

13) 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

14) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place 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

15) Road lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be submitted to and approved in writing by the Local Planning

Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.

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) Levels: Before any of the development hereby permitted is commenced, details of existing and proposed levels for the application site shall be submitted to, and approved in writing by the Local Planning Authority and thereafter the development shall be constructed in accordance with the approved levels.

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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. 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.

4. 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.
5. With regards to surface water drainage it is the responsibility of the 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.
6. In aiming to satisfy Condition 14 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court which lies to the east of Swindon Lane, accessed by a track between No's 36-38 Swindon Lane. The site is currently covered in hard standing and has 13 garages. The north of the site is bound by residential gardens of 18-22 Wickford Close.
- 1.2 The site for residential development is approximately 303 square metres. There is a change in ground levels, running north to south, where properties on Swindon Lane are set at a lower level.
- 1.2 The surrounding locality is residential in nature, typified by two storey semi-detached dwellings set behind front gardens. Opposite the site is Dagnam Park.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 13 garages on the site and erect 1 no, 2 bedroom bungalow.

- 2.2 The bungalow would be positioned towards the northern edge of the site and measure 10m wide by 8m deep. The bungalow would be of a hipped roof design measuring 2.2m in height to the eaves and 4.8 m to the ridge. The exterior of the bungalow would be finished in facing brickwork with UPVC windows and tiled roof.
- 2.3 The bungalow is arranged to meet the Lifetime Homes Standard. The proposed bungalow would be constructed using a timber frame system, which would make the construction process faster than conventionally built brick developments. A conventional garden area is provided with direct access from the living room. Two parking spaces are provided with cycle storage provided via a shed in the garden area.

3. Relevant History

- 3.1 None

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 30 properties. 3 representations were received, stating the following objections these are summarised below:

- Loss of garages would result in parking congestion
- Query over the retention of garages.
- reduction in property values.

5. Relevant Policies

- 5.1 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 geo-diversity), 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.
- 5.2 The adopted Supplementary Planning Document for Residential Design and Landscaping are material considerations.
- 5.3 Policies 3.3, 3.5 and 3.8 of the London Plan (adopted July 2011) are relevant.

6. Staff comments

- 6.1 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 streetscene issues, impact on amenity, parking and highway issues sustainability and community safety.

6.2 Principle of development

6.2.1 This application site is previously developed land. It is 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 development would contribute to the London Plan objective to increase London's housing supply, specifically relevant is Policy 3.3.

6.2.2 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 land within urban areas. Members may therefore agree that the redevelopment of this garage court would contribute to the principles of urban regeneration and sustainability. Furthermore Staff are of the view that the proposals would contribute to the Council's vision namely the Living Ambition agenda.

6.2.3 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 61 square metres for a 2 bed, 3 person two storey dwelling and 70 square metres for a 2 bed, 4 person dwelling. The dwelling has an internal floor space of 82 square metres which is acceptable.

6.2.4 The site is presently occupied by 13 garages. However, these are in a poor state of repair, and according to information submitted by the applicant, only 1 garage is currently in use. The Council has offered the occupant of this garages alternative provision in the locality. No's 28-40 Swindon Lane and No. 8 Wickford Drive have rear boundaries which front onto the garage court. These include independent garages and gates which are accessed through the application site. The proposals would not result in these accesses being restricted as the bungalow is located to the north of the site, adjacent to the rear boundaries of No. 8 (adjacent to the open access garage) Wickford Drive and No's 22-24 Wickford Close, which have not previously had garage court access.

6.3 Density and Site Layout

6.3.1 Policy DC2 provides appropriate density levels for development across the borough. Where a site has good access to public transport, higher density levels are encourages. In this instance the site falls within a PTAL zone where a density of 30-50 units is anticipated. The proposal would provide a single bungalow and result in a density of 50 dwellings per hectare, which is

within the anticipated ranges. Staff consider the proposal would make an acceptable use of urban land in accordance with PPS3.

6.3.2 The proposed bungalow would be arranged to make provision for some soft landscaping areas to the front and side of the building. The private amenity area is located to the side of the building, where main living accommodation is arranged. The provision of a clear frontage, with landscaping to the front with separate garden area is considered to be compatible with the surrounding locality.

6.3.3. With regard to the provision of amenity space, the adopted Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths. Instead the SPD places emphasis on new developments providing high quality spaces that are usable, arranged in single blocks and benefit from reasonable levels of sunlight and shade. In this instance the private garden would measure .108 square metres. Staff are of the view that the proposed garden area would provide future occupants with useable external space for every day activities such as outdoor dining, relaxation and clothes drying.

6.3.4 The proposed bungalow would have a garden depth of 11.4m. Although there are no prescribed garden depths this figure is largely comparable with surrounding gardens and is considered to acceptably integrate into the locality.

6.4 Design/Impact on Street scene

6.4.1 The character of the locality is typified by two storey semi-detached dwellings of a similar post war architectural style. The application site is set behind the frontage properties of Swindon Lane, and a bungalow in this location would not be readily visible from the streetscene and would be screened from the access track to some degree by the flank walls of No's 36-38 Swindon Lane and their respective garden boundary enclosures. The bungalow would be of a traditional design and form which Staff consider would integrate into the surrounding urban grain. In all, Staff consider that a bungalow on this site would not be harmful to the existing character of the area.

6.4.2 It is considered that the design and appearance of the proposed bungalow is of an acceptable quality and would be finished in a mixture of materials including facing brickwork, concrete roof tiles and UPVC windows. Staff consider these materials to be acceptable within the locality and comparable with those on surrounding dwellings. In any event, full details and samples of materials can be controlled should Members be minded to grant planning permission. There would also be a clearly defined entrance with tiled pitched canopy over which reinforces the principle elevation of the dwelling within the garage court.

6.4.3 In terms of the inward appearance of the garage court, the demolition of the garages, inclusion of soft landscaping and construction of a single dwelling

is considered to improve the appearance of this area locally, and would improve its spaciousness, due to the removal of the large garage block.

6.5 Impact on Amenity

6.5.1 The proposal would introduce residential development to the rear of properties on Swindon Lane to the south/west and Wickford Drive and Wickford Close to the north/east. The bungalow is orientated with its front elevation facing towards Swindon Lane and would be separated to the boundary of Nos. 28-40 by 4m and to their rear elevations by 16m. These front facing windows serve a kitchen, bathroom and bedroom and are not considered to result in overlooking of these properties. The bungalow's living room windows are orientated facing east over the rear garden, where they would not directly front onto an adjacent property. No. 20 Wickford Close is the nearest property to this rear elevation, set 10.4m away. However, the orientation of this property faces away from the proposed bungalow and is not considered to result in a loss of amenity for either dwelling. Given the single storey nature of the buildings, its positioning here is considered acceptable. The future occupiers of the bungalow would have an orientation over the enclosed garden facing east. This is considered acceptable and where the orientation of surrounding buildings facing away from the site, would not feel overlooked.

6.5.2 There is change in ground levels across the site, rising south to north. The proposed bungalow would sit 2m lower than No. 20 Wickford Close and 3m higher than the properties on Swindon Lane. This level change is quite significant, however, Staff consider that the single storey nature of the building (with no roof accommodation), acceptable separation distances and orientation of the bungalow is not considered to result in a development which is incongruous, or over bearing to neighbouring occupiers. Staff consider the impact of the bungalow to be acceptable, however, it is recommended that permitted development rights are removed in order that Staff can control any extensions or alterations to the property in future.

6.5.3 The configuration of the proposed bungalow is such that it would be fully accessible to those with disabilities in 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 throughout changing circumstances.

6.5.4 Representations received objected, partly on the grounds that the development could result in a reduction in property values, this however, is not a material planning consideration on which a refusal could be based.

6.6 Highway/Parking/Access

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5

parking spaces per unit for a development of this type nature. The development would provide a total of 2 parking spaces, which is acceptable.

- 6.6.2 According to information provided by the applicant, all 13 garages are in a poor condition. Only 1 of these garages are currently let and the tenants of this garage will be offered suitable alternative accommodation. Representations received objected on the grounds that development would result in parking congestion, however, given that all but 1 of the garages are un-let, and there are no parking controls on Swindon Lane, Staff consider that the loss of the garage court for a single dwelling would not result in any highway safety or parking issues.
- 6.6.3 The access road would have a shared surface for vehicles and pedestrians. Representations from the Highways Authority raise no objection, but recommend the access road is widened. Staff consider there is little scope to widen the road, which is already a functioning access measuring 3.7m wide. This can be considered acceptable by StreetCare and therefore Staff raise no objection on this basis.
- 6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.
- 6.6.5 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

7. Conclusion:

- 7.1 Overall, Staff are of the opinion that the proposals to provide a single dwelling would be of an acceptable appearance, they would be largely screened from the Swindon Lane streetscene. It is also considered that the proposal presents an acceptable degree of spacing between the buildings and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking and access to surrounding properties has been retained as part of the proposals. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity. The division of the existing vacant unit would revitalise this prominent corner site and complement the existing shopping area in line with the ongoing regeneration of Harold Hill.

BACKGROUND PAPERS

Application forms and plans received 20/01/2011.

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.

8

**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 September 2011

Subject Heading:	<p>P1155.11 – Land adjacent 9 Orchis Way, Harold Hill</p> <p>Demolition of existing 14 garages and erection of 2 No. 2 storey 4 bedroom dwellings with associated parking (Application received 2nd August 2011)</p>
Report Author and contact details:	<p>Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk</p>
Policy context:	<p>Local development Framework</p>
Financial summary:	<p>None</p>

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 a Council owned garage court. This application proposes the demolition of the existing 14 garages and the erection of 2 no. 2 storey dwellings with associated parking and garden areas.

The planning issues are set out in the report below and cover the principle of development, impact on the streetscene, 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

That planning permission be granted subject to the following conditions.

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 Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that adequate car parking provision is made off street in the interests of highway safety.

4) 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) 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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

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 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 Development Control Policies Development Plan Document Policy DC61

6) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place 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

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted 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.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 1 and Plot 2 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 10.6861.1400) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

9) 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 Development Control Policies Development Plan Document Policy DC61.

10) Construction Methodology Statement: 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 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:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

11) Visibility Splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

12) Highways Licence Agreement: 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 and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

13) Secured 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 LPA

Reason:

In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

14) Noise insulation: The building(s) shall be so 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 and Noise" 1994.

15) 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

16) Obscure glazed windows: The proposed window on 1st floor level within the southern elevation, serving the bathroom as indicated on Drawing Nr. 10.6861.1401 shall be permanently glazed with obscure glass and thereafter be maintained 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.

17) Road lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.

18) 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.

19) 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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. 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.
4. 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.
5. With regards to surface water drainage it is the responsibility of the 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.
6. In aiming to satisfy Condition 13 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
7. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, 1m clear of all obstructions. This hydrant is to be numbered P111994 and will conform to BS750:2006 and be indicated with a hydrant indicator plate conforming to BS3251:1976.

Upon completion of works, this fire hydrant the surrounding areas should meet flush with the hydrant's frame and cover and the pit should be clear of any debris.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court located to the rear of Orchis Way, which is residential cul-de-sac, located south of Petersfield Avenue. To the immediate north/east is the Saxon King public house. To the west is a line of terraces numbered 9-16 Orchis Way. South of the site are residential properties that front onto Colne Drive. The site is currently covered in hard standing and has 14 garages.
- 1.2 The site for residential development is approximately 575 square metres in size. Ground levels are generally level but slopes to the rear where properties set along Colne Drive are at a slightly lower level.
- 1.3 The character of the surrounding area is predominantly residential, with the exception of the public house and is characterised by two storey development.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 14 garages on the site and erect 2 No. semi-detached dwellings with associated parking and garden areas.
- 2.2 The dwellings would lie adjacent to no. 9 Orchis Way and front directly onto the highway. The dwellings would have a north-south orientation with windows and doors towards the front and rear. There are no flank windows at first floor level.
- 2.3 The width of the dwellings is 10m, to give an overall width of 20m. The dwellings have an equal depth of 6.5m. The development is two storeys in height measuring 4.7m to the eaves and 8m to the ridge. The main entrance to each property is located to the northern elevation.
- 2.4 At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are four bedrooms and a bathroom.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles). To the front of the dwellings would be a turning area. There would be 4 parking spaces, 2 to each plot, these are located either side of the turning area and are separated by a pathway and soft landscaping.

2.6 Amenity space for each dwelling is provided to the rear. Plot 1 (adjacent to the public house) has 111 square metres of amenity space. Plot 2 (adjacent to 9 Orchis Way) has 127 square metres of amenity space. All amenity areas would be screened by a 1.8m high fence with 0.3m trellis on top, providing a 2.1m high enclosure.

2.7 The public footpath running around the western boundary to the site would remain open.

3. Relevant History

3.1 None

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 31 properties. No representations were received.

5. Relevant Policies

5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

6. Staff Comments

6.1 This proposal is put before the Committee as the site comprises land owned by the Council. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/streetscene issues, amenity implications and parking and highway issues.

6.2 Principle of development

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with PPS3 as the application site is within an established urban area.

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 100 square metres for a 4 bed, 5

person two storey dwelling and 107 square metres for a 4 bed, 6 person dwelling. The dwellings have an internal floor space of 130 square metres which is acceptable.

- 6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1.

6.3 Site Layout/ Amenity Space

- 6.3.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

- 6.3.2 The amenity space to both dwellings is provided towards the rear in single blocks, enclosed by a 1.8m close boarded fence with 0.3m trellis above. The amenity areas would not be visible from any public view points and would follow the existing urban grain. Amenity space would measure between in excess of 100 square metres.

- 6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and ranges in size. Adjacent gardens in Orchis Way measure approximately 40 square metres whilst properties on Colne Drive to the south have gardens in between 80-130 square metres in size. Staff are of the opinion that the garden areas would be large enough to be practical for every day use and with the provision of fencing, would be screened from general public views and access. It is therefore considered that the proposed garden areas would acceptably integrate into the locality and comply with the requirements of the Residential Design SPD.

- 6.3.4 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 37 dph. This density is within the recommended density ranges for this area and is therefore considered acceptable.

- 6.3.5 In terms of layout, the proposed semi-detached dwellings would be partially visible from Petersfield Avenue, but as they are set to the rearmost portion of the site, set back approximately 60m from the edge of the highway to the front elevation, are considered to be of a limited impact within the streetscene.

- 6.4 Impact on Local Character and Streetscene.

- 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The surrounding area has no prevailing architectural style, but there is an established pattern of development with defined building frontages and heights. There is an existing terrace in Orchis Way, which is set 13m forward of the proposed dwellings, the Saxon King public house located in front of the application site forms the other boundary to Orchis Way. The proposed dwellings would be situated behind this development and it is not considered that would be materially harmful in the streetscene.
- 6.4.3 In terms of design, the properties have a traditional design with covered entrance and symmetrical elevations. They would be finished in facing brickwork with a tiled roof and UPVC windows. Staff consider this would be acceptable for the locality. However, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.
- 6.4.4 There is no change in ground levels across the application site, however, to the rear of the site, the ground level drops down, so that properties on Colne Drive are situated at a slightly lower level. Staff consider that the spacing between dwellings within Orchis Way and Colne Drive to the rear not to be of a visually intrusive or overbearing appearance, especially given existing boundary screening.
- 6.4.5 The development of housing on the site would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general.
- 6.4.6 It is considered that the development of a pair of semi-detached 2-storey terrace dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.
- 6.5 Impact on Amenity
- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

- 6.5.2 Plot 1 is set 4m behind the rear of no. 9 Orchis Way. The rear elevation of plot 1 would have a total rear projection of 10.5m from this property. In this instance the dwelling is set at an angle away from No. 9 Orchis Way and is not considered to result in a loss of amenity. This dwelling is also set 2m off the boundary and is further divided by a public footpath, which would remain open. The front facing bedroom 4 (plot 1) would have an oblique view of the rear garden of No. 9 Orchis Way, although the orientation of the buildings is considered to result in this window being of minimal intrusion.
- 6.5.3 The development would not feature flank windows at ground or first floor. Towards the south, windows in the rear elevation would face onto the properties along Colne Drive. The separation distance between the rear elevation of the proposed dwellings and No's 35-37 Colne Drive is between 19m at a minimum and 23m depending on the point of measurement due to the orientation of the dwellings. There are no prescribed back to back distances, and given the garden depths between both properties, it is not considered that there would be any direct overlooking or invasion of privacy.
- 6.5.4 Plot 2 would be set against the rear boundary of No's 97-99 St. Neots Road and be separated to their rear elevation by a distance of 20m which is considered acceptable, given that these two buildings do not share a primary orientation. There are additionally no flank windows on this elevation which would result in overlooking.
- 6.5.5 In terms of additional noise and disturbance, it is not considered that the addition of 2 x family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.6 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the front of the dwellings, but behind the existing terrace in Orchis Way. 2 parking spaces would be adjacent to No. 9 Orchis Way, which could result in some potential for noise disturbance. However, Staff note this dwelling has no flank windows and the area is already hard surfaced with the potential to be used for car parking within the garage court. The other 2 parking spaces are located adjacent to the boundary with No's 97-99 St. Neots Road but are well separated from these dwellings by 20m. The parking spaces would be screened by a 1.8m high timber fence and include strips of soft landscaping to the edges. The trees to this boundary within the neighbours curtilage is also considered to reduce the impact of these two parking spaces. It is acknowledged that the site is currently used for informal parking and Staff are of the opinion that the parking is sufficiently removed from existing dwellings and that no noise or light pollution would occur as a result of these 4 car parking spaces on the site which is a reduction from the possible 14 that the site can accommodate at the present time.
- 6.5.7 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey 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 appearance of the street scene and amenities of neighbouring occupiers.

6.5.8 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 Highway/Parking/Access

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. 2 parking spaces are provided per unit which is acceptable.

6.6.2 According to information provided by the applicant, all 14 garages are in a poor condition and all are currently vacant. The loss of these garages in favour of the proposal to provide new family accommodation is therefore considered acceptable and would not result in any highway safety or parking issues.

6.6.3 The access road would have a shared surface with the pedestrian path demarcated in contrasting pavers. The width of the access road would therefore remain as existing and raises no objection from Staff.

6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.

6.6.5 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

6.7 Other issues

6.7.1 The plans do not show an exact location for refuse storage, however, the applicant has indicated that the access road is sufficiently wide enough for a refuse cart to enter, and that refuse storage would be provided within the entrance porch to each dwelling.

7. Conclusion:

7.1.1 Overall, Staff are of the opinion that the proposals to provide 2 dwellings would be of an acceptable appearance, they would be largely screened

from Petersfield Avenue by existing development. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as applicant and 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 forms and plans received 2/08/2011.

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.

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REGULATORY SERVICES COMMITTEE

REPORT

15 September 2011

Subject Heading:	P1156.11 – Land adjacent 15 Oxford Road, Harold Hill Demolition of existing 20 garages and erection of 3 No. 2 storey 3 bedroom dwellings with associated parking (Application received 2nd August 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
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 a Council owned garage court. This application proposes the demolition of the existing 20 garages and the erection of 3 no. 2 storey dwellings with associated parking and garden areas.

The planning issues are set out in the report below and cover the principle of development, impact on the streetscene, 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

That planning permission be granted subject to the following conditions.

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 Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 6 x No. off-street car parking spaces for use by Plot 1, Plot 2 and Plot 3 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that adequate car parking provision is made off street in the interests of highway safety.

4) 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)

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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

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 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 Development Control Policies Development Plan Document Policy DC61

6) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place 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

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted 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.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 1, Plot 2 and Plot 3 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 8430-155-1000, received 14th February 2011) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

9) 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 Development Control Policies Development Plan Document Policy DC61.

10) Construction Methodology Statement: 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 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:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

11) Visibility Splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

12) Highways Licence Agreement: 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 and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

13) Secured 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 LPA

Reason:

In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

14) Noise insulation: The building(s) shall be so 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 and Noise"

1994.

15) 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

16) Obscure glazed windows: The proposed window on 1st floor level within the north and south elevations, serving the bathrooms as indicated on Drawing Nr. 10.6861.1301 shall be permanently glazed with obscure glass and thereafter be maintained 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.

17) Road lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.

18) 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.

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. 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.
4. 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.
5. With regards to surface water drainage it is the responsibility of the 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.
6. In aiming to satisfy Condition 13 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
7. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, 1m clear of all obstructions. This hydrant is to be numbered P111994 and will conform to BS750:2006 and be indicated with a hydrant indicator plate conforming to BS3251:1976. Upon completion of works, this fire hydrant the surrounding areas should meet flush with the hydrant's frame and cover and the pit should be clear of any debris.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court located to the west of Oxford Road, which is a 'T' shaped road, connecting Colne Drive to the South and Petersfield Avenue to the north, with a branch road located centrally which serves as the access to the garage court and a terrace of properties No's 7-15 Oxford Road. The site is currently covered in hard standing and has 20 garages.
- 1.2 The site for residential development is approximately 654 square metres in size. Ground levels are generally level but slopes to the rear where properties set along Colne Drive are at a lower level.
- 1.3 The character of the surrounding area is predominantly residential to the south, east and west, typified by two storey terraced and semi-detached dwellings. North of the site on Petersfield Avenue changes in character and is typified by 4 storey terraces. Further up Petersfield Avenue is commercial development at ground floor with flats above in 3 storey blocks. The north of the site is bound by a brick wall, beyond which is a line of garages serving Petersfield Avenue, these are set at a higher level than the application site.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 20 garages on the site and erect 3 No. terraced dwellings with associated parking and garden areas.
- 2.2 The dwellings would lie adjacent to no. 15 Oxford Road and front directly onto the highway. The dwellings would have a north-south orientation with windows and doors towards the front and rear. There would be one first floor flank windows to plot 1 and 3 serving a bathroom.
- 2.3 The width of the dwellings is varies between 5m to 5.2m, giving an overall width of 15.3m. The dwellings have an equal depth of 10.6m. The development is two storeys in height measuring 4.7m to the eaves and 8.9m to the ridge. The main entrance to each property is located to the northern elevation.
- 2.4 At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are three bedrooms and a bathroom.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles). To the front of the dwellings would be a turning head. There would be 6 parking spaces, 2 to each plot.

2.6 Amenity space for each dwelling is provided to the rear. Plot 1 has 70 square metres of amenity space. Plot 2 (the mid terrace) has 56 square metres and Plot 3 has 78 square metres. All amenity areas would be screened by a 1.8m high brick wall.

3. Relevant History

3.1 None

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 56 properties. 6 representations were received, stating the following objections.

- Pressure of the houses would cause flooding
- Fence is unacceptable boundary treatment and should be replaced with a brick wall.
- Nose of the building should be monitored
- Fence would result in loss of privacy
- Dwellings should be relocated to be in line with existing terrace
- Right of way to rear of properties is unsecure
- Construction related traffic and noise

5. Relevant Policies

5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

6. Staff Comments

6.1 This proposal is put before the Committee as the site comprises land owned by the Council. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/streetscene issues, amenity implications and parking and highway issues.

6.2 Principle of development

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with PPS3 as the application site is within an established urban area.

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 87 square metres for a 3 bed, 4 person two storey dwelling and 96 square metres for a 3 bed, 5 person dwelling. The dwellings have an internal floor space in excess of 100 square metres which is acceptable.

6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and Policy 3.3 of the London Plan.

6.3 Site Layout/ Amenity Space

6.3.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

6.3.2 The amenity space to all three dwellings is provided towards the rear in single blocks, revised plans have been received, following concern from local residents with regard to the suitability of a timber fence in this location, revised plans have been received which provides a 1.8m brick wall as a boundary enclosure to the rear gardens. The amenity areas would not be visible from any public view points and would follow the existing urban grain. Amenity space would measure between 35 and 60 square metres. These gardens have access via a side entrance, gated to Oxford Road.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and ranges in size. Adjacent properties in Oxford Road measure between 31 and 57 square metres whilst properties on Colne Drive have gardens in excess of 80 square metres. Staff are of the opinion that the garden areas would be large enough to be practical for every day use and with the provision of walling, would be screened from general public views and access. It is therefore considered that the proposed garden areas would acceptably integrate into the locality and comply with the requirements of the Residential Design SPD.

6.3.4 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 47 dph. This density is within the recommended density ranges for this area and is therefore considered acceptable.

6.3.5 In terms of layout, the proposed terrace of 3 dwellings would form part of the Oxford Road streetscene and be set in line with No's 7-17 Oxford Road and set 1.8m off the flank boundary shared with No. 15 Oxford Road.

6.4 Impact on Local Character and Streetscene.

6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

6.4.2 The surrounding area has no prevailing architectural style, but there is an established pattern of development with defined building frontages and heights. This is split into two character areas. First properties along Oxford Road and to the south along Colne Drive are 2 storeys in height; Petersfield Avenue represents a different character which is typified by terraces 4 storeys in height. Terraced properties in Oxford Road are finished with shallow pitched roofs with gable ends and it is proposed to introduce a terrace with hipped ends. The total height of the terrace would be 2.6m higher than the adjacent terrace no's 7-15 Oxford Road. However, given the hipped ends of the roof, spacing between building blocks and the adjacent 4 storey terrace on Petersfield Avenue, it is considered that the higher terrace of properties here would not be materially harmful in the streetscene. The higher garages of the adjacent site to the rear of Petersfield Avenue would continue to remain visible. Members however, are invited to apply their judgement with regard to the variation in roof heights.

6.4.3 In terms of design, the properties have a traditional design with covered entrance and symmetrical elevations. They would be finished with rendered elevations with a tiled roof; although the adjacent properties are finished with facing brickwork, there is no objection to render in this location and Staff consider this would be acceptable for the locality. However, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.

6.4.4 The proposals would be visible as part of the Oxford Road streetscene. The existing garages are built up to the boundaries and project forward of No. 15 Oxford Road. It was previously proposed to project the terrace 4m forward of No's 7-15, however, revised drawings have been submitted which have repositioned the dwellings in line with the existing terrace. This would ensure there is a continuous streetscene which is acceptable. This has resulted in a reduced garden area, this however, does not raise concern given the flexibility of the Residential Design SPD.

- 6.4.5 There is no change in ground levels across the application site, however, to the rear of the site, the ground level drops down, so that properties on Colne Drive are situated at a lower level. The properties are set in line to the rear with No's 7-15 and are not considered to result in an overbearing or visually intrusive relationship.
- 6.4.6 The development of housing on the site would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general.
- 6.4.7 It is considered that the development of three 2-storey terrace dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.
- 6.5 Impact on Amenity
- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.5.2 Representations received, objected on the grounds that the proposed boundary fence, dividing the site from the rear gardens on Colne Drive would result in a loss of privacy and not secure the ground, which could result in flooding. Following these concerns, amended plans have been submitted which incorporate a 1.8m high solid brick wall boundary enclosure to the rear boundaries and side boundaries. There is a rear access serving the adjacent terrace in Oxford Road, representations received object that this access could be lost, however, rights of way are not a material planning consideration that could substantiate a refusal reason, where they open out onto land under separate ownership.
- 6.5.3 The development would have one first floor flank window to plots 1 and 3 which serve a bathroom. These would face no. 15 Oxford Road to the south and the garden of 76 Colne Drive to the north. These windows will however, be conditioned to be fixed shut (with the exception of a fan light) and obscure glazed, and is therefore not considered to result in any loss of amenity through overlooking.
- 6.5.4 Towards the south, windows in the rear elevation would face onto the properties along Colne Drive. The separation distance between the rear elevation of the proposed terrace and no's 70-74 Colne Drive is 20m. There are no prescribed back to back distances, and given the garden depths between both properties, and the existing relationship between the

properties on Colne Drive and No's 7-15 Oxford Road, it is not considered that there would be any direct overlooking or invasion of privacy.

- 6.5.5 It is not considered that the terrace proposed would result in overshadowing of neighbouring properties, as the front elevation is now set in line with the existing terrace and the rear would not project beyond the existing building line. The existing garages are located in the same position where the massing is an existing relationship. Whilst there would be an increase in height over the existing garages by the construction of a two storey terrace, it is not considered that the occupiers of the existing terrace would be affected by overshadowing.
- 6.5.6 In terms of additional noise and disturbance, it is not considered that the addition of 3 x family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. The dwellings would be built using a timber frame; this would speed up the construction process over traditionally constructed brick buildings. This combined with a condition, restricting the hours of construction should minimise disturbance to neighbouring properties.
- 6.5.7 There would be 6 parking spaces provided, 2 for each dwelling. Plots 1 and 2 have parking spaces provided to the front of the dwellings, whilst plot 3 has two parking spaces located to the northern boundary, opposite the rear service road for no's 176-134 Petersfield Avenue. Oxford Road in any case is currently used for residential parking, in association with the surrounding dwellings. Staff are of the opinion that the parking is sufficiently removed from existing dwellings and that no noise or light pollution would occur as a result of these 6 car parking spaces on the site.
- 6.5.8 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey 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 appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.9 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5

parking spaces per unit for a development of this type nature. The development would provide a total of 6 x parking spaces, which equates to 2 per dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.

- 6.6.2 According to information provided by the applicant, all 20 garages are in a poor condition. Only 1 of the garages is currently let, the tenant of this garage will be offered suitable alternative accommodation. The loss of these garages in favour of the proposal to provide new family accommodation is therefore considered acceptable and would not result in any highway safety or parking issues through displacement parking.
- 6.6.3 The access road would have a shared surface with the pedestrian path demarcated in contrasting pavers. The width of the access road would therefore remain as existing and raises no objection from Staff. Representations received, objected to the lack of parking, in light of there being no objection from the Highways Authority, Staff consider there are no reasonable ground on which to base a refusal reason. In terms of construction activity, any materials the developer wishes to store on the public highway in Oxford Road will require a licence from the Highways Authority.
- 6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.
- 6.6.5 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

6.7 Other issues

- 6.7.1 The plans do not show an exact location for refuse storage, however, the applicant has indicated that the access road is sufficiently wide enough for a refuse cart to enter, and that refuse storage would be provided within the entrance porch to each dwelling.

7. Conclusion:

- 7.1 Overall, Staff are of the opinion that the proposals to provide 3 dwellings would be of an acceptable appearance, they would be set in line with the existing terrace forming No's 7-15 Oxford Road. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking

for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as applicant and 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 forms and plans received 2/08/2011.

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.

10

REGULATORY SERVICES COMMITTEE

REPORT

15 September 2011

Subject Heading:	P1152.11 – Land adjacent 19 Leamington Close, Harold Hill Demolition of existing 20 garages and erection of one three storey block comprising 6 flats with associated parking (Application received 2nd August 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
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 type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 20 garages and the erection of 1, three storey block comprising 6, 2 bedroom flats with associated parking and amenity areas.

The planning issues are set out in the report below and cover the principle of development, impact on the streetscene, 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

That planning permission be granted subject to the following conditions.

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 Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 6 x No. off-street car parking spaces for use by flats 1-6 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that adequate car parking provision is made off street in the interests of highway safety.

4) 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)

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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

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 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 Development Control Policies Development Plan Document Policy DC61

6) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made for 6 x No. cycle storage spaces in accordance with the approved plans Drawing Nr. 10.6861.1200 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

7) 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 Development Control Policies Development Plan Document Policy DC61.

8) Construction Methodology Statement: 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 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:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

9) Visibility Splays: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

10) Highways Licence Agreement: 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 and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

11) Secured 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 LPA

Reason:

In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

12) Noise insulation: The building(s) shall be so 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 and Noise" 1994.

13) 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

14) Obscure glazed windows: The proposed windows on 1st and 2nd floor level within the eastern and western elevation, serving the bathrooms as indicated on Drawing Nr. 10.6861.1200 shall be permanently glazed with obscure glass and thereafter be maintained 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.

15) Road lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be submitted to and approved in writing by the Local Planning

Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.

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.

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. 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.
4. 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.
5. With regards to surface water drainage it is the responsibility of the 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.

6. In aiming to satisfy Condition 11 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
7. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, 1m clear of all obstructions. This hydrant is to be numbered P111994 and will conform to BS750:2006 and be indicated with a hydrant indicator plate conforming to BS3251:1976. Upon completion of works, this fire hydrant the surrounding areas should meet flush with the hydrant's frame and cover and the pit should be clear of any debris.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court located to the rear of Leamington Close. The site is currently covered in hard standing and has 20 garages located to the east and west boundaries.
- 1.2 The site for residential development is approximately 540 square metres in size. Whilst the garage court is level, the surrounding land levels vary significantly from a low in the south, rising north. The site is surrounded by open land with pathways connecting the various blocks of flats.
- 1.3 The character of the surrounding area is predominantly residential and is typified by blocks of flats measuring up to 3 storeys in height; these are built in facing brick with projecting balconies. These blocks of flats are divided by large open spaces filled with mature trees.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 20 garages on the site and erect a single three storey block, comprising 6 No. 2 bedroom flats. There would be 2 flats on each floor.
- 2.2 The dwellings would lie adjacent to no. 19 Leamington Close, which forms part of a block of flats 'Hungerford House' and front onto a car park for residents which includes a cycle and refuse store and soft landscaping. The dwellings would have a north-south orientation with windows and doors

towards the front and rear. There would be two windows on each level on the western elevation, these serve a bathroom and bathroom. The eastern elevation has one flank window to each level, this serves a bathroom.

- 2.3 The width of the block measures 15m wide, 11m deep (12.4m deep including the projecting entrance), 8m high to the eaves and 11.7m high to the ridge.
- 2.4 Each flat has two bedrooms, open plan kitchen and living room and bathroom. These are accessed via a central corridor.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles). To the front of the dwellings is a cycle store and refuse store and 6 parking spaces, 1 for each flat.
- 2.6 Each flat is provided with private amenity space. The two ground floor flats would have private gardens with direct access from the living rooms, these measure approximately 58 square metres. The four first and second floor flats have projecting balconies with direct access from the living rooms. These measure 6.75 square metres.
- 2.7 The flats are arranged to meet the Lifetime Homes Standard and be constructed using a timber frame system, which would make the construction process faster than conventionally built brick developments. Overall, the development would meet Code Level 4 for Sustainable Homes.

3. Relevant History

- 3.1 None

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 168 properties. 2 representations were received, stating the following objections.

- Access road is too narrow
- Screening between properties
- Parking is insufficient
- Loss of natural light
- Loss of green open space

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policy 3.8 (housing choice), 6.13 (parking) of the London Plan,

PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

6. Staff Comments

6.1 This proposal is put before the Committee as the site comprises land owned by the Council. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/streetscene issues, amenity implications and parking and highway issues.

6.2 Principle of development

6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with PPS3 as the application site is within an established urban area.

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 61 square metres for a 2 bed, 3 person flat and 70 square metres for a 2 bed, 4 person dwelling. The dwellings have an internal floor space in excess of 77 square metres which is acceptable.

6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and policy 3.3 of the London Plan which seeks to increase London's housing supply.

6.3 Site Layout/ Amenity Space

6.3.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

6.3.2 Each flat is provided with private amenity space. The two ground floor flats have direct access onto a private rear garden, these measure approximately 58 square metres and are provided in a single block, enclosed by a 1.8m timber fence. The four flats on first and second floors each have a balcony,

covering an area of 6.75 square metres, located off the living room. This provision of amenity space is considered acceptable and in accordance with the SPD for Residential Design.

6.3.3 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 111 dph. This density is significantly higher than the range provided above; however, the site is located surrounded by large three storey blocks of flats with similar or higher densities. Staff consider the proposals to be of an appropriate density for the area.

6.3.4 In terms of layout, the block is located centrally within the application site, and would be surrounded by the open spaces between the surrounding blocks of flats. The block would be positioned 7m to the nearest block to the west and 12.4m to the nearest block to the east. In all, Staff consider that the proposed block of flats would not appear cramped within the locality.

6.4 Impact on Local Character and Streetscene.

6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

6.4.2 The surrounding area has no prevailing architectural style, but there is an established pattern of development with detached blocks of flats, three storeys in height with pitched roofs surrounded by open green spaces. This creates a defined residential setting, with a spacious open character.

6.4.3 In terms of design, the block would be three storeys in height with pitched roof and feature a three storey entrance projection; this is broadly similar to surrounding blocks of flats. It is proposed to finish the block in a mixture of facing brick and painted render with glass balconies and timber boarding, resulting in a contemporary appearance. Although the surrounding properties are finished mostly with brickwork and have a traditional appearance, typical of their age there is no objection to a more contemporary building using a contemporary pallet of materials. Staff consider this would be acceptable for the locality, however, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.

6.4.4 The proposals would be surrounded by areas of open space and adjacent blocks of flats. When viewed from Petersfield Avenue to the south west the block would be screened by 'Camdourth House', 'Bracknell House', 'Brackley House' and 'Bedford House'. When viewed from Leamington Road and entrance to Leamington Close to the east, the block would be

screened by 'Lodden House', 'Hungerford House', 'Heathfield House' and 'Arnside House'.

6.4.5 Ground levels rise from the south on Petersfield Avenue to the north up towards Leamington Road and Leamington Close; however, there is no change in ground levels across the application site, where the garages have been constructed on a level platform. The proposed block would stand 2m higher than the adjacent block to the west, Bracknell House due to the change in ground levels, but would be no taller than Hungerford House to the east and 2m lower than Marsden House to the north. The height of the block would therefore continue the pattern of rising building heights across the locality. Due to the orientation of surrounding blocks of flats, the proposed flats would continue to be screened from surrounding public viewpoints on the public highway.

6.4.6 The development of flats on the site with inclusion of soft landscaping would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general. The rear gardens of the ground floor flats would be enclosed by a boundary fence creating private gardens. This is not typical of the area, which has open communal space, however, where the existing garages extend right to the boundary creating a hard boundary enclosure, the proposed fence would have a softer appearance which raises no Staff concern and would improve the general appearance of the locality. Representations received queried the loss of trees; however there are no trees located within the garage court and the applicant has stated that no trees would be affected by the development.

6.4.7 It is considered that the development of three storey block to provide 6 dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed block and neighbouring blocks, Staff are of the opinion that the proposals would not appear as a cramped form of development within the locality and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

6.5 Impact on Amenity

6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

6.5.2 The proposed three storey block is surrounded by adjacent three storey blocks. To the north Marsden House is situated 21m north on a ground level which is approximately 2.8m higher than the application site. Bracknell House is set 9m away to the west on a ground level which is 1.5m lower. Hungerford House directly east is located at a minimum of 12m and maximum of 14m away from the proposed block due to its angled

orientation. Ground levels between these two blocks are fairly level. Due to the spacing between these blocks, a three storey development here is not considered to result in any loss of light to neighbouring occupiers.

- 6.5.3 The development would have flank windows to all levels on its western elevation, these serve a bathroom and kitchen. Given the distances between blocks and the change in ground levels, the windows here would not result in any direct overlooking to adjacent properties in Bracknell House. The eastern flank windows facing onto Hungerford House serve a bathroom and would be conditioned so that it is obscure glazed and non opening with the exception of a top hung fan light.
- 6.5.4 The windows serving the bedrooms are located facing north onto Marsden House. Living room kitchen windows and the balconies are located facing south towards Bracknell House and Brackley House. These are not considered to result in any loss of amenity, where in this location balconies are a common feature to all adjacent blocks. There are no prescribed back to back distances, and given the staggered positioning between blocks here, it is considered that the block would not result in a loss of amenity through overlooking or loss of privacy.
- 6.5.5 In terms of additional noise and disturbance, it is not considered that the addition of 6, 2 bedroom flats would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. Representations received raised concern to the length of time that construction works would go on for and the impact upon neighbouring occupiers. The flats would be built using a timber frame; this would speed up the construction process over traditionally constructed brick buildings. A condition is also attached which restricts the hours of construction.
- 6.5.6 There would be 6 parking spaces provided, 1 for each dwelling. These are located to the north of the application site. Staff are of the opinion that the parking is sufficiently removed from nearest dwellings in Marsden House and Lodden House, approximately 7m away, that no noise or light pollution would occur as a result of these 6 car parking spaces on the site. These parking spaces are flanked by soft landscaping and combined with the change in ground levels, where Marsden House and Lodden House to the north are set at a higher level, there would be no loss of amenity.
- 6.5.7 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. The development would provide a total of 6 parking spaces, which equates to 1 per dwelling. Representations received from the Highways Authority object to the level of parking. Staff note however, that the London Plan (adopted July 2011) recommends far lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states 1-2 bedroom units should provide less than 1 parking space per unit, as a maximum. It is also noted that the adjacent blocks of flats do not benefit from private parking, and Leamington Road and Petersfield Avenue do not have parking controls. It is considered that the development proposed would not result in significant demand for additional parking over existing levels and therefore 1 space per unit is acceptable.
- 6.6.2 According to information provided by the applicant, all 20 garages are in a poor condition. Only 4 of the garages are currently let and the tenants of these garages will be offered suitable alternative accommodation. The loss of these garages in favour of the proposal to provide new family accommodation is therefore considered acceptable and would not result in any highway safety or parking issues through displacement parking.
- 6.6.3 The access road would have a shared surface for vehicles and pedestrians. The width of the access road would therefore remain as existing, representations received have stated this road is too narrow to be used as an access for refuse vehicles, however there is no highways objection raised on this basis and the flats provide an area for refuse storage. This can be considered acceptable by StreetCare and therefore Staff raise no objection on this basis. The site would also be accessible for pedestrians via a number of pathways which run around the site via the open green spaces.
- 6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.
- 6.6.5 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

7. Conclusion:

- 7.1 Overall, Staff are of the opinion that the proposals to provide 6, 2 bedroom flats would be of an acceptable appearance, they would be largely screened from the Petersfield Avenue and Leamington Road. It is also considered that the proposal presents an acceptable degree of spacing between the

surrounding blocks of flats and is not considered to appear as unacceptably dominant or visually intrusive, despite a contemporary finish of materials. It is considered that the proposal would not have any detrimental impact on neighbouring properties. Whilst the parking provision represents a reduction on the requirement of DC33, this standard of parking is encouraged by the London Plan, in a location where not all residential units benefit from allocated parking, it is considered that there are no grounds on which to base a refusal. The provision of amenity space for each flat is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as applicant and 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 forms and plans received 2/08/2011.

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.

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11

REGULATORY SERVICES COMMITTEE

REPORT

15 September 2011

Subject Heading:	A0040.10 – 13 Farnham Road, Harold Hill – illuminated fascia signage (Application received:18 July 2011)
Report Author and contact details:	Helen Oakerbee Planning Control Manager (Applications) helen.oakerbee@havering.gov.uk 01708 432800
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
- 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 proposal relates to an application for an illuminated fascia sign. The site is Council-owned. 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. SC01A Compliance with the five standard conditions as defined in regulation 2(1) and set out in schedule 2 of the Town and Country Planning: (Control of Advertisements) (England) Regulations 2007
2. SC01B The maximum luminance of the fascia signage hereby permitted shall not exceed 800 cd/m².

Reason:-

To comply with the recommendations of the Institute of Public Lighting Engineers Technical Report No. 5 (Third Edition) in the interests of amenity, and in order that the development accords with the Core Strategy and Development Control Policies Development Plan Document Policy DC65

3. NSC01 The internal illumination shall not be on except between the hours of 08:00 hours and 22:00 hours on Mondays to Saturdays and on Sundays between 09:00 and 17:00 and not at all on Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To protect residential amenity in accordance with Policies DC61 and DC65 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. Notwithstanding the details shown on the submitted drawings, the applicant is reminded that this advertisement consent relates solely to the fascia sign and to no other matters whatsoever, including those subject of planning application P1093.10.
2. INF23 Reason for approval:
The proposal accords with Policies DC61 and DC65 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 £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

1. Site Description

- 1.1 The site comprises a 4-storey mid-terrace commercial property with residential above. The site is situated within the Retail Core of the Minor District Centre.
- 1.2 The site is within a parade of similar commercial/residential uses with mainly A1 uses but also an A2 Use (Betting Office) and an A3 (café restaurant) Use with flats above and community uses including a Library and Church. The area is otherwise mainly residential with 2-storey terraces and 3-storey flats.

2. Description of Proposal

- 2.1 The proposal is for an advertisement sign in connection with the takeaway which was granted permission in March 2011.
- 2.2 The fascia sign would be 6.4m wide and 0.8m high with a depth of 0.1m, located at least 3.3m above ground level. Internal illumination would be provided by eight fluorescent tubes. The applicant has indicated that the tubes would each be 40 – 50 watts.

3. History

- 3.1 P1796.10 - Change of use from A1 (shop) to A3 (café/restaurant) with extract ducting and alterations to shopfront – approved 23-05-11
- P1093.11 - Installation of new shopfront and shutter – currently under consideration.

4. Consultation/Representations:

- 4.1 51 neighbouring and nearby properties were notified of the application. There were no replies.

5. Staff Comments

- 5.1 The issues in this case are the principle of the development, the impact of the development on amenity including visual and residential and highways safety. Policies DC61 and DC65 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant.

Principle of development

- 5.2 The proposal is for a fascia advertisement which Policy DC65 indicates are acceptable in principle subject to their impact on visual amenity and highway safety. These are addressed in more detail below.

Impact in the Street Scene

- 5.4 The proposed advertisements would be displayed on a commercial unit which forms one of a number of such units at ground floor level within this part of the retail core of the Minor District Centre.
- 5.5 It is considered that the proposed signage/lighting would reflect existing signage and would, in Staff's view, have an acceptable impact on visual amenity in the streetscene.

Impact on Residential Amenity

- 5.6 There are residential properties opposite the application site and above. The level of illumination can be restricted by condition and hours in which illumination can be used can also be restricted by condition. Staff therefore consider that the proposal would have an acceptable impact on these occupiers' residential amenity.

Highways

- 5.7 The proposed signage would be at least 2.1m above ground level and is static. Staff consider that there would be no impact on highway safety.

6. Conclusions

- 6.1 Staff consider that the proposal would be acceptable in principle and, providing conditions are attached to limit hours and intensity of illumination, the signage would not have any adverse impact on residential amenity, highways or visual amenity in the streetscene. Staff therefore recommend that planning permission be granted.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 This application is considered on its merits independently of the Council's interest as owner of the site.

9. **Human Resource Implications:**

9.1 None

10. **Equalities and Social Inclusion Implications:**

10.1 None

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.

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12

REGULATORY SERVICES COMMITTEE

REPORT

15 September 2011

Subject Heading:	<p>P0788.11 – St. Albans RC School, Hornchurch</p> <p>Alteration and enlargement of existing school car park, with associated hard standing and landscaping. Replacement boundary fencing and pedestrian gate (Application received 20th June 2011)</p>
Report Author and contact details:	<p>Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk</p>
Policy context:	<p>Local development Framework</p>
Financial summary:	<p>None</p>

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

- Clean, safe and green borough [X]
- Excellence in education and learning [X]
- 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 a school, where the playing fields are owned by the Council. This application relates to the alteration and enlargement of the existing school car park, replacement boundary fencing and pedestrian gates.

The planning issues are set out in the report below and cover the principle of development, impact on the streetscene, 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

That planning permission be granted subject to the following conditions.

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 Development Control Policies Development Plan Document Policy DC61.

3) 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.

4) Replacement trees: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme for 6 replacement trees along the site boundaries. This scheme shall also include details for the replacement fencing around the existing trees to the Southend Road boundary. 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:

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.

5) Pedestrian gates: The proposed gate shall be inward opening only.

Reason:

In the interests of highway safety.

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33, DC36 and DC61 of the LDF Development Control Policies Development Plan Document.

INFORMATIVE

1. The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33, 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.

REPORT DETAIL

1. Site Description

1.1 The application site is a Council owned school site, located to the east of Heron Flight Avenue in Hornchurch, which forms its vehicular access. To the west the school's play areas are bound by mesh fencing which faces onto Southend Road. North, east and west of the site are residential dwellings.

1.2 The application site comprises the school buildings to the southern corner with hard playing areas to the east and a car park to the north adjacent to

the entrance. The northern edge of the site is open in character, enclosed by fencing.

2. Description of proposal

2.1 This application seeks permission to alter and extend the existing school car park to the west by way of additional 264 square metres of hard standing, replacement boundary fencing and pedestrian gates. The fencing would measure 2.4m high and run along the northern and eastern boundaries with a smaller section on the western boundary adjacent to no. 24 Mungo Park Road. Tree planting is also proposed along the eastern boundary facing Southend Road.

2.2 It is also proposed to relocate the existing school buildings within the site, this however, does not require planning permission.

3. Relevant History

3.1 P0789.09 – erection of single storey extension to provide a new boiler room – approved.

P1067.06 – Proposed single storey extension to existing classrooms – approved.

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 42 properties. 4 representations were received, stating the following objections.

- Heron Flight Avenue is not an appropriate access for the school
- Parking pressures block adjacent properties

5. Relevant Policies

5.1 Policies DC33 (Car parking) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are considered relevant.

6. Staff Comments

6.1 This proposal is put before the Committee as the site comprises land owned by the Council. The main issues to be considered by Members in this case are the principle of development, design/ streetscene issues, amenity implications and parking and highway issues.

6.2 Principle of development

6.2.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and maintains, enhances or improves the character and appearance of the local area. The school site is

located outside of the Metropolitan Green Belt, Conservation Area or Special Character Area and there is in principle no objection to replacement fencing, provided it is of an acceptable appearance. The car park is also an existing piece of infrastructure for the school; again, in principle there is no objection to limited enlargements.

6.3 Impact on Local Character and Streetscene.

6.3.1 The existing school boundaries are enclosed by a various boundary fences which front onto Southend Road, Condor Walk and Mungo Park Road. These are not of a continuous design, where sections have been replaced over time, and other sections are in a poor state of repair, having become detached from their supports. This results in a mis-matched appearance, which does not provide adequate security for the school. It is proposed to replace large sections of this boundary fencing along the north, east and southern of the site with a single design of fencing. This measures 2.4m high and is formed from panels 2.56m wide. It is of a mesh design and would be painted green. A pedestrian gate to the northern corner of the site on Condor Walk is also to be replaced, this will measure 1.2m wide and 2.4m high and would be finished in an identical green mesh with steel supports. Staff consider that fencing/ pedestrian gates of this nature would improve the outward appearance of the school by nature of its single, cohesive design. The height of the fencing is similar to that as existing and raises no Staff concern with regard to streetscene impact.

6.3.2 The car park is located to the western edge of the site, adjacent to Heron Flight Avenue; it is to be extended north into the playing field. The enlarged area of car park would measure 264 square metres and increase in width from 9m to 18m, but not increase in depth. This enlarged car park would be largely screened from view by the entrance on Heron Flight Avenue. Given that the car park is an existing development it is considered that an enlargement of this scale would not appear intrusive or overbearing given the scale of the school buildings and large open playing fields behind.

6.3.3 It is proposed to remove 5 trees from the centre of the site adjacent to the car park. These are not covered by any Tree Preservation Order, but are of amenity value for the locality. It is proposed to provide up to 6 replacement trees within the site along the edge of the highway facing Southend Road. This has been considered acceptable by the Council's Tree Officer and a condition is attached which requires a plan to show the specific location and species of the replacement trees. Replacement trees which provide additional screening on the schools prominent southern boundary is considered acceptable and would add to the established line of existing Highway trees which line this section of Southend Road. There is an existing Poplar tree on Southend Road which has the mesh fence running through the branches. A replacement fence would need to run around this tree, rather than through it, and the condition relating to the replacement trees, will also require details for how the replacement fencing would lie around the Poplar tree.

6.4 Impact on Amenity

- 6.4.1 The enlarged car park would result in a loss of existing landscaping that forms part of the playing fields for the school. This is not considered to alter the function or overall usability of the playing fields which remains acceptable.
- 6.4.2 The car park would be enlarged to provide additional parking for the school, increasing the 12 spaces to 21 spaces. This increase in the potential number of vehicles on site is not considered to result in a loss of amenity through increased on site traffic or light pollution given that it is not proposed to enlarge or alter the function of the school.
- 6.4.3 It is considered that the replacement 2.4m high fencing would not be harmful to residential amenity, given these are replacement, rather than additional enclosures. The open mesh fencing would allow for a degree of visual permeability through the site, whilst providing a more secure boundary for the school.

6.5 Highway/Parking/Access

- 6.5.1 The schools vehicular access is via Heron Flight Avenue. It is not proposed to alter this access and representations received have objected on the grounds that there is a lack of parking for the school, especially at school opening and closing hours. The creation of additional parking for school staff within the curtilage of the school is considered acceptable and would alleviate the pressures on Heron Flight Avenue to some degree. The entrance to Heron Flight Avenue would be enclosed by the existing gates which are to be retained. Representations received from the Highways Authority raise no objection to the proposals, their representations however, do require the replacement pedestrian gate to open inwards, rather than outwards onto Condor Walk.
- 6.5.2 In light of the above, whilst representations received object with regard to parking problems, in light of no objections received from the Highways Authority a refusal based on parking provision is considered unreasonable, where the enlarged car park would contribute to providing improved car parking facilities for the school. Staff therefore consider the proposal to satisfy the requirements of Policy DC33 and DC36.

6.6 Other issues

- 6.6.1 The site is known to be potentially contaminated, representations received from Environmental Health require the submission of a Phase 1 report as the development involve ground break with the extension of the car park. This has been attached as a condition accordingly.

7. Conclusion:

- 7.1 Overall, Staff are of the opinion that the proposals to replace the existing boundary fencing acceptable in streetscene terms and with the provision of replacement trees, to be agreed via condition would improve the general appearance of the school site. The enlarged car park would improve on site car parking and would contribute to alleviate the car parking issues on Heron Flight Avenue to which there is no Highways objection and approval is recommended accordingly, subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

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

Legal implications and risks: None

Human Resources implications and risks: None.

Equalities implications and risks:

The replacement boundary fencing and pedestrian gates would improve the security of the school for its staff and students and have an improved appearance in streetscene terms.

BACKGROUND PAPERS

Application forms and plans received 20/06/2011.

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.

13
**REGULATORY
SERVICES
COMMITTEE**
REPORT

15 September 2011

Subject Heading:	P1093.11 – 13 Farnham Road, Harold Hill – installation of shopfront and shutter (Application received:21 July 2011)
Report Author and contact details:	Helen Oakerbee Planning Control Manager (Applications) helen.oakerbee@havering.gov.uk 01708 432800
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
- 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 proposal relates to an application for the installation of a shopfront and shutter/shutter box. The site is Council-owned. Staff consider that the proposal would accord with retail and 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. SC04 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.

2. SC32 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.

3. NSC01 The proposed shutters shall be fully retracted during business opening hours.

Reason: To protect visual amenity in the streetscene in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. INF23 Reason for approval:
The proposal accords with Policies DC16, 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 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 £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

1. Site Description

- 1.1 The site comprises a 4-storey mid-terrace commercial property with residential above. Permission was granted earlier in 2011 for a change of use to Restaurant/Cafe. The site is situated within the Retail Core of the Minor District Centre.
- 1.2 The site is within a parade of similar commercial/residential uses with mainly A1 uses but also an A2 Use (Betting Office) and an A3 (café restaurant) Use with flats above and community uses including a Library and Church. The area is otherwise mainly residential with 2-storey terraces and 3-storey flats.

2. Description of Proposal

- 2.1 The proposal is for the installation of a new shopfront, shutter and shutter box.
- 2.2 The proposed shopfront would involve the retention of the doors in their original position (the previous approval - P1796.10 - saw their relocation to a central location) and the provision of two large windows with smaller window to the northern part of the shop front with a stall riser.
- 2.3 The proposed shutter box would be located inside the shop unit and the shutters would extend the full width of the shop unit. The shutters would be designed to have a narrow horizontal opening equally spaced from top to bottom.

3. History

- 3.1 There is some planning history, nonetheless the most relevant is:
 - P1796.10 - Change of use from A1 (shop) to A3 (café/restaurant) with extract ducting and alterations to shopfront – approved 23-05-11
 - A0040.11 – Illuminated fascia sign – currently under consideration.

4. Consultation/Representations:

- 4.1 51 neighbouring and nearby properties were notified of the application. No replies were received.
- 4.2 The Metropolitan Police Crime Prevention Design Advisor has written to confirm that he has no 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 and highways/parking. Policies CP17, DC16, DC23, DC33, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant, Policies 4.7, 7.3 and 7.4 of The London Plan (2011) and PPS6.

Principle of development

- 5.2 The proposal is for a new shopfront, shutter and shutter box.
- 5.3 Staff consider that the proposed works associated with the recently approved change of use to a restaurant would be acceptable in principle, subject to detailed consideration below.

Impact in the Street Scene

- 5.4 Visually the proposal would involve a minor change to the existing shopfront to reduce the size of the window to the north of the doors and to insert two smaller windows one above the other at the far end. Staff consider that it would be similar to the existing and would raise no concerns.
- 5.5 The proposed shutter and shutter box would be appropriate located and of similar design to others in the locality.
- 5.6 Providing the shutters are fully retracted during opening hours, Staff consider that the proposal would have an acceptable impact on visual amenity in the streetscene.

Impact on Residential Amenity

- 5.7 There are residential properties on three storeys above the commercial unit and opposite the site, also above commercial units. The proposed development is for changes affecting the front of the shop unit. Staff consider that the proposed shopfront or shutter/shutter box would have an acceptable impact on residential amenity.

Highways

- 5.8 The proposed shopfront and shutters raise no highways or parking issues.

Secured by Design

- 5.9 The Crime Prevention Design Advisor has previously advised that crime levels in the Havering Park Ward are disproportionately high for violence against the person, drug offences and burglary. The CPDA also advises that due to these concerns, a Dispersal Order (under Section 30 of the Anti-

Social Behaviour Act 2003) came into effect at Farnham Road for 6 months from 9th May 2011 to control disorder in the area. The CPDA confirms that the provision of shutters would be acceptable.

6. Conclusions

- 6.1 Staff consider that the proposal would be acceptable in principle and, providing conditions are attached to ensure the shutters are fully open during business hours, that the proposed development would be acceptable in terms of its impact in the streetscene, on residential amenity and highways. Staff 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 This application is considered on its merits independently of the Council's interest as owner of the site.

9. Human Resource Implications:

- 9.1 None

10. Equalities and Social Inclusion Implications:

- 10.1 None

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.

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Regulatory Services Committee

15 September 2011

ITEM 14

OUTSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-6	P0679.11	Upminster	13 Ashvale Gardens, Upminster
7- 12	P1038.11	Upminster	Redcrofts Farm, Ockendon Road, Upminster
13-25	P1041.11	Romford Town	R/O 223-227 Brentwood Road, Romford
26-35	P1125.11	Havering Park	11 Mount Pleasant Road, Collier Row, Romford

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REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P0679.11	
WARD :	Upminster	Date Received: 10th June 2011
ADDRESS:	13 ASHVALE GARDENS UPMINSTER	
PROPOSAL:	Continuation of childminding business in unaltered and retained residential dwelling, to care for a maximum of 15 children with 3 members of staff Revised Description 05.08.2011	
DRAWING NO(S):	site location plan block plan	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

The application has been called in by Councillor Ower on the grounds that the proposal would introduce an unacceptable business use into a residential dwelling and locality.

RECOMMENDATION

That planning permission is granted subject to conditions.

SITE DESCRIPTION

The application site is a two storey semi-detached dwelling located on the northern side of Ashvale Gardens.

There is parking to the front of the property on hard standing; this is directly accessed from the public highway. To the rear is an enclosed garden; at the rear of this is a detached outbuilding and flag pole.

The is surrounded to the east, west and north by residenital properties. To the south on the other side of the street is a school, in front of which are parking restrictions during school opening and closing times.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the continued use of a childminding business in an unaltered and retained residential dwelling, to care for a maximum of 15 children with a maximum of 3 members of staff.

RELEVANT HISTORY

None

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were originally sent to 13 occupiers, who directly adjoin the site. Neighbours were notified with an amended application description, where the consultation was widened to include a total of 62 properties. 15 representations were received, stating the

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

following comments:

- introduction of a business use in a residential area is inappropriate
- proposal introduces a level of traffic into the street
- increase in noise levels
- proposal would set precedent for other commercial activity in the area
- would turn the dwelling into a fully functioning nursery
- times of the business are unacceptable
- reduction of house prices
- no objections to childminding in principle, but object to the scale of use#

Councillor Barrett has objected to the application, whilst not raising an objection to childminding in principle, there is concern with regard to noise and the number of children.

RELEVANT POLICIES

CP2 (Sustainable Communities), DC26 (Communities Facilities), DC61 (Urban Design) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered relevant to the determination of this application.

STAFF COMMENTS

The planning issues for consideration relate to the principle of development, impact on residential amenity, the highway and parking provision.

PRINCIPLE OF DEVELOPMENT

Childminding as a business from home does not always require planning permission. As a general rule a carer can provide care for up to 6 children without the need for planning permission. In this instance, the applicant provides care for 15 children and employs 2 members of Staff. This intensity of use requires planning permission.

Childminding and the wider provision of childcare are considered to be a community facility. Policy DC29 refers to planning permission for community facilities being granted where they are provided in practical buildings, which are flexible and adaptable.

The application site is a residential semi-detached dwelling, located within a residential street. The proposal here seeks to retain the existing childminding business on site. Concern has been raised within the received representations that the application site is being turned into a fully functioning nursery. However, the retention of the childminding business is being sought for within the retained and unaltered residential dwelling.

Unlike a change of use application, which would formally change the use of the property, the proposals do not involve the loss of residential accommodation. An internal inspection of the property was carried out by Staff on a site visit. The areas where children are cared for and used by Staff (which includes the applicant) includes the dwellings kitchen, living room and bedrooms. There has not been, and there are no proposed internal or external alterations which specifically provide accommodation for the childminding business. It is considered that the childminding business is therefore acceptable in principle, as it provides a community use, whilst not resulting in a loss of residential accommodation. Toy storage and equipment is stored in the garage, this is not considered a loss of accommodation since garages in many instances are used as ancillary storage areas.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

The applicant is an Ofsted registered childminder, who can provide child care within their home. A nursery on the other hand is not a domestic property. Should the applicant move house in future, the application site would remain a single residential dwelling with no business use attached, as the Ofsted registration for childminding is personal to the occupier and not the property.

Staff are also aware that the childminding business has achieved Ofsted excellent rating, where the applicant provides a very high standard of childcare.

The Council's Early Years department has stated that there are 249 childminders registered in Havering, of which only 26 are graded Ofsted Outstanding. The applicant is also one of 29 childminders of the 249 registered with Ofsted who have achieved Basic Skills accreditation, which contributes to high quality care.

The Council has issued its Childcare Sufficiency Assessment (2011). The report states that 66% of 3 and 4 year olds in the borough have access to a free Early Education Entitlement place each term. The applicant here is one of only 23 childminders in the borough who are able to provide Government funded Early Education Entitlements, which provides free child care for 3-4 year olds. Given the flexible, and in some cases free care that the applicant is able to provide, Staff consider that the proposals make a positive contribution to provide high quality child care in the borough.

The Borough's Childcare Sufficiency Review 2010/2011 states that there is a particular gap in places for ages 3-4, which is covered by the childminders. Several wards in the borough have a severe deficit of places, this includes Cranham (-197 places), Hylands (-206 places) and Havering Park (-171 places) for example. The childminding business here is able to make a small, but valid contribution to providing towards this deficit.

IMPACT ON AMENITY

Representations received have objected, partly on the grounds that the proposal would result in excessive noise levels which would not be compatible within a residential environment.

Unlike a traditional business, the childminding takes place during school term times and is closed for 9 weeks of the year which includes 2 weeks over Christmas and New Year, 1 week during the February half term, 2 weeks during Easter and 4 weeks during August for the summer school holidays. The times of care largely fall when the majority of people are at work or out of the house. There is no care on weekends or late in the evenings. The 9 weeks of the year when the business is closed, i.e. Christmas is also when nearby residents are likely to be home. This is considered to minimise the impact to residents in terms of noise.

In terms of the maximum number of people on site, the applicant as requested a maximum of 15 children and 3 staff, as per their Ofsted registration. However, Staff note that the childminding business often has fewer children and Staff on site at any one time. The applicant has provided registration forms to detail the number of children on site across a typical week and also provided an indicative time table.

With regard to the hours of use, the first children arrive to the property at 07:30 in the morning with the last to leave at 18:30. The applicant has provided a timetable for how the site operates. For example on a typical day:

07:30 4 children arrive.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

07:55 2 children leave
08:00 3 children arrive and 1 staff member arrive
08:40 5 children leave
09:00 1 child arrives
09:30 1 child arrives

6 children remain and 2 Staff members from 09:30 - 15:00 (on some days there are 7 children)

15:00 1 child arrives
15:15 4 children arrive
15:30 1 child arrives
16:00 1 children leave
16:30 1 member of staff leaves and 1 child leaves
17:00 1 child leaves
17:15 1 child leaves
17:30 1 child leaves
18:00 1 child leaves

The above illustrates the typical staggered arrival and departure of children and Staff on site. For the majority of the day there are 6-7 children in the care of Staff. In terms of the maximum numbers on site, the applicant has indicated that children are taken out for activities each day between 09:15 and 11:45 for activities including swimming, dance classes and gym class. Whilst on other days children in the care of Staff may be out between 09:00 and 14:00. Staff consider that the use would therefore not be intrusive and therefore disruptive to residential amenity.

The rear garden is used for children to play in and includes play equipment. Children would use this space freely. However, Staff recognise that children playing outside can result in disturbance to neighbouring occupiers. As such, it is recommended that a condition be attached to the permission which restricts the number of children allowed outside at any one time, 7 in this instance is considered appropriate, which would tie in the largest groups of children on site. The dwelling is semi-detached, and the number of children internally could result in higher noise levels. However, Staff are satisfied with the submitted time tables and registration forms which show the staggered number of children arriving and departing from the dwelling and that in many instances, children are often out during the day on pre-arranged activities.

HIGHWAY/PARKING

The site has allocated off street parking accessed from Ashvale Gardens with space for 3 vehicles. There is no parking provision level for childminding services within parking policy DC33. However, for comparison a nursery use requires 1 parking space per member of Staff and a drop off zone. The childminding business has the potential for a maximum of 3 members of staff, this however, includes the applicant who lives in the property and Staff also acknowledges the local catchment of the business.

The site is located opposite a school, where there are parking restrictions enforced, which restricts stopping on the marked lines between 08:15-09:15 and 15:00-16:15 during term times. Ashvale Gardens in any case is a cul-de-sac with no through traffic. Objections received have raised concern on the grounds that the proposals would increase traffic levels on a road which does not experience high levels of traffic (with the exception of school opening and closing times), however, this is a retrospective application which has been in use for some time, where the parking situation appears not to have caused undue disruption to nearby residents.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

Given that the childminding registration is personally tied to the applicant, rather than the property where any additional Staff would be in breach of the Ofsted registration it is considered that parking is sufficient, especially where Staff levels vary between 1-3 during most days in any case. New parents are also informed by the applicant about the parking restrictions to the school.

KEY ISSUES/CONCLUSIONS

In conclusion, Staff consider that the proposal would provide a level of high quality, flexible and partly free childcare. The proposal would not result in a loss of residential accommodation or alter the dwelling into a nursery, which would require a separate planning application and Ofsted registration. The applicant is only registered to care for children in a domestic residential setting. Staff consider that with conditions imposed with regard to the number of children and hours of operation that the resultant amenity would be acceptable to neighbouring occupiers, although Members are invited to apply their judgement to this.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to conditions

1. S SC32 (Accordance with plans)

2. S SC21 (Personal permission)

The childminding use hereby granted shall be personal to Mrs Helen Chaplin only and shall not enure for the benefit of the land or any other person.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Policy DC61 of the LDF Development Control Policies Development Plan Document.

3. Non standard condition

There shall be no more than 3 members of staff working within the premises, as a maximum, at any one time.

Reason: In the interests of maintaining residential amenity and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

4. Non standard condition

The premises shall not be used for the childminding purposes hereby permitted other than between the hours of 7.30am and 6.30pm on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

5. Non standard condition

The number of children accommodated shall not exceed fifteen (15) at any one time, without the prior written consent of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control and to avoid disturbance to the adjoining residents.

6. Non standard condition

There shall be no more than seven (7) children playing in the garden at any one time.

Reason:-

In order to protect the amenity of adjacent residential occupiers.

1 INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC29, DC33, 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.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P1038.11	
WARD :	Upminster	Date Received: 28th June 2011
ADDRESS:	Redcrofts Farm Ockendon Road Upminster	
PROPOSAL:	Proposed outbuilding additional supporting statement received 19/8	
DRAWING NO(S):	0145/SK02 Rev A 2433-09 Sheet 1 of 2 2433-09 Sheet 2 of 2	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

No.

RECOMMENDATION

That planning permission is granted for the reasons given in this report.

SITE DESCRIPTION

The application site is located to the north of Ockendon Road, Upminster. The site comprises of a 2-storey detached residential dwelling with its residential curtilage to the front and rear and a barn and outbuildings used as part of the landscaping business operating from the site and known as Dagenham Landscapes Ltd. The site is directly north of a pair of semi-detached dwellings, known as Redcroft Cottages with mainly residential development towards the west. Towards the north, east and south, the character of the area is mainly rural, although development occurs further east.

The application site is within the Metropolitan Green Belt, falls within the Thames Chase Community Forest and is identified as an area for Minerals safeguarding.

Access to the site is from Ockendon Road, via the existing vehicular access. There are no significant level changes on the site.

DESCRIPTION OF PROPOSAL

The Council is in receipt of a planning application seeking permission to demolish the existing outbuilding and construct a replacement building.

The building's footprint would be similar to the existing outbuilding it would replace. The width would be 13m with a depth of 5.4m. The building would have a pitched roof with a maximum height of 5.064m. Towards the front would be an overhang to cover a 875mm open area, supported by timber beams. Windows and doors would only be to the front of the building, facing east.

Materials to be used will be timber cladding.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

The building will consist of 3 separate areas which will be used for storage purposes in connection with the landscaping business. The first unit will be used for storage of fertilisers, plant care products, compost and field grass cutting units. Customers can also view samples of landscaping goods in this area. The 2nd unit will be used for storage of land vehicles / tractors and the 3rd unit for safety clothes storage of staff.

RELEVANT HISTORY

P1422.92 - Rebuild of garage and storage building - Application withdrawn.

P0988.94 - Retention of use of land and buildings for horticulture and as a base for landscaping business and ancillary office and storage of materials, equipment, vehicles and plants. Change of use of the land for above mentioned purposes - Approved.

P0131.05 - Single storey granny annex - Approved.

P1463.10 - Proposed outbuilding - Application withdrawn.

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 13 neighbouring properties and the application advertised by means of a site and press notice, as development in the Green Belt. No representations have been received.

RELEVANT POLICIES

Policies CP13 (minerals extraction), CP17 (design), DC32 (road network), DC33 (car parking), DC45 (appropriate development within the Green Belt) and DC61 (urban design) of the Core Strategy and Development Control Policies Development Plan Document are material considerations.

Policies 1.1B and 7.16 of The London Plan (2011) and PPG2 (Green Belts) are also material considerations.

STAFF COMMENTS

The issues to be considered in this case are the principle of development, the impact of the development on the openness of the Green Belt, the design and impact on the street scene, the impact of the development on neighbouring amenity and parking / highway issues.

PRINCIPLE OF DEVELOPMENT

The application site falls within the Metropolitan Green Belt. Whilst Paragraph 3.4 of PPG2 makes provision for limited extensions, alterations and replacement of existing dwellings, the replacement of commercial buildings is not mentioned on the list of appropriate developments.

The replacement building in this instance would therefore be inappropriate development in Green Belt terms. Where development is inappropriate in Green Belt terms, the applicant should demonstrate very special circumstances which should outweigh the harm to the openness of the Green Belt or any other harm.

GREEN BELT IMPLICATIONS

The proposal would have the same footprint compared to the existing building and therefore not harmful to the openness of the Green Belt in this respect. The replacement building would however have a pitched roof which would be higher than the flat roof of the existing building and therefore impact on the openness of the Green Belt.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

Although the proposed building will be materially larger compared to the existing building, consideration should be given to the fact that the proposal is in a part of the Green Belt which is already characterised by a number of buildings and residential dwellings. The proposal is therefore not on open Green Belt land, but in an already built up location. Consideration should therefore be given to the benefits of a replacement building and whether its harm to the openness of the Green Belt would be disproportionate within this particular location.

The proposal is however materially larger compared to the building it would replace and in principle considered as inappropriate development in the Green Belt. Staff will therefore assess the very special circumstances case put forward by the applicant below.

Very Special Circumstances:

The existing building which is to be replaced is currently in a poor condition with the metal corrugated roof rusting leading to frequent leaks when it rains. The building is constructed of timber with timber cladding which is rotting and in poor condition. The appearance of the existing building is not particularly attractive and there are no security measures in place. As a result of these circumstances, the current building is not ideal for storage of many items in connection to the applicant's landscaping business, especially during winter months.

In addition, the applicant states that the proposed building will be of a similar size in terms of its footprint compared to the existing building. Staff acknowledge that the proposal would be higher compared to the existing building and therefore have an impact on the openness of the Green Belt. The proposal would however be slightly lower than the adjoining building which would be retained. Staff are further of the opinion that the proposed design is sympathetic to the character of the Green Belt and would blend in with the character of the existing buildings on the site.

The proposal would replace an existing building which is in need of repair with a building which is of an appropriate design in the Green Belt and not significantly larger compared to the existing building. Staff consider the very special circumstances to be sufficient in this instance to outweigh the harm to the openness of the Green Belt. Members are invited to apply judgement to this aspect of the proposal.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal would be replacing the existing outbuilding which is situated adjacent the current office buildings and to the rear of Redcroft Cottages. Whilst Staff noted upon site inspection that Redcroft Cottages are currently being demolished as permission was recently granted for its redevelopment, the location of the proposal is approximately 29m from the edge of the highway. It was further noted that there is dense vegetation along the site's southern boundary which is between the proposed building and Redcroft Cottages, screening it from public views.

The proposal is not considered to be excessive in height as it would be lower than the existing office building and materials proposed would match those of the existing outbuildings, being timber cladding.

Given the above circumstances, Staff are of the opinion that the proposal would not have any harmful impact on the character and appearance of the street scene. It is further considered that due to the location, appearance of existing buildings and proposed design and use of materials, the development would not be harmful to the character of the local area. The proposal would therefore be compliant with the aims and objectives of Policy DC61 of the LDF in

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

this respect.

IMPACT ON AMENITY

The nearest residential properties to be affected would be the new dwellings at Redcroft Cottages. These dwellings would be approximately 12m from the proposal at its pinch point.

Members will note that the replacement building will replace both the flat roof and pitched roof buildings to the rear of Redcroft Cottages. The roof of the existing building closest to this boundary is currently 3.5m in height whilst the replacement building would measure approximately 5m to the top of its ridge (1.5m higher). The proposal has however been designed to be hipped away from Redcroft Cottages and all other neighbouring boundaries with an eaves height on the boundary of approximately 2.3m. In light of the existing circumstances and the proposed design which mitigates any potential impact, Staff are of the opinion that no harm would arise as a result of the proposal.

Towards the west, there is currently Green Belt land between the application site and the residential properties along Huntsmans Drive with the nearest property approximately 34m away. No harm is considered to arise to these neighbours as a result of the proposal.

The proposal would be used for storage of the same goods as the current building. There would be no change in terms of the activities or customers coming and going. In Staff's opinion, no additional noise or disturbance issues would arise.

The proposal is considered to be compliant with the aims and objectives of Policy DC61 of the LDF in respect of its impact on neighbouring amenity.

HIGHWAY/PARKING

Policy DC33 of the LDF DPD is relevant. The proposal would not have any impact on parking or highway issues and it is considered that the current parking arrangement is sufficient.

KEY ISSUES/CONCLUSIONS

The proposal is for a replacement building in the Green Belt. In principle, the proposal is considered as inappropriate development and would be harmful to the openness of the Green Belt. The very special circumstances are however considered to be sufficient to outweigh the in principle and any other harm to the Green Belt. The proposal is not considered to be harmful in terms of its street scene character nor would it be harmful to neighbouring amenity. The proposal has no impact in terms of highway or parking issues. For the reasons given in this report, the proposal is recommended for approval, subject to conditions.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to conditions

1. S SC4 (Time limit) 3yrs
2. M SC09 (Materials)
3. S SC25 (Open storage)
4. S SC32 (Accordance with plans)

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

5. SC46 (Standard flank window condition)

6. Non standard condition

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 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.

b) 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.

c) 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

d) 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.

2 INFORMATIVE:

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC45 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

2. The application property is within the Metropolitan Green Belt where there are restrictions over development. In view of those extensions which have already taken place and/or been granted permission, it should not be assumed that further extensions will be agreed.

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.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P1041.11	
WARD :	Romford Town	Date Received: 7th July 2011
ADDRESS:	R/O 223-227 BRENTWOOD ROAD ROMFORD	
PROPOSAL:	New development to create 7No. houses comprising 2No. four bedroom houses and 5No. three bedroom houses Revised Plans Received 02.09.2011	
DRAWING NO(S):	1014/01 1014/03 Revision D 1014/09 Revision A 1014/08 Revision A 1014/07 Revision A 1014/06 Revision A 1014/05 Revision A 1014/04 1014/02	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

No.

RECOMMENDATION

That planning permission is granted for the reasons given in this report.

SITE DESCRIPTION

The application site is located towards the north of No's 223 - 227 Brentwood Road and forms part of the rear gardens of these properties. The site (including the dwellings at Nos. 223 - 227) measures 0.24ha and ground levels are generally level. There is dense vegetation on the site, in particular to the boundaries as the site forms part of rear gardens of existing residential development. The boundaries of the site have 1.8 - 2m close boarded timber fencing around.

The surrounding area is mainly characterised by 2-storey residential dwellings towards the west, south and east. Directly north of the site is a Builder's Yard and approximately 23m north of the site is the Upminster - Romford railway line. South of Brentwood Road is the Frances Bardsley School for Girls.

DESCRIPTION OF PROPOSAL

The Council is in receipt of a planning application seeking permission for the construction of 7 No. new dwellings comprising 2 No. four bedroom houses and 5 No. three bedroom houses.

The proposal would involve subdividing the existing plots of Nos. 223 - 227 Brentwood Road, leaving these dwellings with rear gardens measuring approximately 18 - 20m in depth. Towards the north of the application site would be 2 detached dwellings (units 1 and 2), facing south.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

There would be 5 No. terrace dwellings (units 3 - 7) directly north of the rear gardens of Nos. 223 - 227 Brentwood Road, facing north.

Unit 1 would have a width of 8m and depth of 9.6m with the lounge projecting a further 2.75m towards the front and the family room 1.8m towards the rear. The dwelling would have a pitched roof with hipped ends, measuring 8.4m above ground level. On ground floor level would be a lounge, w.c. dining / family room, kitchen and integrated garage. On first floor level would be 4 No. bedrooms, a bathroom and en-suite. Unit 2 would be a mirror image of Unit 1, similar in character, scale and design.

Towards the south of the application site would be a row of terrace dwellings (Units 3 - 7). This row of terrace dwellings would have an overall width of 25m and maximum depth of 9.6m with front projections of an additional 900mm. The roof would be pitched with hipped ends, measuring a maximum height of 8m. On ground floor level would be a w.c., kitchen, open plan dining / lounge area and on first floor level 3 No. bedrooms, a bathroom and en-suite.

Unit 1 and 2 would each have their amenity area towards the rear (north), measuring approximately 82sq metres respectively. The terrace dwellings (units 3 - 7) would, similarly, have their amenity areas towards the rear, ranging between 35 - 50sq metres each.

Access to the site would be via a new access road and crossover at the end of Francombe Gardens. Parking for the detached dwellings would be on hardstanding towards the front and within the integrated garages whilst parking for the terrace dwellings would be on hardstanding towards the front. There would be 2 No. parking spaces per dwelling.

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 82 neighbouring properties with 12 letters of support stating that new private family housing should be encouraged in the area.

4 letters of objections were received, raising concerns in respect of the following:

- Highway safety issues and parking problems
- More vehicles and increase in congestion
- Access problems and limited access for emergency vehicles
- Invasion of privacy
- Loss of trees, in particular pine tree at No. 6 Francombe Gardens
- No right of way to site from Francombe Gardens
- New access will conflict with cars garage at No. 6 Francombe Gardens
- Risk of subsidence, historical land abuse and pollution

RELEVANT POLICIES

Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policy 3A.4 (Housing Choice) of the London Plan, PPS1 (Delivering Sustainable Development) and PPS 3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

STAFF COMMENTS

The issues to be considered in this case are the principle of the development, the design and

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

scale of the proposed extension, its impact in the street scene and upon the residential amenities of neighbouring properties, impact on parking/highways.

PRINCIPLE OF DEVELOPMENT

The site currently has a residential land use. In accordance with the objectives of Policy CP1, there is no objection in principle to residential development on this site, providing that the proposal is acceptable in all other material respects. The Government has recently revised current guidance contained within PPS 3 to remove gardens from the definition of previously developed land to afford Local Authorities greater control over garden development. Staff are of the view that this revision does not mean that all forms of development on gardens are unacceptable and that issues of character and setting should still be taken into account.

Notwithstanding, Staff noted on site inspection and aerial photographs that the rear gardens of dwellings along this part of Brentwood Road (Nos. 223 - 237) are comparatively quite deep, measuring between 60m to 82m in depth. These rear gardens are significantly longer than those properties along Francombe Gardens and Marwell Close, directly west of the application site. In Staff's opinion, although these rear gardens are densely vegetated and provide a quality rear garden environment, due to their size, a new development can easily be accommodated without prejudicing its quality as a rear garden environment. The proposal would still leave a large proportion of rear garden environment which is arguably more manageable for future residents. It is not considered that the loss of part of these rear gardens will result in harm to the overall character of the area in terms of its value as rear garden land.

The proposal is further in accordance with Policy 3A.5 of the London Plan which states that DPD policies should ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

DENSITY/SITE LAYOUT

The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

The site currently forms part of the rear gardens of properties along Brentwood Road (Nos. 223 - 227). The subdivision would result in the donor properties being left with rear gardens of approximately 18 - 20m in depth. The amenity areas would have a size ranging between 190 and 210sq metres each. The gardens of the donor properties would remain towards the rear and appropriate screen fencing and landscaping can be required by means of planning conditions.

The rear gardens of Units 1 and 2 (detached dwellings) would be to the rear of these dwellings (north). Each property would have a rear garden of approximately 10m in depth, measuring 82sq metres in size. Similarly, rear gardens for the terrace dwellings would be towards the rear of these dwellings (towards the south), directly north of the rear gardens of the donor dwellings. Each dwelling would have a fenced-off rear garden with a depth of 7.7m and total size ranging between 35 and 50sq metres respectively. The drawings indicate that some of the landscaping, in particular the conifer hedging to the western boundary will be removed.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

The Council's Residential Design SPD does not stipulate any size requirements for amenity areas, although as mentioned above, amenity spaces should be private, screened from public views and practical for day to day use. In Staff's opinion, appropriate fencing and landscaping can be required by means of a planning condition which would provide sufficient screening to the proposed amenity areas. The back-to-back relationship between dwellings along Brentwood Road and Units 3 - 7 will be approximately 27 metres and it is therefore not considered that there would be direct overlooking towards the proposed amenity areas of these dwellings.

No. 5 Francombe Gardens is a 2-storey dwelling with windows facing east. The rear garden of Unit 1 would be approximately 18m from the rear of this neighbouring dwelling. As such, it is not considered that there would be any potential for overlooking the amenity areas of Units 1 and 2.

Notice is given to the fact that the rear gardens would be smaller than the existing rear gardens of properties along Brentwood Road. Notwithstanding, the amenity areas are similar to those of more recent developments along Francombe Gardens and Marwell Close and therefore not uncharacteristic of the area and in particular along this close of which the development would ultimately form part of. Staff are of the opinion that the garden areas would be adequate in size to be practical for day to day use. The smaller gardens of Units 3 - 7 would face south, therefore receiving adequate sunlight throughout the day.

Overall, Staff are of the opinion that the proposed amenity space would be adequate as it would be of an acceptable size, located towards the rear of the dwelling and available for private use by the occupants. The amenity space provision is therefore considered to be consistent with the provisions of the Residential Design SPD.

The subject site covers an area of approximately 0.24 ha and the preferred density range for this area is 30 - 50 units per hectare. The proposal would result in a density on the site of approximately 41 units per hectare which is within the recommended density range and therefore acceptable in principle.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

The proposal would be at the end of a cul-de-sac and would therefore only be visible when the end of Francombe Gardens is approached. The 2 detached dwellings would be approximately 20m from the end of the Francombe Gardens close and would further be to the rear of Nos. 5 and 6. The detached dwellings would therefore not form part of the current street scene character. Notwithstanding, the detached dwellings would be partly visible as seen from the end of the close. Staff are however of the opinion that the overall character and design of the proposals would not detract from the character of the local area. The detached dwellings would have a sufficient set-back from Francombe Gardens and would not appear as an intrusive feature. It is considered that the layout, design and size of these dwellings is consistent with other dwellings in the vicinity and therefore acceptable in this instance on the site, it would not appear as prominent features in the street scene.

The terrace dwellings would be more visible from Francombe Gardens as the flank wall of Unit 3

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

would be 800mm from the site's western boundary and approximately 1.9m from the edge of Francombe Gardens. The terrace dwellings will however have pitched roofs with hipped ends, reducing its overall impact. The dwellings would not be higher than the average 2-storey dwelling in the area. It was noted upon site inspection that the boundaries of No. 223 is densely vegetated in the form of mature trees and the drawings indicate that these trees will remain, apart from those which are situated on the application site. As such, the majority of the terrace dwellings would not be visible from Francombe Gardens, with the exception of views of the flank wall of Unit 3. Approaching the end of the close, the row of terrace dwellings would be visible. Staff are however of the opinion that the bulk of the development would be visible within the newly created access road and as this proposal would present its flank wall to the existing street scene, it is not considered to appear overly bulky or intrusive in this location.

Staff acknowledge that the immediate vicinity is mainly characterised by detached and semi-detached dwellings however, it is not considered that the overall scale, size and design of the row of terrace dwellings would present an unacceptable form of development in this location. The proposed development, not facing any of the existing streets would be secluded in this location, creating its own character.

The site is currently densely vegetated and a large degree of vegetation will be removed to accommodate the proposed development. Although this will give the site a more exposed appearance, conditions can be imposed requiring an appropriate level of landscaping on the site, softening the appearance of the development.

Overall, the proposals are considered to be acceptable in terms of their design, scale, character and visual impact within this rear garden environment and therefore consistent with the aims and objectives of Policy DC61 of the LDF Development Control Policies Development Plan Document.

IMPACT ON AMENITY

Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

Towards the west, Unit 1 would be closest to the neighbour at No. 6 Francombe Gardens. Unit 1 would have a flank to back relationship with this neighbour of approximately 22m on 1st floor level. Unit 1 would have a set-back of approximately 2m on first floor level from the rear boundary of this neighbour. The roof has been designed to hip away from No. 6 Francombe Gardens reducing any potential impact. Given this relationship and design, it is not considered that Unit 1 would appear visually intrusive or overbearing on No. 6 or No. 5 Francombe Gardens.

The dwelling would introduce 1 flank wall window within the western elevation, serving a bathroom. This window can be conditioned to be fixed shut and obscure glazed, preventing any potential for overlooking.

Unit 2 would be far enough from all neighbouring dwellings to not have a harmful impact in terms of overlooking and overshadowing. Upon first submission of the proposal, this dwelling was close to the site's eastern boundary (boundary with No. 229 Brentwood Road). The current proposal involves changes to the position of Unit 2 as it has been moved closer to Unit 1 to have a separation distance of 1m on ground floor level and 2m on first floor level with the boundary of this neighbour. Given the separation distance and the design of the roof being hipped away from the boundary, Staff are of the opinion that the development would not appear dominant or visually intrusive as seen from the rear garden of No. 229 Brentwood Road. Members' attention

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

is further drawn to the fact that Unit 2 would be approximately 53m towards the rear of the dwelling at No. 229 and therefore towards the end of its garden. The end of terrace dwelling, Unit 7, would present a similar situation albeit further away from No. 229's boundary (2.1m) on ground and 1st floor level. Unit 7 would be approximately 27m down the garden of No. 229, measured from the rear of the single storey rear extension of No. 229. Given the distance of the proposals from the dwelling at no. 229, their set-back from the boundary, hipped roof design and the degree of vegetation present on this boundary, Staff are of the opinion that the relationship would be acceptable without appearing visually intrusive or dominant as seen from the rear garden of No. 229.

On first floor level, Unit 7 would have 1 flank wall window, serving the landing area. One of the south-facing windows closest to the boundary would serve a bathroom. Both these windows can be conditioned to be fixed shut and obscure glazed to prevent any potential for overlooking.

The drawings indicate some of the trees on this boundary to be removed however, a degree of screening (in the form of vegetation) will remain and further tree planting can be required by means of a condition, mitigating any potential for overlooking.

The back-to-back relationship between the terrace dwellings and Nos. 223 - 227 Brentwood Road is approximately 30m on first floor level. Staff consider this relationship to be adequate and would not prejudice the amenities of neighbouring occupiers.

In respect of amenity of future occupiers, Unit 1 would project approximately 5.5m beyond the rear wall of Unit 2 leaving bedroom 2 with a poor outlook towards the west. Notwithstanding, this is one of 4 bedrooms and irrespective of its relationship with Unit 1 would have an adequate outlook towards the north and east. Similarly, bedroom 1 (towards the front) of Unit 1 would have an outlook towards the east of the flank wall of Unit 2, projecting approximately 5.5m towards the south. This bedroom would however still have views towards the east and west. Staff are however of the opinion that future occupiers will be aware of this relationship prior to deciding whether to purchase a property.

Noise and disturbance as a result of construction works will be controlled by means of appropriate planning conditions to restrict construction hours.

Overall the proposal is considered acceptable in terms of its impact on neighbouring amenity. There would be no overlooking, overshadowing or any other harmful impact on the amenities of existing neighbours in the vicinity.

HIGHWAY/PARKING

The site falls within a suburban part of the Borough with a PTAL (Public Transport Accessibility Zones) rating of 1-2 (suburban low). As a result of the site's location in relation to other retail, services and public transport, the proposal to construct 7 No. dwellings would require the provision of 2 - 1.5 No. off-street car parking spaces per dwelling as per the density matrix in Policy DC2 of the Local Development Framework. The proposal indicates the provision 14 parking spaces which would be 2 spaces to each unit. This arrangement would be sufficient to comply with the off-street parking requirements.

Concerns raised in objections relates to Francombe Gardens already being congested in particular as a result of parents dropping off and collecting children from Frances Bardsley School on the opposite side of Brentwood Road. The development however, has no relationship with the traffic generated by the school and the proposal would not result in a loss of parking

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

spaces in the area. The additional traffic generated by 7 new dwellings is not significant enough to warrant a refusal based on congestion. The proposal would introduce an additional 14 off-street parking spaces, and would therefore not add to parking pressures along Francombe Gardens.

In terms of access to service vehicles, the proposal is at the end of an existing close and would therefore be similar compared to the existing situation. Although there would be 7 more dwellings, access for service vehicles would remain unchanged.

Concerns were also raised in respect of the new access from Francombe Gardens which will interfere with vehicles parking towards the front of the garage at No. 6 Francombe Gardens. It was however noted during the site inspection that both vehicles of the occupiers at No. 6 were parked on the hardstanding to the side of this garage as the space in front of the garage is insufficient for parking of vehicles. The proposal is therefore not consider to make conditions worse and the occupiers of No. 6 would still have to park their vehicles on the hardstanding towards the front or use caution when entering / leaving the garage. The issue were raised with the Council's Highways Authority which considered there to be no highway safety issue.

OTHER ISSUES

With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days. A condition can further be imposed requiring the applicant to indicate refuse collection areas.

No information has been provided to demonstrate how crime prevention measures have been considered in the design of the proposed development and how it reflects the seven attributes Safer Places as required by DC63. The Council's Crime Prevention Design Advisor (CPDA), recommends appropriate conditions to demonstrate how the development will comply with Policy DC63 of the LDF.

Any land contamination issues will be dealt with by means of appropriate planning conditions as required by Environmental Health.

TREES

With regards to the loss of trees and vegetation on the site, the site is not designated as a Site of Importance for Nature Conservation, within a Conservation Area or has any Tree Preservation Orders on any of the trees. The trees currently form part of the rear gardens of Nos. 223 - 227 Brentwood Road.

Staff have noticed upon site inspection that a number of trees have already been cleared on the site. Appropriate conditions will be imposed to require a landscaping scheme to be submitted.

The proposal would not involve removing the trees at No. 6 Francombe Gardens although concerns were raised by neighbours about the safety of the large tree in their north-eastern corner of No. 6 during construction. The tree has no Preservation Order however, it is considered to have an amenity value to the neighbour at No. 6. For this reason, should Members be minded to grant permission, Staff recommends a condition to require a scheme to be submitted to show how the trees and their roots will be protected during the construction phase.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

KEY ISSUES/CONCLUSIONS

Overall, it is considered that the proposed dwellings by reason of its design, scale and siting, would result in an acceptable form of development in this location. It is not considered that the proposal would give rise to any overlooking or invasion of privacy and would further, due to its orientation in relation to other neighbouring properties, not result in any overshadowing. It is not considered that any highway or parking issues would arise as a result of the proposal. The loss of trees on the site is considered acceptable in this instance, subject to appropriate replacement landscaping.

Staff therefore consider the development to integrate acceptably with the surrounding area, complying with Policies DC33 and DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly, subject to conditions.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to conditions

1. S SC4 (Time limit) 3yrs
2. S SC06 (Parking provision)
3. S SC08 (Garage) - restriction of use
4. M SC09 (Materials)
5. M SC11 (Landscaping)
6. M SC13 (Screen fencing)

Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be submitted to and approved in writing by the Local Planning Authority, 2 metres (6ft. 7ins.) high shall be erected to the boundaries of the plots hereby permitted (in accordance with the details provided on Drawing No. 1014/03 Revision C, received 7th July 2011) and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To protect the visual amenities of the development and prevent undue overlooking of adjoining property, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. S SC32 (Accordance with plans)
8. SC46 (Standard flank window condition)
9. S SC58 (Storage of refuse)
10. M SC59 (Cycle Storage)
11. M SC62 (Hours of construction)
12. Non standard condition

The proposed windows on first floor level of Unit 3 and Unit 7 towards the eastern and western elevations serving the landing area and the window within the eastern

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

elevation of Unit 2 on first floor level serving the bathroom and the window within the western elevation of Unit 1 on first floor level serving the bathroom shall be permanently glazed with obscure glass and with the exception of top hung fanlights shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority, in order that the development accords with Policy DC61 of the Local Development Framework Development Control Policies Development Plan Document.

Reason: In the interests of privacy.

13. Non standard condition

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 can 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, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 "Design" and DC63 "Delivering Safer Places" of the London Borough of Havering Local Development Framework.

14. Non standard condition

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 and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

15. Non standard condition

No development shall take place (except for works to construct the access required by this condition) until vehicular / pedestrian / cycle access from the public highway has been provided in accordance with the approved plans.

Reason:

In the interest of highway safety

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

16. Non standard condition

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.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

17. Non standard condition
The building(s) shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum values) 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" 1994.

18. Non standard condition
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 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:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

19. Non standard condition
Prior to commencement of the development hereby permitted, a scheme showing exact details of the foundation design, arboricultural detail, tree and root protection measures and a scheme showing how the stability and health of the trees shown as T1 and T2 on Drawing Nr: 1014/03 Rev D (received 2nd September 2011) will be maintained, 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 the scheme permanently retained and maintained thereafter.

Reason:

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

In order to protect the trees and vegetation on the boundary of No. 6 Francombe Gardens.

3 **INFORMATIVE:**

1. Reason for approval:

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

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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. 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.

4. 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.

5. In aiming to satisfy Condition 13 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

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.

REGULATORY SERVICES COMMITTEE
15th September 2011
OUTSIDE STATUTORY PERIOD

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P1125.11	
WARD :	Havering Park	Date Received: 30th June 2011
ADDRESS:	11 Mount Pleasant Road Collier Row Romford	
PROPOSAL:	Demolition of existing bungalow and erection of four No. self contained flats.	
DRAWING NO(S):	DAV/DES/200 DAV/DES/300 3000/1A Ordnance Survey map Existing site plan DAV/DES/200	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

RECOMMENDATION

It is recommended that planning permission be granted.

SITE DESCRIPTION

The application site is located on the western side of Mount Pleasant Road. The site is presently occupied by a single storey detached dwelling with a conventional rear garden. The site has a frontage onto Mount Pleasant Road of approximately 7 metres and has a depth of approximately 23 metres. The surrounding area is predominantly residential in character, comprising of single and two storey detached, terraced and semi-detached properties. The site is flanked by a two storey end of terrace dwelling (No. 9b) to the south and a two storey semi-detached property (No. 13) to the north.

DESCRIPTION OF PROPOSAL

The application seeks permission for the demolition of an existing bungalow and the erection of a two storey block with accommodation in the roof space comprising of four self contained flats.

The proposed building would be arranged with two one bedroom flats on the ground floor with front entrances. Two, one bedroom flats would occupy the first and second floors with side entrances.

In terms of appearance the proposed building has a pitched roof with a two storey rear projection with a hipped roof. There would be six roof lights in total on the front and rear elevations of the building.

In terms of finishing materials, the predominant materials proposed are brickwork, roof tiles and windows and doors are UPVC.

The proposed building would measure 10.2 metres in width by 12.3 metres in depth. The building would be 8.2 metres in height.

The proposal features four car parking spaces on permeable hardstanding to the front of the

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

property.

RELEVANT HISTORY

P1047.09 - Demolition of existing bungalow and erection of four no. self-contained flats - Refused. Appeal dismissed.

P1250.10 Demolition of existing bungalow and erection of four no. self-contained flats Withdrawn.

CONSULTATIONS/REPRESENTATIONS

The occupiers of 25 neighbouring properties were notified of this proposal and 10 letters of objection were received (two were from the same address), raising concerns on the following grounds:

Additional noise and disturbance

Car parking

Additional traffic, congestion and highway safety

Building works

The property has six bedrooms, which would increase the amount of car parking provision required.

Loss of privacy

Council policy encourages the construction of houses in the area, so why are flats needed here?

Overdevelopment and overcrowding

Loss of light

The flats would appear out of character with the area

Flats would set a precedent

The proposal is for 2 two bedroom flats and 2 one bedroom flats.

Overlooking

The Highway Authority objects to the proposals due to the insufficient provision of off street parking. The Highway Authority requires a standard of between 2 1.5 parking spaces per unit for a development of this type in Collier Row.

StreetCare Department It would be preferable if an area could be set aside for storage of waste prior to collection and the best system for this would be a bin store. The bin store should be a suitable area with hardstanding and with access for a refuse vehicle. Bins should not be pulled for more than 25m over good ground to a dropped kerb for ease of collection.

Fire Brigade - No objection and no additional fire hydrants need to be installed. There is an existing fire hydrant outside No. 11 Mount Pleasant Road, which must not be affected during the works if planning permission is granted.

Environmental Health - Recommend conditions if minded to grant planning permission.

Crime Prevention Design Advisor - Recommends a condition and an informative if minded to grant planning permission.

In response to the above, comments regarding the proposal setting a precedent are not material planning considerations, as each application is assessed on its individual planning merits. Comments regarding building works are not material planning considerations. The flatted development does not have six bedrooms or 2 two bedroom flats, instead it comprises of four one bedroom flats. The remaining issues are addressed in the following sections of this report.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

RELEVANT POLICIES

The Supplementary Planning Document for Residential Design.

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC33 (Car Parking), DC61 (Urban Design) and DC63 (Crime) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency) and 7.4 (local character) of the London Plan are relevant.

National policy guidance set out in Planning Policy Statement 1 Delivering Sustainable Development and Planning Policy Statement 3 Housing are also relevant.

STAFF COMMENTS

This proposal follows a previous planning application, P1047.09, for the demolition of an existing bungalow and the erection of four no. self-contained flats, which was refused planning permission for the following reasons.

1) The proposed development would, by reason of the lack of direct access to the amenity space from the upper floor flats create an unsatisfactory living environment for the future occupiers, contrary to Policy DC61 of the LDF Development Control Policies Development and the SPG on Residential Amenity Space.

2) The proposed development would, by reason of the inadequate on site car parking provision, result in an unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policy DC33 of the LDF Development Control Policies Development Plan Document.

3) The proposed building would, by reason of its bulk, mass, and gabled rear projection, would appear excessively dominant in the rear garden environment to the detriment of the amenity of adjoining residential occupiers contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document.

4) The proposed building would, by reason of its height, bulk, mass, excessive depth and proximity to the boundaries of the site, particularly as it is located to the south of No. 13 Mount Pleasant Road, be an intrusive and unneighbourly development and result in a loss of amenity to adjacent occupiers, in terms of loss of light and outlook contrary to Policy DC61 of the Local Development Framework Development Control Policies Development Plan Document.

5) In failing to deliver a high quality of design and layout through the deficiencies described in the reasons above, the proposal fails to justify such high density of development and would result in an overdevelopment of the site, contrary to Policies DC2 and DC61 of the LDF Development Control Policies Development Plan Document and Planning Policy Guidance Note 3 - Housing.

The appeal was dismissed as the Planning Inspector concluded that the rear section of the building would have an acceptably disjointed appearance and inadequate levels of off-street parking would be provided.

The current application differs from the refused scheme in the following key areas:

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

- 1) The proposal has changed from two one bedroom flats and two, two bedroom flats to four one bedroom flats.
- 2) The first floor flats have side entrances instead of front entrances.
- 3) The ground floor flats have front entrances instead of side entrances.
- 4) The flatted development has changed from a hipped roof to a gabled roof.
- 5) The depth of the first floor rear projection has been reduced by 0.6 metres.
- 6) The two storey rear projection has changed from a gabled end to a hipped end.
- 7) The single storey rear projection has a flat roof instead of a pitched roof.

The main issue in this case is whether the amendments to the proposal address the previous reasons for refusal.

DENSITY/SITE LAYOUT

The Density Matrix in Policy DC2 seeks to guide higher density of development to those parts of the Borough having good access to public transport. In this instance the application site is considered to be located within an area of predominantly detached, semi-detached and terrace housing, with the density requirement being 30-50 units per hectare. The proposal achieves a density of some 86 units per hectare on this 0.046 hectare site, which is outside of the range identified, although this is one element of the assessment.

The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

In this instance, both ground floor flats would have approximately 47 square metres of amenity space and both first floor flats would have 57 square metres of amenity space. The ground floor flats can directly access their amenity space from the rear elevation. The two flats on the first and second floors can access their amenity space from the side elevation, which has addressed the first reason for refusal for P1047.09 regarding the lack of direct access to the amenity space. The Planning Inspector concluded that the arrangement of the outside space is acceptable and therefore the proposed development complies with the overall aims of Policy DC61 of the LDF. Overall, it is considered that the amenity space for the four flats would be private, screened from general public view and access, and is in a conveniently usable form.

Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. This proposal is for four one bedroom flats. The London Plan seeks a minimum internal floor area of 50 square metres for a one bedroom flat with two bedspaces. The two ground floor flats would have an internal floor area of approximately 61 square metres, which is acceptable. The two flats on the first and second floors would have an internal floor area of approximately 65 square metres, which is acceptable.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application would comprise the demolition of the existing dwelling on the site. While the dwelling appears to be in a structurally sound condition, the building is not of any particular architectural or historic merit and no in principle objection is therefore raised to its demolition.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. In this case, existing local character is drawn largely from two-storey semi-detached dwellings, with some terraced and detached properties. It is noted that there are some dwellings which comprise of flats, for example, No.'s 3 and 5 Mount Pleasant Road. As such, no objections are raised to the flatted form of development in the locality.

PPS1 and PPS3 recognise the need for high quality design in residential development. In particular, PPS1 states that good design can help promote sustainable development; improve the quality of the existing environment; attract business and investment; and reinforce civic pride and a sense of place. It can help to secure continued public acceptance of necessary new development. As a consequence Local Planning Authorities are advised to reject designs which are considered to be poor or unacceptable.

The proposed building would occupy a significantly greater footprint than the existing dwelling on site and would project much further into the rear of the site. It is considered that the building would appear in character with neighbouring properties, as the streetscene is varied and many properties in the vicinity have gabled roofs. The height of the building is considered to be acceptable, as it is marginally lower than both neighbouring properties at No.'s 9b and 13 Mount Pleasant Road.

Furthermore, the Planning Inspector (for application P1047.09) stated that although the building would be wider than the existing bungalow, many of the dwellings within this road occupy almost the full width of their plots, and the established building line has been respected. The Planning Inspector was satisfied that the overall scale, massing and appearance of the frontage of the proposed building would sit comfortably within the streetscene.

IMPACT ON AMENITY

The Planning Inspector for application P1047.09 acknowledged that the main body of the proposed building would not project beyond the principal rear elevations of the neighbouring properties, No. s 9b and 13 Mount Pleasant Road. Whilst the rear section of the building would protrude some 3 metres or so further, this element would only be single storey along the side boundaries. The two storey element would be set well within the site and its roof would rise away from the neighbouring properties. Whilst the side elevation of the proposed building would be undeniably taller than that of the existing bungalow, thereby reducing the levels of natural light entering the kitchen window located on the side elevation of No. 13, this arrangement is common in suburban locations where dwellings often sit close to their side boundaries.

The Planning Inspector concluded that the overall scale, massing and positioning of the proposed building would not unacceptably harm the outlook and levels of natural light available to the occupiers of the neighbouring properties. Given the generous distance between the development and the other nearby dwellings, the Inspector was satisfied that it would not unduly harm the living conditions of their occupiers in any way.

It is considered that the current proposal would not result in a significant loss of amenity to neighbouring properties, as size and siting of the development remains broadly the same as application P1047.09. Furthermore, the depth of the first floor rear projection has been reduced by 0.6 metres and its roof has changed from a gabled end to a hipped end, which reduces its bulk and the single storey rear projection has a flat roof instead of a pitched roof.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

It is considered that the proposal would not result in a significant loss of amenity to No. 9b Mount Pleasant Road in terms of loss of light, as this property has a small ground floor window to the rear of the garage, which serves a W.C. and there is a first floor flank window which serves a bathroom, although both are obscure glazed and neither are habitable rooms. In addition, it is noted that No. 9b has a single storey rear extension, which will partly mitigate the impact of the proposal. The building would be set 1 metre from both side boundaries. It is considered that the proposal would not result in any undue overlooking or loss of privacy to Nos 9b and 13 Mount Pleasant Road, as the ground floor flank windows would be screened by a boundary fence, which can be secured by condition if minded to grant planning permission.

It is not considered that the proposal would result in any unacceptable loss of privacy or overlooking to neighbouring properties. It is noted that the roof lights could be added to the building following completion of the works under permitted development.

The development would result in intensification in the use of the site. While this would result in further traffic and comings and goings above that of the existing situation, it is considered that the likely noise increase would be within acceptable limits and no further issues are raised in this respect.

HIGHWAY/PARKING

According to Policy DC2, the site lies within an area with a Public Transport Accessibility Zone Rating of 1-2, which recommends the provision of 2-1.5 spaces per unit in this location. The development would provide four off-street parking spaces resulting in one space per unit.

A condition will be placed to ensure that the parking spaces on the first and second floors of the development will be located directly opposite the front doors of the ground floor flats to help mitigate vehicle headlights beaming into their habitable room windows.

The flatted development would be approximately 9 metres from the front boundary of the site. As such, an area of planting will be provided between the bay windows and the parking spaces, which will provide additional screening, improves the outlook for the ground floor flats and helps to mitigate noise and disturbance from vehicle movement and headlights beaming into habitable room windows.

When considering the merits of this application, weight was attached to the fact that the proposal has changed from two, one bedroom flats and two, two bedroom flats to four one bedroom flats.

The Planning Inspector for application P1047.09 acknowledged that the site is close to a regular bus service and that Planning Policy Statement 13: Transport advocates maximum rather than minimum parking standards in an attempt to discourage reliance on private cars. The Planning Inspector did not dispute the Council's assertion that one car parking space for each one bedroom flat is an acceptable level of provision. Therefore, it is considered that 1 space per unit for the 1 bedroom flats would be acceptable.

The Highway Authority has noted that the vehicular crossover will need to be extended so that vehicles can enter and exit the parking spaces without damaging the un-reinforced footway, which will be secured by condition.

KEY ISSUES/CONCLUSIONS

The proposed residential use of the site is acceptable in principle and no objections are raised to flatted development in the locality in principle. It is considered that the proposal would integrate

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

well with the streetscene and would not materially harmful to residential amenity. It is considered that the proposal would not create any highway or parking issues. Having regard to all material planning considerations, it is recommended that planning permission be approved.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to conditions

1. S SC4 (Time limit) 3yrs
2. M SC09 (Materials)
3. S SC32 (Accordance with plans)
4. SC46 (Standard flank window condition)
5. M SC11 (Landscaping)
6. S SC06 (Parking provision)
7. M SC62 (Hours of construction)
8. S SC58 (Storage of refuse)
9. S SC14 (Sight lines)

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

Reason:-

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

10. S SC48 (Balcony condition)
11. M SC59 (Cycle Storage)
12. Non standard condition
Prior to the commencement of the development, all details of boundary screening and screen walling shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

- 13.** Non standard condition
The building(s) shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum values) against airborne noise and 62 L_{eq}nT, w dB (maximum values) 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' 1994.
- 14.** Non standard condition
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 can 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 LPA.
- Reason:
In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.
- 15.** Non standard condition
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 in the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.
- 16.** Non standard condition
The flats shall not be occupied until a means of vehicular access has been extended in accordance with the approved plans.
- Reason: To ensure the interests of the travelling public are maintained and to comply with policies in the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.
- 17.** Non standard condition
No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.
- Reason:-
In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

REGULATORY SERVICES COMMITTEE

15th September 2011

OUTSIDE STATUTORY PERIOD

18. Non standard condition
Each flat on the first and second floors should have one parking space located directly opposite the front doors of the ground floor flats. These parking spaces shall be retained permanently thereafter to the satisfaction of the Local Planning Authority.

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.

4 INFORMATIVES:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP2, CP17, DC2, DC3, DC33, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Supplementary Planning Document for Residential Design.

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 and Engineering on 01708 433750 to commence the Submission/Licence Approval process.

3. The developer, their representatives and contractors are advised that this 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.

4. 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 licence from the Council.

5. In aiming to satisfy condition 11, the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition.

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 is needed.

REGULATORY SERVICES COMMITTEE
15th September 2011
OUTSIDE STATUTORY PERIOD

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