



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
27 October 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 - 8)

To approve as a correct record the minutes of the meeting of the Committee held on 15 September 2011 and to authorise the Chairman to sign them.

5 P0759.11 - FORMER WOOLPACK PUBLIC HOUSE AND CAR PARK, ANGEL WAY, ROMFORD (Pages 9 - 40)

6 P1368.11 - GARAGE COURT TO THE REAR OF 31 HEATON AVENUE, ROMFORD (Pages 41 - 54)

- 7 **P1378.11 - GARAGE COURT TO THE REAR OF 34 - 68 HEATON AVENUE AND CHAUCER ROAD, ROMFORD** (Pages 55 - 70)

- 8 **P1379.11 - LAND ADJACENT TO 1 - 57 KIPLING TOWERS, HEATON AVENUE, ROMFORD** (Pages 71 - 86)

- 9 **P1073.11 - VICTORIA HOUSE, 1 DURHAM AVENUE, ROMFORD** (Pages 87 - 92)

- 10 **P0063.11 - FORMER BUILD CENTRE, RUSHDON CLOSE, ROMFORD** (Pages 93 - 104)

- 11 **STOPPING UP OF HIGHWAY AT LAND DIRECTLY NORTH OF 61-71 TUPRIN AVENUE, ROMFORD** (Pages 105 - 110)

- 12 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS OUTSIDE STATUTORY LIMITS** (Pages 111 - 172)

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

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
15 September 2011 (7.30 - 9.20 pm)**

Present:

COUNCILLORS: 10

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair),
Jeffrey Brace, Robby Misir, Frederick Osborne,
Garry Pain and Steven Kelly

Residents' Group Linda Hawthorn and Gillian Ford

Labour Group Paul McGeary

**Independent Residents
Group**

Apologies were received for the absence of Councillors Sandra Binion, Ron Ower and Mark Logan.

+ Substitute members Councillor Steven Kelly (for Sandra Binion) and Councillor Gillian Ford (for Ron Ower)

Councillors Georgina Galpin, Billy Taylor and Sandra Binion were also present for parts of the meeting.

26 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.

91 **MINUTES**

The minutes of the meeting of the Committee held on 25 August 2011 were agreed as a correct record and signed by the Chairman.

92 **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**

The report before members detailed an application for the demolition of the former Elmhurst Lodge care home and two semi-detached houses and the construction of a residential development, comprising of 21 houses and 6 apartments.

Members were advised that a Three Dragons viability assessment had been submitted by the applicant to justify the level of affordable housing and the amount of Section 106 contributions arising from the development.

In accordance with the public participation arrangements, the Committee was addressed by an objector, with a response by the applicant.

Mr Oakley objected to the application on the basis that there was a restricted covenant on the land that prevented buildings higher than one storey high.

Mr Oakley also claimed that any development would lead to a loss of privacy and light to neighbouring properties.

Mr Miles, speaking on behalf of the applicant, advised that the developers Bellway and the Council's solicitors had found no evidence of a restricted covenant on the land and following consultations had amended the proposed scheme including removing proposed houses to reduce the impact on neighbouring properties.

With its agreement, Councillor Georgina Galpin addressed the Committee. Councillor Galpin commented that she supported the development and welcomed the opportunities the proposal would give to families moving into the area.

During discussions members commented on the maintenance of the area and access to the landscaped area which included an adopted roadway.

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

- Change to bullet point 4 (page 18) on S106 to read after 'and' - 'the provision of a scheme of planting'.
- Change to bullet point 5 on S106 delete 'to the cost of providing', replace with 'in relation to the provisions of'.

- Change to condition 18:

18. *Land contamination* - 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) the following reports, as required, in accordance with the specified timescales:

- a) Prior to commencement of development: 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) Prior to commencement of development: 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 - Prior to commencement of development: 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 development: 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'.

- Change to condition 22 to limit removal of permitted development rights to Class B, roof extensions only.
- Additions to condition 6 and/or 11 to require details of frontage hard and soft landscape and boundary treatment to ensure that no obstruction to easy maintenance of area is installed/built
- Subject to S106 - do not issue decision.

93 **P1125.11 11 MOUNT PLEASANT ROAD, COLLIER ROW, ROMFORD -
DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF FOUR
SELF CONTAINED FLATS**

The application before members sought 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.

Members were advised that a previous application had been refused at appeal.

The Committee was also advised that the Fire Brigade had submitted a late letter of representation but had not objected to the scheme.

With its agreement, Councillor Sandra Binion addressed the Committee. Councillor Binion commented that the planning density guidance allowed for 30-50 units per hectare but the proposed scheme came in at 86 units per hectare.

Councillor Binion commented that the scheme was detrimental to the streetscene, had an adverse effect on amenity, would increase traffic flow and was an overdevelopment of the site and urged the Committee to refuse planning permission.

With its agreement, Councillor Billy Taylor addressed the Committee. Councillor Taylor commented that surrounding properties were either

houses or bungalows and that there were no flats in the area and that the proposed scheme would be out of character with neighbouring residences.

Councillor Taylor also commented on potential parking problems and stated that the modifications made to the scheme following its rejection at appeal were only minor ones.

During discussions several members made mention of the fact that the Highways Authority had objected to the scheme due to the insufficient off street parking provision.

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

The vote for the resolution was 8 votes for with 1 abstention and 1 against.

Councillor Ford abstained from voting and Councillor Pain voted against the proposal.

94 **P0679.11 - 13 ASHVALE GARDENS, UPMINSTER - CONTINUATION OF
CHILDMINDING BUSINESS IN UNALTERED AND RETAINED
RESIDENTIAL DWELLING, TO CARE FOR A MAXIMUM OF 15
CHILDREN WITH 3 MEMBERS OF STAFF**

The report before members detailed an application 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.

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

In accordance with the public participation arrangements, the Committee was addressed by an objector, with a response by the applicant.

Mrs McCabe commented that a noise nuisance already existed at the applicant's property with a smaller amount of children attending.

Mrs McCabe expressed her concern at raising the permitted number of children attending the premises to 15 and also stated that there would be problems with parking provision for parents dropping off and collecting children.

Mrs Chaplin explained that no representations had been made from neighbouring residents and that the proposed level of children and staff in attendance was not increasing.

Mrs Chaplin also explained that the only noise nuisance in the road was that of the school opposite which also contributed to parking problems in the area with parents dropping off and collecting children.

With its agreement, Councillor Ron Ower addressed the Committee. Councillor Ower commented that the business was more like a nursesey than a childminding service due to the numbers of children being cared for.

Councillor Ower supported the condition in the report that limited the number of children in the garden at any one time but still felt the number of children being cared for at a residential property was too high and urged the Committee to refuse planning permission.

During discussions members discussed the possibility of granting planning permission on a temporary basis with this in mind Councillor Tebbutt proposed a motion to grant planning permission for a period of three years which was seconded by Councillor Osborne.

Councillor Kelly commented that the childminding service had been in place for a period of four years and consistently achieved a high OFSTED rating and therefore it appeared foolhardy to refuse planning permission as an excellent service was currently being provided.

Following discussions Councillor Tebbutt withdrew his motion.

Councillor Ford proposed a motion that no more than seven children be on the premises at any one time which was seconded by Councillor Hawthorn. The vote for the motion was defeated by 8 votes to 2. Councillors Ford and Hawthorn voted for the motion.

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

The vote for the resolution to grant planning permission was carried by 7 votes to 1 with 2 abstentions. Councillor Hawthorn voted against the proposal and Councillors Ford and Pain abstained from voting.

95 **P1212.11 - THE WILLOWS, HUBBARDS CLOSE, HORNCHURCH - REPLACEMENT / RESITING OF BUNGALOW**

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

- 96 **P1153.11 - LAND REAR OF 28-30 SWINDON LANE, HAROLD HILL - DEMOLITION OF EXISTING GARAGES AND ERECTION OF ONE 2 BEDROOM BUNGALOW WITH ASSOCIATED PARKING AND GARDEN AREA.**

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

- 97 **P1155.11 - LAND ADJACENT 9 ORCHIS WAY, HAROLD HILL - DEMOLITION OF EXISTING 14 GARAGES AND ERECTION OF TWO 2 STOREY 4 BEDROOM DWELLINGS WITH ASSOCIATED PARKING**

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

- 98 **P1156.11 - LAND ADJACENT 15 OXFORD ROAD, HAROLD HILL - DEMOLITION OF EXISTING 20 GARAGES AND ERECTION OF THREE 2 STOREY 3 BEDROOM DWELLINGS WITH ASSOCIATED PARKING**

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

- 99 **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**

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

- 100 **A0040.10 - 13 FARNHAM ROAD, HAROLD HILL - ILLUMINATED FASCIA SIGNAGE**

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

- 101 **P0788.11 - ST. ALBANS RC SCHOOL, HORNCHURCH - ALTERATION AND ENLARGEMENT OF EXISTING SCHOOL CAR PARK, WITH ASSOCIATED HARD STANDING AND LANDSCAPING. REPLACEMENT BOUNDARY FENCING AND PEDESTRIAN GATE**

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

- 102 **P1093.11 - 13 FARNHAM ROAD, HAROLD HILL - 13 FARNHAM ROAD, HAROLD HILL - INSTALLATION OF SHOPFRONT AND SHUTTER**

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

- 103 **P1038.11 - REDCROFTS FARM, OCKENDON ROAD, UPMINSTER - PROPOSED OUTBUILDING**

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

- 104 **P1041.11 R/O 223-227 BRENTWOOD ROAD, ROMFORD - NEW DEVELOPMENT TO CREATE 7 HOUSES COMPRISING 2 FOUR BEDROOM HOUSES AND 5 THREE BEDROOM HOUSES**

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

Chairman



5

**REGULATORY
SERVICES
COMMITTEE**

REPORT

27 October 2011

Subject Heading:

P0759.11 - Former Woolpack Public House and car park, Angel Way, Romford

Change of use of ground floor of no.48 High Street to retail/financial and professional services/restaurant or café use (classes A1/A2/A3) and the conversion of the upper floors of this building to 4 no. dwellings; the erection of a part 3/5/6/8 storey building to provide 70 no. dwellings, together with associated landscaping, amenity space, car and cycle parking. (Application received 16th June 2011 and revised plans received 10th October 2011).

Report Author and contact details:

**Helen Oakerbee 01708 432800
Helen.oakerbee@havering.gov.uk**

Policy context:

**Local Development Framework
London Plan, Planning Policy
Statements/Guidance Notes**

Financial summary:

None

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

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity in thriving towns and villages

Value and enhance the life of our residents [X]
Delivering high customer satisfaction and a stable council tax []

SUMMARY

The application is for the change of use of the ground floor of the former Woolpack public house and conversion of upper floors to four flats and the erection of a part 3/5/6/8 storey building to provide 70 dwellings. The proposal is considered acceptable in all material respects, including design and layout, impact on local character, the street scene, Romford Town Centre and Romford Conservation Area; impact on neighbouring amenity; environmental impact and parking and highway issues. A 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 and is considered to be acceptable. The proposal is therefore judged to be acceptable in all material 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 8% of the units within the development (comprising 4 no. three bed units and 2 no. four bed units) as affordable housing for rent..
- The payment of a financial contribution of up to maximum of £100,000, of which £2,100 shall be used for the cost of new tree planting within the vicinity of the site and its initial maintenance, with the remainder of the contribution to be used for additional primary and secondary school places within the Borough and improvements to the walking, cycling and bus access infrastructure on Angel Way, High Street and St. Edwards Way, the apportionment of such payments to be determined by the Head of Service.
- The prevention of any future occupants of the development, save for blue badge holders, from applying for residents parking permits within any current or future Controlled Parking Zone or other such measure affecting the locality of the application site.
- The 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. Disabled parking - Before the building(s) hereby permitted is first occupied provision shall be made within the site for 7 no. disabled car parking spaces in accordance with the approved details. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate on-site parking is available for the disabled and to comply with the aims of Policy 6.13 of the London Plan .

5. Vehicle Charging Points - Provision shall be made within the development for a minimum of 20% of parking spaces to be fitted with active provision of electric vehicle charging points before the occupation of the development.

Reason: In the interests of sustainable transport and to accord with Policy 6.13 of the London Plan.

6. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. This shall include samples of external doors and window frames, railings, balustrades and external stairs/access deck, reconstituted stone surrounds and colour samples for the window reveals and town house entrances, and details of pointing and mortar mix, which are expected to accord with the information within the approved design and access statement and its addendum. Thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. External Bricks – The external bricks to be used within the development shall be as set out in the submitted Planning Amendments Addendum dated October 2011 (page 12) and shall comprise:

Town Houses – Ibstock Birtly Old English Buff
Apartments – Ibstock Birtly Millhouse Blend
Entrance to apartment block – Ibstock Oyster White

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.

8. 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 full details of the proposed landscaping to the podium area, including the design and height of the proposed raised planters. 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.

9. Living Wall – Prior to the commencement of the development full details of the proposed 'living wall' shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a specification for the construction, planting and on-going maintenance and management of the wall. The development shall then be carried out in accordance with the agreed details.

Reason: 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.

10. Children's Play Equipment – Prior to the commencement of the development, details of the proposed children's play equipment shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall then be installed at the site prior to the first occupation of the development and retained thereafter in accordance with the approved details.

Reason: To ensure a satisfactory living environment and to comply with Policies DC20 and DC61 of the LDF, the Residential Design SPD and Policy 3.6 of the London Plan.

11. 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.

12. 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.

13. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, 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.

14. 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.

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

16. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority detailing how the recommendations of the bat survey (dated March 2011) will be implemented. This shall include details of further survey work to be undertaken and a programme of mitigation, where the survey indicates this is necessary. 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 protected species and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

17. Hours of construction - No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction

works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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 DC50 of the LDF Development Control Policies Development Plan Document.

23. Noise Insulation – Before the use commences, the commercial parts of the building shall be insulated in accordance with a scheme which shall previously have been approved by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

24. Plant/Machinery – Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard: Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90-10dB and shall be maintained thereafter 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'.

25. Noise Protection – Before any development is commenced, a scheme for protecting the proposed dwellings on the upper floors of the converted Woolpack building from noise from any adjacent commercial activities and their associated plant and machinery shall be submitted to and approved by the Local Planning Authority. Any works which form part of the approved

scheme shall be completed before any of the permitted dwellings is occupied and retained thereafter.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

26. Extract ventilation - Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

27. Noise and Vibration - Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

28. Road noise - Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from St. Edwards Way upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise", 1988. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: To protect future residents against the impact of road noise in accordance with Department of Environments, Planning Policy Guidance Note 24, "Planning and Noise".

29. Restricted Use - Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the commercial use hereby approved (i.e. on the ground floor of the former Woolpack public house) shall be for uses falling within Classes A1, A2 and A3 of the Order only and shall be used for no other purpose(s) whatsoever, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application.

30. Hours of Use - The commercial premises shall not be used for the purposes hereby permitted other than between the hours of 08.00 and 20.00 hours on Mondays to Saturday and 08.00 and 18.00 hours on 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.

31. 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 prior to the commencement of development.

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 prior to the commencement of development.

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.

32. Windows/doors to Woolpack - Prior to the commencement of any works to the former Woolpack public house detailed drawings or samples of materials, as appropriate, in respect of the following, shall be submitted to, and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details:

- a) proposed replacement windows
- b) proposed external doors

Reason: To preserve the character and appearance of this heritage asset and to enhance the Romford Conservation Area and to accord with Policy DC68 of the Development Plan Policies LDF.

33. External brickwork to Woolpack – Prior to commencement of any works to the former Woolpack public house the following shall be undertaken:

- i) a method statement detailing how the existing paint to the external brickwork of the building will be removed, which shall include details of the cleaning system to be used, shall be submitted to and approved in writing by the Local Planning Authority;

- ii) once the method statement has been approved, a patch test shall be carried out on site to assess the condition of the brickwork and the results of this patch test shall be reviewed on site by the Local Planning Authority;
- iii) following the review of the patch test results by the Local Planning Authority, final details of the proposed external elevational treatment, including details of pointing and mortar mix where relevant, shall be submitted to the Local Planning Authority. No work to the former Woolpack building (save for the above mentioned testing) shall be undertaken until the external elevational treatment has been approved in writing by the Local Planning Authority and the work must thereafter be carried out in accordance with the approved details prior to occupation of the development.

Reason: To ensure the character of the building and the Romford Conservation Area is enhanced and to accord with LDF Policy DC68 and the provisions of PPS5.

34. Details of Woolpack external materials – Prior to the commencement of any works to the former Woolpack public house, details/samples of the colour and finish of the proposed external render and samples of proposed external roof tiles, shall be submitted to and approved in writing by the Local Planning Authority and the work must thereafter be carried out in accordance with the approved details.

Reason: To ensure the character of the building and the Romford Conservation Area is enhanced and to accord with LDF Policy DC68 and the provisions of PPS5.

35. External Works to Woolpack - All new work and works of making good to the retained external fabric shall be finished to match the existing original work in respect of the methods used and to material, colour, texture and profile and in the case of brickwork facebond and pointing.

Reason: To preserve the character and appearance of the Listed Building and its setting.

36. Piling Method – No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

37. Public Highway - Any proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development. Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

38. Public Highway licence - The necessary agreement, notice and/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.

39. Protection of Controlled Waters – If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure protection of controlled waters.

INFORMATIVES

1. The applicant is advised that one additional private fire hydrant will be required by the London Fire Brigade (Water Office). The Fire Brigade is satisfied with the proposals subject to the provision of a dry rising main in the core stairway.

2. If the ground floor of the former Woolpack building is used for A3 purposes the operator should contact the Food Section of the LBH Environmental Health service with detailed proposals regarding a Trade Waste Agreement, a Waste Oil Transfer Agreement, the provision of a grease trap and details of ventilation and extraction.

3. 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.

4. Should this application be granted planning permission, 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.

5. In aiming to satisfy condition 14 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.

6. 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.

7. The applicant is advised that the consent of Thames Water will be required for discharge to a public sewer. A trade effluent consent will be required for any effluent discharge other than a domestic discharge. The use of a fat trap is recommended for all catering establishments. The applicant is advised to contact Thames Water direct.

8. Reason for Approval:

The proposal is considered to be in accordance with Policies Policies CP1, CP2, CP4, CP9, CP10, CP15, CP17, CP18, DC2, DC3, DC6, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC66, DC67, DC68, DC70 and DC72 of the Local Development Framework (LDF) 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 viability appraisal, which has been independently tested and found to be sound.

The proposal is also considered to accord with the Romford Area Action Plan SPD, specifically policies ROM4, ROM6, ROM8, ROM9, ROM14, ROM15, ROM17 and ROM20. The proposal does not fully comply with Policy ROM19 as the building is more than 6 storeys high and not in one of the specified locations for a taller building. However, the height of the building is considered to be justified and the development to be of suitably high architectural quality.

In addition, the development is considered to comply with the Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Heritage SPD and Sustainable Design and Construction SPD are material considerations.

The development is considered to accord with the provisions of PPS1, PPS3, PPS5, PPS9, PPS10, PPG13, PPS22, PPS23, PPG24 and PPS25, as well as Policies 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 5.2, 5.3, 5.7, 5.12, 5.13, 5.16, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 6.14, 7.3, 7.4, 7.6, 7.8, 7.14, 7.15, 7.19 and 8.2 of the London Plan. 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 has an area of 0.27 hectares and is located on the south-western side of Angel Way. The site comprises a surface level car park, which provides 41 parking spaces for disabled users, comprising 27 'over-sized' spaces and 14 standard size parking bays, together with a former nightclub building (Secrets nightclub), which has recently been demolished and the former Woolpack Public House, which is a late nineteenth century building situated at the junction of Angel Way and High Street. The south-eastern part of the site is within the Romford Conservation Area and includes the majority of the Woolpack building. The site lies within the boundaries of Romford Town Centre.
- 1.2 The site is generally level. There is a disused well in the northern corner of the site and a row of leylandii around the north-west/western perimeter of the site. The Woolpack is the only building currently standing on the site and is a 2 and a half storey vacant building, which has not been used for some years. The building is identified both within the Romford Conservation Area Character Appraisal and in the Borough's Heritage SPD as a building of local heritage interest.
- 1.3 The site is adjoined to its south-eastern boundary by a two-storey Salvation Army building, which is used for worship and community activities. To the immediate south of the site is Headley Close, where there is a three storey community building, which provides youth facilities and short-stay residential accommodation. The amenity area to the rear of this building directly adjoins the southern-most boundary of the application site.
- 1.4 Directly opposite the site, in Angel Way, is a multi-storey car park. To the north-west of the car park is the Trinity Methodist Church. The church has a small car park to its southern side, at the end of Angel Way, which adjoins the application site. Within High Street, development is principally three or four storeys and predominantly comprises commercial units at ground floor with residential above. Romford Museum is also situated in High Street. On its western side the site has a return frontage on to St. Edwards Way.

2. Description of Proposal

- 2.1 The application proposes the retention and refurbishment of the former Woolpack public house, together with the erection of a new residential building, ranging between 3 and 8 storeys high.
- 2.2 The retained Woolpack would undergo a programme of renovation and restoration in order to bring it back into use. The application proposes use of the ground floor for either retail, financial and professional services, or restaurant/café use, which fall within Classes A1, A2 and A3 of the Use Classes Order respectively. The upper floors of the building would be converted to form 2 no. two bed and 2 no. 1 bed flats. The proposal includes cleaning of the original external brickwork and painted render, new timber framed windows and doors to the front elevation and new guttering and rainwater goods. A detailed specification of the proposed works is set out in the submitted Heritage Statement and will be detailed more fully elsewhere in this report.
- 2.3 The proposed new build will comprise a part 3/5/6/8 storey building to provide 70 residential units. This consists of 30 no. 1 bed units, 34 no. 2 bed units, 4 no. 3 bed units and 2 no. 4 bed units. The development proposes 6 units of affordable rented housing, which are the 3 and 4 bed units within the development.
- 2.4 The proposed building will be three storeys where it neighbours the Woolpack, rising in height as it extends in a north-westerly direction along Angel Way, to a maximum of 8 storeys in the most northerly corner of the site. The building will be finished externally in brick constructed in a stretcher bond with relief created by contrasting brick, elements of brick soldier coursing and recessed window detailing. The principal entrance to the building is located at the foot of the eight storey section and consists of fully glazed powder coated aluminium curtain walling within a brick setting. Additional detail is provided to the north facing elevation of the eight storey element through the arrangement of brick-finished balconies. There are additional, separate entrances to each of the three and four bed units along Angel Way set behind landscaped frontages. All external doors and windows are proposed to be powder coated aluminium framed. To the western elevation of the building on to St. Edwards Way the proposed building will have a planted 'living wall' at ground floor level, which will screen the service functions located internally within this part of the building.
- 2.5 The development has a single point of vehicular access from Angel Way, which leads to an internal, ground floor parking area of 24 spaces, including 7 disability spaces. Refuse stores are also located within the ground floor of the building. At first floor level it is proposed to create a landscaped podium, which would serve as a communal amenity area for the development. This would be effectively enclosed by the new building to the north and west and by the existing Salvation Army building to the east. It is proposed to create a central soft landscaped feature through trees growing up through the podium from the ground floor of the development. Additional

planting and communal play facilities would also be provided. This space would provide an amenity area for residents, in addition to proposed decked terraces to each of the upper levels of the development.

- 2.6 The application is accompanied by a suite of supporting documents including a planning statement, heritage statement, viability appraisal, arboricultural study, bat survey, contamination desk study, daylight/sunlight assessment, design and access statement, energy statement, flood risk assessment, noise assessment, sustainability statement and transport assessment and travel plan.

3. Relevant History

- 3.1 There have been numerous planning applications relating to these premises. The most relevant are set out below:

P1095.98 Change of Use Public House to Night Club - approved

P1557.02 Residential development to provide 35 flats - approved

C0005.04 Conservation area consent for demolition of existing nightclub and erection of 5/8/9 storey residential building – refused.

C0009.04 Conservation area consent for demolition of existing nightclub and erection of 5/8/9 storey residential building – lapsed application.

P1725.04 Demolition of existing buildings, erection of 5/8/9 storey building providing 45 no. 1 bed flats and 115 no. 2 bed flats with associated car parking, landscaping and amenity space and 25 replacement disabled parking spaces - refused.

P1726.04 Demolition of existing buildings, erection of 5/8/9 storey building providing 45 no.1 bed flats and 115 no.2 bed flats with associated car parking, landscaping & amenity space, and 25 replacement disabled parking spaces – refused.

P2252.04 Demolition of existing buildings, erection of 5/8/9 storey building providing 45 No. 1 bed flats and 115 No. 2 bed flats with associated car parking, landscaping and amenity space, and 25 replacement disabled parking spaces – lapsed application.

P2343.06 67 No 1 bedroom flats 46 No. 2 bedroom flats, 12 No. 3 bedroom flats, including associated access, car parking, amenity space and replacement disabled car parking – withdrawn.

P0499.07 Full application for residential development and associated access, car parking, amenity space and replacement disabled car parking – withdrawn.

4. Consultations/Representations

- 4.1 Public consultation has been undertaken by the developers prior to the submission of this application. Following receipt of the application, the proposal has been advertised on site and in the local press as a major development and as affecting the Romford Conservation Area. Neighbour notification letters have also been sent to 299 local addresses. Two letters of representation have been received objecting to the proposal on the following grounds:
- massing too great and will affect neighbouring Trinity church
 - Policy ROM19 states permission will not be granted in this location for buildings 6 stories or more
 - development will result in loss of public car parking spaces
 - height of building out of character and should not exceed 4 storeys
 - development will cause overlooking and loss of privacy
 - overshadowing and loss of light
- 4.2 Thames Water requests conditions relating to surface water drainage and impact piling and makes comments relating to discharge of groundwater, sewerage and use of petrol/oil interceptors and use of fat traps.
- 4.3 The Fire Brigade (Water) requires an additional fire hydrant. The LFEPA is satisfied with the proposals subject to the provision of a dry rising main in the core stairway.
- 4.4 English Heritage (GLAAS) advises that the proposal may affect remains of archaeological significance and should be subject of a condition requiring field evaluation.
- 4.5 English Heritage (Historic Buildings & Areas) are pleased to note the retention of the Woolpack and comment that it could considerably enhance the historic environment if restored properly.
- 4.6 Essex & Suffolk Water make no comments on the application.
- 4.7 The Borough Crime Prevention Design Advisor requests conditions relating to community safety if permission is granted.
- 4.8 The Environment Agency raises no objection but requests a condition if permission is granted.
- 4.8 The Council's Heritage Officer advises that no objection is raised to the internal alterations of the building, which has already been much altered. Externally, the building will be restored with the external alterations based on historic photos of the building. It is considered that, subject to suitable conditions, the proposal would positively enhance the character and appearance of the Romford Conservation Area.

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: Relevant policies are considered to be: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (childrens 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, CP4, CP9, CP10, CP15, CP17, CP18, DC2, DC3, DC6, DC7, DC20, DC30, DC32, DC33, DC34, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC66, DC67, DC68, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

The Romford Area Action Plan SPD is a material consideration, specifically policies ROM4, ROM6, ROM8, ROM9, ROM14, ROM15, ROM17, ROM19 and ROM20.

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 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 and the impact of its design, scale and massing on the character and amenity of the locality, the impact of the development on the Romford Conservation Area and the Woolpack Public House, the quality of the proposed residential environment, parking and highway matters, the impact on amenity, environmental issues, affordable housing and the impact on community infrastructure.

6.2 Principle of Development

6.2.1 The application site is situated within the boundaries of Romford Town Centre. The site is not designated for any particular land use within the LDF and residential development on the site is therefore acceptable in principle. It is noted that part of the site was formerly used as a car park for disabled drivers. A number of the displaced parking spaces have already been re-provided either within the nearby Angel Way multi storey car park or on street in the town centre. There remains a shortfall in the re-provision of some 25 spaces. The resultant reduction in 'over-sized' parking bays for disabled drivers is not contrary to planning policy and does not constitute material grounds for refusal of the application. There is a contractual agreement between the applicants and the Council as landowner for a financial contribution to be paid in lieu of re-providing the lost parking spaces, which could be used by the Council to provide additional parking if deemed necessary. This is however a separate land transaction and not part of the planning process and is not secured through a Section 106 agreement. The proposal would contribute to the provision of housing within the Borough and therefore complies in principle with Policy CP1 of the LDF, Policy ROM14 of the Romford Area Action Plan (AAP) and Policies 3.3. and 3.4 of the London Plan.

6.2.2 The development will include the provision of some commercial floorspace on the ground floor of the retained Woolpack public house. This covers an area of approximately 92 square metres and permission is sought for either an A1, A2 or A3 use. A range of uses is sought to provide flexibility and increase the likelihood of the ground floor being let. Any of these uses are considered to be acceptable in principle in this town centre location subject to controls, particularly in respect of a proposed A3 use, to ensure the amenity of local residents and particularly those living in the proposed flats on the upper floors of the Woolpack building is maintained.

6.2.3 The former nightclub buildings on the site have already been demolished and their demolition does not therefore form part of this application. Nonetheless, these buildings were of no architectural or historic value. The Woolpack building, which is of local heritage interest, is proposed to be retained and this issue will be addressed elsewhere in this report. There are

trees which will be lost of the site but these are not subject of a TPO or of significant amenity value. There is, therefore, no objection to the principle of a mixed commercial and residential development on this site.

6.3 Heritage Issues

- 6.3.1 The application site includes the former Woolpack Public House. This is an Edwardian building, which is locally listed, and is situated within the Romford Conservation Area. As a locally listed building, the Woolpack is considered to be a heritage asset which makes a positive contribution to the character and appearance of the conservation area.
- 6.3.2 The application proposes the retention and restoration of the Woolpack building and its conversion into a commercial unit on the ground floor, either A1, A2 or A3 use, and the conversion of the upper floors to form four flats.
- 6.3.3 There is no objection in principle to the change of use of the building. The building has been subject to a number of unsympathetic alterations over the years and has been vacant for some time, which detracts from the character and appearance of the Conservation Area. As such, a mixed use scheme is considered appropriate to ensure the long term viable use of the building. The re-use will require extensive internal alterations but this is considered acceptable as most of the original internal features of the building have already been lost and the value of the heritage asset is in its external appearance and its contribution to the streetscape of the High Street.
- 6.3.4 In terms of external alterations, the property has suffered from a number of inappropriate alterations and additions in recent years. This proposal would restore the front elevations of the building, which would be to the benefit of the character and appearance of the Conservation Area. The proposed external alterations are based on historic photos of the building to ensure accuracy within the restoration.
- 6.3.5 The proposal includes replacement of existing windows and doors and the creation of a new shopfront for the ground floor commercial unit. It is also proposed to reinstate the timber detailing to the roof gables and to carry out works effecting the existing external brickwork.
- 6.3.6 In respect of the window alterations, these will comprise replacement matching timber double glazed units, with two first floor windows reduced in size. These works are considered acceptable subject to conditions requiring detailed drawings/samples of windows to ensure they are appropriate. Similarly, the proposed replacement doors are considered acceptable, subject to conditions requiring further details, to ensure they are appropriate to the architectural style of the property.
- 6.3.7 The proposed alterations to the ground floor shopfront are considered acceptable, as the existing shopfront is not original and is in poor condition. However, the existing cornice and dentil course should be retained and repaired where necessary as these are original features of the building.

This is shown on the application drawings. The proposal also includes replacement timber detailing to the roof gable, which replicates detailing shown on historic photos of the building.

- 6.3.8 In terms of external finishes, the proposal is to remove existing paint from the brickwork at upper levels. However, the design and access statement and heritage statement indicates that this may not prove to be possible as the quality of the underlying brickwork cannot yet be determined. Furthermore, there is no information regarding the methods to be used for the paint removal. It is therefore recommended that a condition be imposed to require a method statement for the paint removal to be submitted and, following the carrying out of a test patch on site, details of the works or alternative elevational treatment to be agreed.
- 6.3.9 Overall however the proposal is considered to be a positive enhancement of this heritage asset which, subject to conditions, would positively enhance the character and appearance of the Romford Conservation Area. The proposal would therefore accord with LDF Policy DC68, the provisions of PPS5 and Policy 7.8 of the London Plan.
- 6.3.10 In respect of archaeology, English Heritage (GLAAS) advises that the proposal may affect remains of archaeological significance and should be subject of a condition requiring field evaluation.

6.4 Density and Site Layout

- 6.4.1 The application site is situated within Romford Town Centre which has a high PTAL level of 5-6 owing to its high accessibility by public transport. The application site has an area of approximately 0.27 hectares and proposes 74 units, giving a development density of 274 units per hectare, which is well within the density range of 240-435 units per hectare set out in Policy DC2. It is also consistent with Policy 3.4 of the London Plan.
- 6.4.2 The development proposes predominantly one and two bed flats but does include 6 no. 3 and 4 bedroom family units, which are accessible from street level and have access to their own amenity areas. This complies in principle with the aims of Policy DC2 in respect of dwelling mix and Policy ROM15 of the Romford AAP. Internal unit sizes comply with Policy 3.5 of the London Plan.
- 6.4.3 In respect of site layout, it is acknowledged that this is a constrained town centre site, given its relationship with the Salvation Army building to the south and Headley Close youth building and flats, as well as the heritage implications of developing the site and the desire to retain the Woolpack building.
- 6.4.4 Having regard to the site constraints the development has been designed so that the majority of the new flats have dual aspect. In the northerly corner of the site there are 2 no. single aspect one bed units. Whilst this is not ideal they are considered to provide an acceptable level of amenity for future

occupiers and form only a small percentage of the overall number of units. The family units within the development are dual aspect on the upper floors. The units are designed to meet the Mayors Housing Design Guide with respect to floor space, room sizes and amenity space and also to meet Lifetime Homes Criteria and it is considered that the requirements of Policy 3.5 of the London Plan are met. A daylight/sunlight appraisal has been submitted with the application and indicates that overall the rooms will be adequately daylight. The availability of sunlight to the courtyard elevations would be more limited due to the design of the proposals but the report indicates that the relevant BRE guidance would be met as most units would receive some sunlight as per the terms of the BRE guidelines. The availability of sunlight and daylight to each unit is also assisted by the dual aspect nature of the majority of the units. Whilst the availability of natural light to each of the units is not to optimal levels Staff nevertheless consider that the constraints of the site would make it difficult to achieve a significantly improved scheme and that the development would provide a satisfactory level of residential amenity. A minimum 10% of the units are designed to be easily adaptable for wheelchair use. The proposal is therefore considered to accord with Policy DC7 of the LDF and Policy 3.8 of the London Plan in this respect.

- 6.4.5 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. The development contains 6 family sized units. Two of these family units have a private, ground floor rear courtyard, with the other four family units having access to semi-private amenity areas on the first floor podium. Of the one and two bed flats within the new build, the first floor units will also have semi-private areas on the podium level with the upper floor units having individual balconies as well as use of the decked accesses to the flat entrances and shared use of the communal areas of the landscaped podium and play area.
- 6.4.6 Within town centre locations it is not always possible to provide generous amounts of amenity space, as this can conflict with the higher densities generally found in central locations and the prevailing character of the locality. In this case, it is considered that the amount of amenity space provision is acceptable and consistent with the character of the locality. The private amenity areas provided are considered to be sufficient for each unit and to maintain a suitable level of privacy and amenity. The central podium will require a high quality hard and soft landscaping scheme and play equipment in order to ensure that it provides a desirable communal amenity area that residents will want to make use of. This could be secured through condition and subject to this Staff consider the development to make acceptable amenity space provision. In this respect the proposal is considered to accord with the aims of the Residential Design SPD and Policy 3.5 of the London Plan.
- 6.4.7 Of necessity, there is no private amenity space provided for the proposed four flats on the upper floors of the restored Woolpack, as the addition of

balconies to this building would adversely affect its historic integrity. However, the flats are designed with reasonable aspect to the north-east and south-east and would be similar to other flats above shops within the town centre. No objection is therefore raised in this respect.

6.5 Design and Visual Impact

- 6.5.1 Policy DC66 states that tall buildings i.e. those of 6 or more storeys or over 18 metres high will normally only be granted in Romford Town Centre. The application site is within Romford Town Centre. However, Policy ROM19 states that permission for buildings of 6 storeys or over will normally only be granted in four locations, including along the ring road at the junctions of Angel Way, High Street, Main Road, North Street, South Street and Western Road.
- 6.5.2 The building is designed as a three storey block where it adjoins the retained Woolpack PH and then rises along Angel Way to five storeys, then to eight storeys at the northern part of the site. The return frontage of the building extending along the western side of the site adjacent to St. Edwards Way is six storeys high. It falls to be considered whether the scale, bulk and massing of the proposed building is acceptable.
- 6.5.3 Staff consider the stepped approach to the building height to be appropriate in this case. The three storey element of the proposals respects the scale and massing of the adjacent retained Woolpack building and does not compete with its architectural identity. The building then rises in height to six storeys. Again, this is considered acceptable in the context of the site and the scale and massing of surrounding development, in particular the bulk of the multi-storey car park opposite the site and the scale of the Trinity Methodist Church at the northern end of Angel Way.
- 6.5.4 To the ring road, a six storey block is proposed. Traditionally, within Romford town centre, taller buildings have been constructed adjacent to the ring road, as evidenced by the various office buildings, as well as residential development on the former Dolphin site and the new mixed use development in North Street, which is currently under construction. Subject to high quality design, staff do not consider the height of the building to the ring road to be out of scale and character with the locality.
- 6.5.5 Where the five and six storey sections of the building meet in the northern corner of the site it is proposed to construct an eight storey block. Staff have considered the justification for a building of this height and whether the quality of the design is of a sufficiently high standard.
- 6.5.6 It is recognised that the site has a prominent location on the ring road. Angel Way has an underpass link to the other side of the ring road and presently provides a pedestrian route into the town centre but one which is not clearly defined. It is considered that given the prominence of the site as seen from the ring road it is appropriate to provide a strong corner feature to the development to 'announce' the development and to encourage

pedestrian use of Angel Way as a route into the town centre. This would accord with the aims of Policy ROM4 to improve the pedestrian environment and links to and from the town centre. The building should also be of sufficient scale and massing to distinguish it from the adjacent Trinity Method Church.

- 6.5.7 The building has an inverted footprint in the north corner of the site, which enables the creation of a glazed entrance at ground floor, together with space for soft landscaping. This creates a softer edge to the development at street level. Above, the eight storey corner building has a series of interlocking brick built balconies, which are considered to break up its perceived mass and provide a high quality, visually interesting elevation. Further revisions have taken place to the design of the corner element by increasing the height of alternate rows of windows, which gives the building proportions a slimmer, more elegant feel.
- 6.5.8 On balance, Staff consider that the massing of the building is acceptable. It is accepted that the development requires a strong corner feature and that, in part, this requires a building of greater height than the remainder of the development. It is considered that the scale and mass of the building would relate acceptably to other development along the ring road, including the adjacent Trinity Methodist church and the approved (but not yet built) mixed use development north of the Methodist Church on the former Angel Way retail park, which is seven storeys high to the ring road with a 16 storey tower. The proposed development, with its interlocking balcony feature, is considered to be of high quality design, and it is therefore considered that the scale and massing of the building would have an acceptable impact on local character and visual amenity.
- 6.5.9 The remainder of the new building has a simplicity of design. The building is to be of brick construction and was initially proposed to be entirely constructed externally with one brick finish, samples of which have been provided with the application. The building generally has a 'flat' elevation, which is broken up with the use of different brick bonds and the use of recessed window details. Frames are proposed to be powder coated aluminium. Following discussions between the scheme architects and the Council's planning and heritage staff the originally submitted proposals have been revised in the following way:
- it is proposed to use a contrasting lighter brick to the three storey town house elements and entrance area of main block;
 - the five storey block to Angel Way will be divided by shadow gaps
 - alternate balconies and windows to the 8 storey corner block to be increased to full height openings
 - reconstituted stone portal frames added to maisonette/duplex entrances and reconstitute stone beneath the corner windows
 - town houses to Angel Way to have different colours to entrance and inset balcony reveals and metal work.

- 6.5.10 Staff consider that these revisions have significantly improved the proposals. The amendments are considered to improve the proportions of the development, giving it a more vertical emphasis, whilst the introduction of variety to the materials, by using contrasting lighter brick to the town house and entrance elements, stone portals and colour to the town house entrances and window reveals, is considered to break down the perceived bulk and mass of the development. Further interest is added at street level in Angel Way with larger elements of glazing to the family units and railings and hedging to create defensible boundaries. To St. Edwards Way, the development incorporates a 'living wall' at ground floor level, which will introduce a landscaped feel to the adjacent pedestrian environment. Whilst final colours and external materials have not yet been fully agreed at the time of writing this report, although external brickwork samples have been submitted, Staff are satisfied that the design approach is acceptable and that samples of materials could be required and approved through a planning condition.
- 6.5.11 Staff have considered carefully whether the design and appearance of the building will have an acceptable visual impact and the suitability of the materials proposed. To assist with this process, detailed information has been made available by the architects demonstrating examples of other developments with pared down facades and similar brick. Taking all of these factors into account, Staff are satisfied that the development will have an acceptable design and visual impact and is a suitably high quality development, which will complement the locality and the character and appearance of the Romford Conservation Area. The proposal is therefore considered to be consistent with LDF Policy DC61, PPS1 and Policy 7.6 of the London Plan.
- 6.5.12 In terms of public realm, the development seeks to achieve a high quality pedestrian and residential environment in Angel Way. This is achieved through locating a glazed entrance lobby at the corner of the site together with new hard and soft landscaping where the site adjoins the ring road. Along Angel Way there will be individual entrances to each of the family units, each with a defensible front boundary. Staff are satisfied that this would improve the pedestrian environment within this part of the town centre, consistent with Policy ROM4. To St. Edwards Way, in addition to new hard landscaping and the proposed 'living wall', it is also proposed to contribute towards the planting of new street trees. Streetcare have confirmed that they would agree in principle to new street planting, subject to further feasibility studies at the time when the development is due to commence, and have requested a contribution of £2,100 (to fund seven new trees at a cost of £300 per tree), which would cover supply, planting and future maintenance of the trees. The applicants have agreed to this and Staff consider that this would improve the pedestrian environment along the ring road and comply in principle with Policy ROM17. A highway contribution is also sought in respect of improvements to the public realm. This will be addressed later in this report.

6.5.13 A Safer Places Statement has been submitted with the application and the proposal is considered to provide a suitably safe and well designed living environment. Conditions relating to community safety are however recommended by the Borough Crime Prevention Design Advisor if permission is granted.

6.6 Impact on Amenity

6.6.1 To the south-east of the site lies the Salvation Army Citadel building. This is a two storey building, with a car park to the rear, which adjoins the site boundary. Whilst the new development would lie close to the boundary with the Salvation Army building and is of a greater height, given the non-residential nature of the adjoining site, it is not considered that material harm to amenity would occur. A sunlight/daylight assessment has been undertaken and indicates that windows to the rear elevations would continue to be adequately lit. Whilst it is acknowledged that there is a tight relationship between the sites, it is considered that the layout of development proposed would still enable scope for redevelopment of the Salvation Army site in the future, although this would depend on the details of any future scheme. The boundary adjoining the Salvation Army site will have ground floor cycle storage with a podium above. Care must be taken with the detailed boundary treatment to ensure a satisfactory relationship with the neighbouring site. Such details can be required by condition.

6.6.2 To the south-western corner of the site is Headley Close, where there is a three storey building comprising a youth advisory service on the ground floor with flats above and a parking/amenity area to the rear. The proposed southerly end elevation of the six storey section of building would adjoin the rear boundary of the site. The distance of flank wall of the proposed building from the rear of the flats on the upper floors of the Headley Close building, which lies north of these windows, is in excess of 20m. This relationship is considered acceptable, particularly as the flats provide transient rather than permanent accommodation for young people. The proposed flats do not, in the main, look directly towards the Headley Close properties. There are side windows to lounges in the south facing elevation of the proposed block. However, in the context of this constrained town centre site, this relationship is judged to be acceptable and not so close as to result in material harm to amenity. The area between the proposed flats and the Headley Close flats is a parking and yard area. The yard appears to be used for drying clothes rather than a sitting out area and the relationship of the block to this area is considered acceptable.

6.6.3 The northern corner of the site adjoins the car park of the Trinity Methodist Church, which sits further north on the other side of the car park. The developers have met with representatives of the Church and discussed the proposals and have designed the building to sit back from the Church's car park and to avoid direct overlooking. Sunlight/daylight calculations have been undertaken. This indicates the proposal would not result in material harm to the church as currently exists and that, if development by the Church on the car park were to take place in future, there is presently no

demonstrable evidence that this would be fettered by the development. Judgements as to the relationship with any future development proposals are subject to consideration when detailed proposals are available. However, staff are satisfied at this point in time that there are no material grounds to refuse planning permission on the grounds of harm to the neighbouring church and car park.

- 6.6.4 Other nearby properties are those on the other side of the ring road, flats in Angel Way and residential properties in High Street and beyond to the east. The development is considered to be sufficiently far from Yew Tree Lodge and the Rotunda, on the other side of the ring road, not to materially harm amenity. Sunlight/daylight indicators also suggest no material light loss would occur. The flats in Angel Way are positioned perpendicular to the development and lie north-east of the site. They have no habitable room windows directly facing the site. The impact on these properties is therefore considered acceptable. With regard to flats in High Street and beyond, the closest part of the development to these would be the retained Woolpack. As a retained building, its re-use is not considered to result in material harm to residential amenity in terms of light, outlook and privacy with the higher parts of the new development considered to be sufficiently far from these properties to prevent material harm to amenity. The proposed commercial use on the ground floor will be subject to conditions to control the impact on amenity through noise, late night activity and cooking smells.

6.7 Environmental Issues

- 6.7.1 The application site is located in Flood Zone 1. A Flood Risk Assessment (FRA) has been submitted with the application and includes measures for sustainable water run off (SUDS). In principle this accords with LDF Policy DC49 and Policies 5.12 and 5.13 of the London Plan. The Environment Agency has confirmed there are no objections to the development but request a condition to ensure protection of controlled waters.
- 6.7.2 A land contamination desk top and site investigation study have been carried out. A condition is recommended in respect of land contamination issues.
- 6.7.3 A noise assessment has been carried out and submitted in respect of the development. The internal facing facades have been categorised as NEC C during daytime and evening, with the external facades noise level NECD, meaning that appropriate mitigation measures are required to ensure acceptable living conditions. Environmental Health recommend a noise assessment in respect of the impact of road traffic noise and the submission of a scheme of mitigation measures. This can be secured through condition. This will comply with LDF Policy DC55 and Policy 7.15 of the London Plan.
- 6.7.4 An energy strategy and sustainability statement have been submitted with the application. The energy strategy indicates that a 20% reduction in emissions will be achieved and the development will meet Code for

Sustainable Homes Level 4. It is recommended that the aims of these statements be secured by condition. This will also accord with Policies DC50 and DC51 of the LDF and Policies 5.2, 5.3 and 5.7 of the London Plan.

- 6.7.5 The application site predominantly consists of a surface level car park and has little ecological value, although there are a number of trees (approximately 60) on the site. None of these trees are subject of a TPO. All have been classified following survey as category C and there is no objection to their removal. The proposal includes new landscaping proposals, including the provision of a 'living wall' to the St. Edwards Way frontage of the development and the potential for additional tree planting to St. Edwards Way. Conditions can be used to secure landscaping of an appropriate type and quality and the proposal is considered to accord in principle with Policy DC60 and the Council's SPD for Trees in Relation to Construction.
- 6.7.6 A bat survey has been undertaken. Although no evidence of bats on the site was found it was not possible to undertake a full internal inspection of the retained Woolpack building. The report therefore recommends that further survey work be undertaken. This can be secured through condition. The proposal is considered to accord in principle with Policy DC58 of the LDF.

6.8 Parking and Highway Issues

- 6.8.1 The application proposes a total of 24 parking spaces, of which 7 are for use by people with disabilities. Given the location of the site within Romford Town Centre and its PTAL rating of 5-6 the levels of car parking are considered to be acceptable in principle. This is however subject to the developers entering into a planning obligation, which prevents occupiers of the development from applying for parking permits to ensure that the development remains sustainable and prevent adverse demand for on street parking. The development is considered to comply with the aims of Policy 6.13 of the London Plan and includes provision for 20% of vehicles to have access to electrical charging points, which also forms part of Policy 6.13. The number of disabled parking bays comply with the requirement for a minimum of 10% of units to be wheelchair accessible and so accords with LDF Policy DC7 and Policy 3.5 of the London Plan. Cycle parking is provided within the development and can be required by condition to ensure it complies with LDF standards.
- 6.8.2 Highways raise concern regarding the loss of parking for people with disabilities but note there will be a financial sum paid to the Council to offset this. This is independent of the planning application process and forms part of the land transaction between the Council and the applicants. Highways consider that the proposal should contribute to public realm improvements and have requested a financial contribution of £70,000 to be secured by S106 agreement to fund improvements to walking, cycling and bus access infrastructure on Angel Way, High Street and St. Edward's Way. Whilst the

developer has agreed in principle to such a contribution it should be noted that a viability appraisal submitted with the application indicates an upper limit of S106 contributions that can be supported by the development. This issue is addressed later in this report.

- 6.8.3 The development proposes a single point of access from Angel Way leading to the internal ground floor parking and servicing area. A refuse storage area will be located within this ground floor area. No objection is raised to this arrangement in respect of servicing and refuse collection, although a refuse vehicle will not be able to enter the site. Details of refuse collection arrangements will be required by condition. The Fire Brigade has confirmed it has no objection to the proposals subject to the provision of a dry rising main in the core stairway. An additional fire hydrant is also required.

6.9 Affordable Housing

- 6.9.1 The application provides a total of 74 units, of which it is proposed that 6 will be provided as affordable housing (8%). These 6 units will comprise 4 no. three bed units and 2 no. four bed units and are proposed to be on a for rent tenure.
- 6.9.2 A viability appraisal has been submitted with the application to demonstrate that this is the maximum amount of affordable housing provision which can be supported by the development. This report has been independently assessed and the conclusions of the report are accepted. As the amount of affordable housing has been justified through a viability appraisal the provision of 6 affordable housing units is considered acceptable and to comply with the requirements of LDF Policy DC6 and Policies 3.11-3.13 of the London Plan.

6.10 Education

- 6.10.1 The proposed development is considered to result in additional demand for both primary and secondary school places locally and Education have requested a contribution of £287,185 to meet the cost of the additional places.
- 6.10.2 In respect of the viability of the development, the appraisal submitted with the application indicates that the development can only support S106 contributions totalling £100,000. This is in addition to a separate contractual payment to the Council in lieu of providing blue badge parking within the site. The viability appraisal has been independently assessed and the conclusions of the appraisal have been found to be sound.
- 6.10.3 On this basis, it is considered that a maximum S106 contribution of £100,000 can be required from the development. The requested education, highways and street planting contributions total £359,285. It is therefore recommended that the street planting contribution, totalling £2,100 be paid, with the remaining money being apportioned between the highway and education requirements. Staff request that authority be delegated to the

Head of Service to negotiate and agree with the relevant departments how the highway and education contributions shall be apportioned.

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. The proposal includes the refurbishment of the former Woolpack and is considered to make a positive contribution to the Romford Conservation Area. The design, scale, bulk and massing of the proposed building is considered to be acceptable and the height of the corner element is considered to be justified. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability 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 8% of the units to be provided as affordable housing, which falls below that required by Policy DC6 of the LDF and London Plan policies. The affordable units do comprise three and four bedroom accommodation, for which there is a particular need in the Borough and the applicant has submitted a viability assessment to justify the amount of affordable to be provided as required by Policy DC6 and the London Plan. The viability appraisal has been independently assessed and found to be robust. Staff therefore accept its conclusions in respect of the amount of affordable housing and Section 106 contributions which can reasonably be supported by the development.
- 7.3 In conclusion, the proposal is considered to be acceptable subject to the applicants first entering into a Section 106 agreement to secure affordable housing, financial contributions and a restriction on parking permits. Upon completion of the legal agreement it is recommended that planning permission be granted subject to conditions.

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

Application forms, plans and supporting statements received 16th June 2011 and revised plans received 10th October 2011.

6

REGULATORY SERVICES COMMITTEE

REPORT

27 October 2011

Subject Heading:

**P1368.11 – Garage court to the rear of
31 Heaton Avenue, Romford**

**Erection of 1 new dwelling with
associated car parking**

**(Application received 7th September
2011)**

Report Author and contact details:

**Helen Oakerbee, 01708 432800
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

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[]
Value and enhance the life of our residents	[]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

This application relates to a Council owned garage court. The application proposes the erection of 1 x No. dwelling with associated parking.

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

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 2 x No. off-street car parking spaces within the site 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: The materials used in the construction of the development hereby permitted shall be Hanson Clumber Red Brick for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing No. 8430-123A-1001 (received 7th September 2011), unless otherwise agreed and approved in writing by the Local Planning Authority.

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) 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.

7) Obscure glazed window: The proposed window on 1st floor level to the eastern elevation 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 LDF.

Reason:

In the interests of privacy.

8) 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. 8430-123A-1000, received 7th September 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) 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.

12) 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

13) 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.

14) 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

15) 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

16) Domestic Sprinklers: Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system to the dwelling. Thereafter this provision shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In lieu of adequate access for a Fire Brigade pump appliance and in the interest of amenity and safety for future occupiers.

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33 and DC61 of the LDF 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. 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 12 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 is located to the south of properties along Heaton Avenue and is surrounded by residential dwellings to the east, south and west. The site is currently vacant as all garages have previously been demolished. Ground level on the site is generally flat with no significant change in levels. The site has an overall area of approximately 301sq.m.
- 1.2 Development in the vicinity is characterised by 3-storey flats towards the east with the remainder of the area characterised by 2-storey residential dwellings. There is no characteristic built form and dwellings are constructed from a mix of bricks and render.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 1 No. detached dwelling with associated parking and amenity.
- 2.2 The dwelling would measure 6.5m in width and 10.3m in depth. It would be 2-storeys in height measuring 5m to the eaves and 8m to the top of its ridge. The dwelling would be set away from its southern boundary by 7m, it would be 2m from the western boundary at its pinch point and 1.8m from the eastern boundary.
- 2.3 On ground floor level would be a w.c., kitchen / dining room and a living room. On first floor level would be 4 bedrooms and a bathroom. Windows and doors would generally be arranged to the front (north) and rear (south) with flank wall windows to the eastern elevation.

- 2.4 The proposal would retain the existing access to the site measuring approximately 3.3m in width. There would also be a pedestrian walkway to the western side of the access road which will be an additional 1.7m in width, resulting in a total width of the access of 5m.
- 2.5 There would be a bin collection point along the access road, approximately 27m from the front of the proposed dwelling and 15m from the edge of the highway. The bin collection area indicates space for 2 bins.
- 2.6 Towards the front of the dwelling would be parking space for 2 cars with associated soft landscaping.
- 2.7 The dwelling would have a north-south orientation with garden spaces towards the rear (south) and wrapping around to the sides, measuring 136sq.m.
- 2.8 Towards the rear of the dwelling would be an area for refuse storage and a shed which can be used for cycle storage.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 30 neighbouring properties with 1 letter of representation received, raising objections in respect of the following:
 - Overlooking
- 4.2 A second letter was received, raising no objections however, it is questioned whether the existing tree on the site will be preserved and whether new trees will be planted in the surrounding areas.

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 and the Residential Extensions and Alterations Supplementary Planning Document (SPD) and the Residential Design SPD is also relevant.
- 5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) of the London Plan (2011)

5.3 PPS1 (Delivering Sustainable Development) and PPS3 (Housing), PPS4 (Planning for Sustainable Economic Growth) and PPG13 (Transport).

6. Staff Comments

6.1 This proposal is put before the Committee owing to the application site comprising 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/street scene issues, amenity implications, and parking and highways 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 113sq.m for a 4-bed 6-person dwelling. The proposal has an internal floor space of 111sq.m which is marginally below the recommended guidance however, considered acceptable in this instance.

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 Amenity space would mainly be provided towards rear (south) of the dwelling, wrapping around to the sides. The amenity space in this instance

would measure approximately 136sq metres. The site currently has screen fencing around its boundaries however, appropriate fencing can be required by means of a planning condition to those boundaries that do not currently have appropriate fencing (western boundary).

6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. Staff do not consider the fact that the proposed amenity space is irregularly shaped to detract from the surrounding area or to be insufficient. Staff are of the opinion that the garden areas would be large enough to be practical for day to day use and with the provision of fencing, would be screened from general public views and access, providing private and usable garden areas. As a result, it is considered that the proposed amenity area of the new dwelling would comply with the requirements of the Residential Design SPD and is acceptable in this instance.

6.3.4 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 31 units per hectare. This density would be within the recommended density range for this area and is considered acceptable in this instance.

6.3.5 In terms of the general site layout, the proposed detached dwelling would have sufficient spacing towards the front and with generous amenity areas towards the rear, and therefore is not considered to appear as an overdevelopment of the site. The proposal would be towards the rear gardens of the surrounding properties and with sufficient spacing between buildings, is not considered to appear as a cramped form of development. The layout of the site is therefore considered acceptable.

6.4 Impact on Local Character and Street Scene

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 proposal would not form part of the Heaton Avenue street scene. The development is proposed towards the rear of garden areas of the surrounding properties and would therefore only be visible within the rear garden environment.

6.4.3 There is no characteristic built form in the immediate surrounding area and houses are generally 2-storey dwellings with a 3-storey block of residential flats to the west. Buildings in the vicinity are built from a mix of bricks and render.

6.4.4 In terms of its design and visual appearance, Staff are of the opinion that the development of the proposed detached dwelling in this location would have an acceptable appearance with no harmful impact to the character and appearance of the surrounding area. In light of sufficient separation distances between the proposed dwelling and neighbouring properties, Staff are of the opinion that the proposal would not appear as a cramped form of development 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 Neighbouring properties to the east are separated from the proposed dwelling by approximately 50m and are considered to be unaffected by the proposal. The window on 1st floor level in the side elevation will be required to be fixed shut as this window serve a bathroom.

6.5.3 The nearest dwelling towards the north along Heaton Avenue is No. 31 approximately 28m from the front elevation of the proposed dwelling. It is considered that this separation distance is sufficient to prevent any harmful impact in terms of overlooking and overshadowing.

6.5.4 Similarly, those dwellings towards the south-west along Tennyson Road would be approximately 33m away. This separation distance is sufficient to prevent any harmful levels of overshadowing or overlooking to occur.

6.5.5 The nearest neighbouring properties are those directly west of the site in the flatted development. The proposal would not have any windows serving bedrooms facing the flats to the west. No potential for overlooking is therefore considered to occur. The proposal would be approximately 7m at its pinch point from the eastern boundary of the flats and this separation distance is considered adequate to prevent any overshadowing.

6.5.6 Overall, no harmful levels of overshadowing or overlooking are considered to occur as a result of the proposed 2-storey dwelling.

6.5.7 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 1 x 4-bed dwelling would not give rise to a significant rise in the level of vehicular activity over and above that which was previously experienced as a result of the garages that were on the site before.

6.5.8 In terms of general noise and disturbance, it is not considered that the addition of 1 x No. family dwelling would give rise to any undue levels of

noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.

- 6.5.9 It should however be noted that although 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.
- 6.5.10 It is therefore 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 Highways / Parking Issues

- 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 in Romford. The development would provide a total of 2 x No. parking spaces to the northern side of the 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 The site is currently vacant and there is therefore no need to displace garage tenants to another garage site.
- 6.6.3 The development provides storage for 2 x no. cycle spaces to the 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.
- 6.6.4 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 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. The proposal provides a bin collection point along the access road, approximately 27m from the front of the dwelling and 15m from the edge of the highway. The bin collection point is within an acceptable distance from the highway in order for refuse collection to take

place and also within an acceptable distance from the front of the proposed dwelling.

6.7.2 Concerns are raised by the Highways Authority regarding Fire Brigade access to the site. Staff are of the opinion that it would be unreasonable to refuse the application as the installation of domestic sprinklers can satisfy the Brigade's requirements. In lieu of adequate access, the applicant proposes the installation of a sprinkler system and its installation can be secured by means of a planning condition.

7. Conclusion

7.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or neighbouring properties. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from neighbour's rear gardens. It is considered that the proposal would not have any material harmful impact on neighbouring amenity. Amenity space provision is considered sufficient. Overall, Staff consider the development to comply with Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

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

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

BACKGROUND PAPERS

Application forms and plans received on 7th September 2011.



7

**REGULATORY
SERVICES
COMMITTEE**

REPORT

27 October 2011

Subject Heading:

**P1378.11 – Garage court to the rear of
34 – 68 Heaton Avenue and Chaucer
Road, Romford**

**Redevelopment of the site for 5 No.
dwellings with associated parking**

**(Application received 7th September
2011)**

Report Author and contact details:

**Helen Oakerbee, 01708 432800
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

- | | |
|--|-----|
| Ensuring a clean, safe and green borough | [X] |
| Championing education and learning for all | [] |
| Providing economic, social and cultural activity in thriving towns
and villages | [] |
| Value and enhance the life of our residents | [] |
| Delivering high customer satisfaction and a stable council tax | [] |

SUMMARY

This application relates to a Council owned garage court. The application proposes the redevelopment of the site for the erection of 5 No. dwellings with associated parking.

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

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 10 No. off-street car parking spaces for use by the dwellings on Plots 1 – 5 and thereafter this provision and the turning area 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: The materials used in the construction of the development hereby permitted shall be Hanson Clumber Red bricks for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing No. 8430-18A-1002 and 8430-18A-1001 (received 7th September 2011), unless otherwise agreed and approved in writing by the Local Planning Authority.

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) 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.

7) Obscure glazed window: The proposed windows on 1st floor level to the north elevation of the dwelling on Plot 2 and south elevation of the dwelling on Plot 1 serving the bathroom of each dwelling, the window on 1st floor level to the north elevation of the dwelling on Plot 3 serving the bathroom and the window on 1st floor level to the south elevation of the dwelling on Plot 5 serving the landing area shall be permanently glazed with obscure glass and 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 LDF.

Reason:

In the interests of privacy.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 1 to 5 for 2 x No. cycle storage spaces to each plot in accordance with the approved plans (Drawing Nr. 8430-18A-1000, received 7th September 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) 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.

12) 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

13) 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.

14) 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

15) 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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33 and DC61 of the LDF 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. 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 12 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. With regards to water supplies for fire fighting, to adequately cover the potential risk at this development, one additional private fire hydrant is required by the London Fire Brigade. The fire hydrant is to be numbered P112055 and should conform to BS750:2006 and the hydrant indicator plate to BS3251:1976. The hydrant is to be served by a 100mm main and should be clear of all obstructions and be laid level with the surrounding area.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court located to the north of Heaton Avenue, to the rear of Nos. 34 – 68 Heaton Avenue and south of Nos. 1 – 9 Chaucer Road. Ground levels on the site is generally level although there is a slight rise in levels to the south. The site has an overall area of approximately 1664sq metres. There are currently 19 garages on the site with the remainder of the site covered in hardstanding. Access to the site is from Heaton Avenue and Chaucer Road.
- 1.2 The character of the surrounding area is mixed with single storey bungalows to the east with a mixture of 2-storey flats and dwellings to the south, north and west. The built form comprise a mix of materials including render, buff and red bricks with brown roof tiles. Dwellings in the vicinity mainly have mansard roof designs.

2. Description of Proposal

- 2.1 The application seeks permission to redevelop the site for the construction of 5 No. dwellings of which 4 would be semi-detached and 1 detached.
- 2.2 The Plot 1 and 2 would have a pair of semi-detached dwellings. Each dwelling would have a width of 6.3m which would give the building a total width of 12.6m and a depth of 10.2m. The building would be 2-storey in height with a pitched roof and gable ends to a ridge height of 8.4m, 4.9m to the eaves. On ground floor level would be a w.c., kitchen / dining room, living room and on first floor level 4 bedrooms and a bathroom. Amenity space would be towards the rear and measure 66.9sq.m for Plot 1 and 117.2sq.m for Plot 2.
- 2.3 Plot 3 would be a detached dwelling measuring 6.5m in width and 10.2m in depth. The dwelling would be 2-storey in height measuring 8.1m to the top of the ridge and 4.9m to the eaves. The roof would be pitched with gable ends. On ground floor would be a w.c., kitchen / dining room, living room and on 1st floor level 4 bedrooms and a bathroom. Amenity space would be to the rear measuring 66.9sq.m
- 2.4 Plot 4 and 5 would comprise a pair of semi-detached dwellings. Each dwelling would have a width of 5.3m which would give the building a total width of 10.6m. The dwelling on Plot 5 would have a depth of 9.2m and the dwelling on Plot 4 slightly recessed with a depth of 8.7m. The building would be 2-storey in height with a pitched roof and gable ends to a ridge height of 8m, 5m to the eaves. On ground floor level, each dwelling would have a w.c., kitchen / dining room, living room. Plot 4 would have 2 bedrooms and a bathroom on 1st floor level and Plot 5 would have 3 bedrooms and a bathroom on 1st floor level. Amenity space would be towards the rear and measure 62.1sq.m for Plot 4 and 79.1sq.m for Plot 5.
- 2.5 The proposal would retain the existing access to the site which is off Heaton Avenue providing direct access to off-street parking. There would be 10 parking spaces allocated to the 5 dwellings (2 spaces each).
- 2.6 Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling.
- 2.7 Access of 2.5m wide would be retained towards the rear for dwellings at No. 1 – 7 Chaucer Road.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 129 neighbouring properties with 2 letters of representation received, raising objections in respect of the following:

- Loss of access to the rear
- Overspill of parking onto adjoining roads
- Streets not sufficient to carry off-street parking
- Affecting the value of property

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 and the Residential Extensions and Alterations Supplementary Planning Document (SPD) and the Residential Design SPD is also relevant.
- 5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) of the London Plan (2011)
- 5.3 PPS1 (Delivering Sustainable Development) and PPS3 (Housing), PPS4 (Planning for Sustainable Economic Growth) and PPG13 (Transport).

6. Staff Comments

- 6.1 This proposal is put before the Committee owing to the application site comprising 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/street scene issues, amenity implications, and parking and highways 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 83sq.m for a 2-bed 4-person dwelling, 96sq.m for a 3-bed 5-person dwelling and 113sq.m for a 4-bed 6-person dwelling. Plots 1, 2 and 3 would be 4-bed 6-person units, measuring 111sq.m each which is marginally below the prescribed 113sq.m. Plot 4 would be a 2-bed 3-person dwelling measuring 78sq.m and Plot 5 a 3-bed

5-person dwelling measuring 91sq.m. Staff acknowledge that the internal space of the proposed dwellings are marginally below the required floorspace as prescribed in the London Plan (2011) however, Staff consider the benefits of providing new housing to outweigh the shortfall in floorspace. Subject to the development being acceptable in respect of outlook and provision of amenity space, Staff consider this part of the proposal to be acceptable in this instance.

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 Amenity space for each dwelling would mainly be towards the rear and is considered to be of adequate size and screened from public views. The smallest of the amenity areas would be to Plot 4 (62.1sq.m) however, future occupiers will be aware of the size of the amenity area before deciding to occupy a dwelling in this location. In addition, the dwelling on Plot 4 is a 2-bed dwelling and therefore sufficient for a young couple or small family who may not necessarily wish to have a large garden area to maintain.

6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. Staff are of the opinion that the amenity areas would be adequate to be practical for day to day use and with the retention of fencing, would be screened from general public views and access, providing private and usable amenity areas, including those in the form of balconies. As a result, it is considered that the proposed amenity areas would comply with the requirements of the Residential Design SPD and are acceptable in this instance.

6.3.4 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 30 units per hectare. This density would be towards the lower end of the recommended density range for this area and is therefore considered acceptable, considering the site constraints.

6.3.5 In terms of the general site layout, the proposed dwellings have sufficient separation distances from the site boundaries. The layout plan illustrates that 5 dwellings with associated car parking, turning space and amenity areas can be comfortably accommodated on the site without appearing cramped or as an overdevelopment of the application site.

6.4 Impact on Local Character and Street Scene

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 proposal would be to the north of Nos. 44 - 52 Heaton Avenue, approximately 52m from the edge of the highway. The development would therefore not form part of the Heaton Avenue street scene and would not be visible from Chaucer Road. Notwithstanding, the proposals would form part of the rear garden environment and should have an acceptable design and appearance which is not harmful to the character of the area. The proposed dwellings would be of a modest 2-storey height which is similar in height compared to other 2-storey developments in the vicinity.

6.4.3 There is no characteristic built form or character in the surrounding area. The proposal would be modest in terms of its size and height. Materials proposed are considered acceptable in this location and would give the development its own unique character.

6.4.4 The development would replace the existing garages and hardstanding with five new family dwellings which are not considered to be visually dominant or intrusive in the street scene. The development would further introduce soft and hard landscaping. The proposal is considered to be an improvement of the current situation on the site and would not detract from the surrounding environment.

6.4.5 In light of sufficient separation distances between the proposed buildings and neighbouring properties, Staff are of the opinion that the proposal would not appear as a cramped form of development 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 Dwellings on Plot 1 and 2 would have a east-west orientation. The dwellings would not project beyond the rear building line of Nos. 54 – 68 Heaton Avenue to the south and are therefore not considered to have a harmful impact on the amenities of those occupiers. Given the proposal's separation distance from other neighbouring dwellings and are orientation with no back-to-back relationship, it is not considered that any potential for overlooking or overshadowing would occur. West facing windows would not result in any loss of privacy to dwellings to the north as there would be no potential for direct overlooking. The flank wall window on 1st floor level to the northern elevation can be required to be fixed shut and obscure glazed to protect privacy of properties to the north.
- 6.5.3 The dwelling on Plot 3 would face south with its rear windows towards the north, facing properties along Chaucer Road. The dwelling would be 16m at its pinch point from its nearest neighbour to the north, No. 7 Chaucer Road. It should however be noted that the dwelling's position on the site is of such that it would not have a direct back-to-back relationship with those dwellings along Chaucer Road, therefore mitigating its impact. The development would be approximately 10m away from the southern boundaries of these neighbouring properties and would therefore not result in any overshadowing. Staff acknowledge that 1st floor windows are proposed to the north, however, given the separation distances ranging from 16m to 32m, and all windows being at oblique angles to the neighbouring dwellings, it is not considered that any harmful levels of overlooking would occur.
- 6.5.4 The dwellings on Plot 4 and 5 would be in excess of 50m from neighbours to the south and east and would therefore not have any impact on the amenities of those neighbouring properties. The dwelling towards the west would form part of the development and the relationship in terms of separation distances is considered acceptable. The only neighbours to be affected are those north of Plot 4. At its pinch point, the dwelling would be 21m from No. 1 Chaucer Road. This distance is considered sufficient to prevent any overshadowing. No windows would directly face dwellings along Chaucer Road and being at oblique angles, no potential for overlooking would occur.
- 6.5.5 In terms of vehicular activity and the proposed parking arrangement, the proposal would introduce parking in different locations on the site with parking spaces No. 7 – 10 in front of Plot 4 and 5 closest to the neighbouring properties to the north. It is not considered that these 4 parking spaces would result in any harmful levels of noise and disturbance to those neighbours to the north. Overall, Staff are of the opinion that the proposal for 5 new residential units is unlikely to result in a significant rise in the level of vehicular activity over and above the current use of the site as a garage court (although vacant at present).
- 6.5.6 In terms of general noise and disturbance, it is not considered that the addition of 5 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.

6.5.7 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed 2-storey developments 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 therefore 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 Highways / Parking Issues

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 in Romford. The development would provide 10 parking spaces to the 5 dwellings (2 spaces each). In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33. The provision of 10 parking spaces is therefore not considered to result in any highway or parking issues in this respect.

6.6.2 According to information provided by the applicant, of the 19 garages, 5 are in use and the remaining 14 void. No alternative sites are proposed for displacements, although according to the supporting statement, occupiers of the garages will be offered replacement garages in January 2012. Upon site inspection it was noted that the surrounding streets are not overly congested. Whilst no provision is made for displacement garages elsewhere, Staff are of the opinion that any remaining displacements can be accommodated on the surrounding streets without resulting in harm to the existing parking situation or neighbouring amenity. Staff consider the benefits of new family housing to outweigh the provision of 5 of the garages which is still in use elsewhere. Members are invited to apply their judgement in this respect.

6.6.3 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.

6.6.4 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 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. The access road to the development is sufficient to accommodate refuse collection vehicles. The proposed arrangements are considered acceptable in this respect.

7. Conclusion

7.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or neighbouring properties. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from neighbour's rear gardens. It is considered that the proposal would not have any material harmful impact on neighbouring amenity. Amenity space provision is considered sufficient. Overall, Staff consider the development to comply with Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

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

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

BACKGROUND PAPERS

Application forms and plans received on 7th September 2011.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

27 October 2011

Subject Heading:

**P1379.11 – Land adjacent to 1 – 57
Kipling Towers, Heaton Avenue,
Romford**

**Redevelopment of the site for 4 flats
and 3 dwellings with associated
parking**

**(Application received 7th September
2011)**

Report Author and contact details:

**Helen Oakerbee, 01708 432800
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

Ensuring a clean, safe and green borough	<input checked="" type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Value and enhance the life of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application relates to a Council owned garage court. The application proposes the redevelopment of the site for the erection of 4 No. flats and 3 No. dwellings with associated parking.

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

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 11 No. off-street car parking spaces for use by the flats on Plots 1 – 4 and dwellings on Plots 5 – 7 and thereafter this provision and the turning area 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: The materials used in the construction of the development hereby permitted shall be Hanson Harborough Buff Multi bricks for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing No. 8430-16-1002 and 8430-16-1001 (received 7th September 2011), unless otherwise agreed and approved in writing by the Local Planning Authority.

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) 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.

7) Obscure glazed window: The proposed windows on 1st floor level to the north elevation of the dwelling on Plot 5 and south elevation of the dwelling on Plot 7 serving the landing area of each dwelling shall be permanently glazed with obscure glass and 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 LDF.

Reason:

In the interests of privacy.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 5, Plot 6 and Plot 7 for 2 x No. cycle storage spaces to each plot and a bicycle shelter providing 10 cycle spaces for the proposed block of flats (Plots 1 – 4) in accordance with the approved plans (Drawing Nr. 8430-16-1000, received 7th September 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) 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.

12) 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

13) 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.

14) 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.

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) 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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33 and DC61 of the LDF 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. 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 12 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 located to the north of Heaton Avenue, adjacent No. 1 – 57 Kipling Towers and south of dwellings along Chaucer Road. Ground levels on the site are generally level. The site has an overall area of approximately 1435sq metres. The site is currently vacant and partly covered in hardstanding. Access to the site is from Heaton Avenue.
- 1.2 The character of the surrounding area is drawn from 2-storey residential dwellings to the north of the site and south of Heaton Avenue with a multi-storey tower block of flats adjacent the site known as Kipling Towers. The built form is mainly buff / brown brick with varying types of cladding.

2. Description of Proposal

- 2.1 The application seeks permission to redevelop the site for the construction of 4 No. flats and 3 No. terrace dwellings.
- 2.2 The block of 4 flats would be to the western side of the site and would have the appearance of a row of terrace dwellings. The building would have an overall width of 17.5m and a depth of 9.2m. The building would have a pitched roof with hipped ends to a height of 8.5m, 5.2m to the eaves.

- 2.3 The flatted building would have its main entrance to the front (east) leading to internal entrances to each individual flat. Each flat would have 2 bedrooms, a living / dining area, bathroom and kitchen.
- 2.4 The flats on 1st floor level would have a balcony measuring 5sq.m each. The balconies would be towards the rear (west). The ground floor flats would have a private amenity area each, measuring 59sq.m and 46sq.m respectively.
- 2.5 The building comprising 3 No. terrace dwellings would be towards the east of the site. The building would have a width of 17.2m and depth of 9.2m. It would have a pitched roof with gable ends with a ridge height of 8.1m and 4.9m to the eaves.
- 2.6 Each dwelling would have a living / dining room on ground floor level with a w.c. and kitchen. On first floor level would be 3 bedrooms and a bathroom.
- 2.7 The proposal would retain the existing access to the site which is off Heaton Avenue providing direct access to off-street parking. There would be 5 parking spaces allocated to the 4 flats and 2 per dwelling (6 spaces), resulting in a total provision of 11 spaces.
- 2.8 Amenity space for the dwellings would be towards the rear (east) of each dwelling, ranging between 45sq.m to 93sq.m each.
- 2.9 Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling. Provision for 10 cycle spaces would be provided to the flats in the form of a bike shelter. There would also be a waste and recycling facility.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 102 neighbouring properties with 2 letters of representation received, raising objections in respect of the following:
- Create more traffic and result in parking problems
 - Additional noise
 - Loss of light
 - Encroachment on privacy

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 and the Residential Extensions and Alterations Supplementary Planning Document (SPD) and the Residential Design SPD is also relevant.

- 5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) of the London Plan (2011)
- 5.3 PPS1 (Delivering Sustainable Development) and PPS3 (Housing), PPS4 (Planning for Sustainable Economic Growth) and PPG13 (Transport).

6. Staff Comments

6.1 This proposal is put before the Committee owing to the application site comprising 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/street scene issues, amenity implications, and parking and highways 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 96sq.m for a 3-bed 5-person dwelling. Each dwelling would have an internal floor space of 91sq.m. The London Plan (2011) also set out standards for flats which are 70sq.m per 2-bed four person flat. The flats would each have an internal floorspace of 58.4sq.m. Staff acknowledge that the internal space of both dwellings and flats are below the required 96sq.m and 70sq.m however, Staff consider the benefits of providing new housing to outweigh the shortfall in floorspace. Subject to the development being acceptable in respect of outlook and provision of amenity space, Staff consider this part of the proposal to be acceptable in this instance.

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 Amenity space for the flats on 1st floor level would be in the form of 5sq.m balconies towards the rear (west). Each ground floor flat would have a private amenity area in the form of a garden, measuring 46.3sq.m for Plot 2 and 59.7sq.m for Plot 1. The garden areas would be screened by means of a boundary fence which can be agreed by means of a planning condition. The provision of balconies and private gardens for the 4 flats would comply with the requirements of the Council's Residential Design SPD.

6.3.3 Amenity space for the dwellings would mainly be towards the rear (east) of each dwelling with Plots 5 and 7 accommodating part of their amenity areas to the side. Plot 5 would have an amenity area measuring 93.6sq.m, Plot 6 would measure 45.2sq.m and amenity for Plot 7 would be 73.1sq.m. All amenity areas will be screened by means of boundary fencing which can be agreed as part of an appropriate planning condition.

6.3.4 Amenity spaces in the locality are generally arranged towards the rear of dwellings although there are many flatted developments in the vicinity with a mixed arrangement in terms of amenity space provision. Staff are of the opinion that the amenity areas would be adequate to be practical for day to day use and with the retention of fencing, would be screened from general public views and access, providing private and usable amenity areas, including those in the form of balconies. As a result, it is considered that the proposed amenity areas would comply with the requirements of the Residential Design SPD and are acceptable in this instance.

6.3.5 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 48 units per hectare. This density would be within the recommended density range for this area and is therefore considered acceptable.

6.3.6 In terms of the general site layout, the block of flats would be close to its southern boundary where it flanks a footpath to Kipling Towers and its car parking area. The building would be 5m from the western boundary and 5m from its northern boundary. The terrace dwellings would be 3m from its

southern boundary, 8m from the eastern boundary and 2.8m from the northern boundary.

6.3.7 In Staff's opinion, that proposed development allows for sufficient spacing between buildings and the site boundaries without appearing as a cramped or overdeveloped form of development. In addition to sufficient spacing, the proposal can comfortably accommodate parking spaces with a turning area, cycle and refuse storage areas and amenity areas on the site. The layout of the site is therefore considered acceptable.

6.4 Impact on Local Character and Street Scene

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 proposal would be to the north of Nos. 120 – 126 Heaton Avenue which is a 2-storey development and north of Kipling Towards which is a multi-storey flatted block. The proposal, being approximately 20m from the edge of Heaton Avenue would therefore not form part of the Heaton Avenue street scene. Notwithstanding, the proposals would form part of the rear garden environment and should have an acceptable design and appearance which is not harmful to the character of the area. Both buildings would be a 2-storey development and lower in height compared to other 2-storey dwellings in the local vicinity.

6.4.3 There is no characteristic built form or character in the surrounding area. The proposal would be modest in terms of its size and height. Materials proposed are considered acceptable in this location and would give the development its own unique character.

6.4.4 The development would replace the existing harstanding with two new buildings which are not considered to be visually dominant or intrusive in the street scene. The development would further introduce soft and hard landscaping. The proposal is considered to be an improvement of the current situation on the site and would not detract from the surrounding environment.

6.4.5 In light of sufficient separation distances between the proposed buildings and neighbouring properties, Staff are of the opinion that the proposal would not appear as a cramped form of development 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 block of flats would be in the form of a 2-storey building with a pitched roof and hipped ends. The building would be north of the multi-storey flatted block known as Kipling Towers. The neighbour to the west has a flank-to-back distance of approximately 18m with the rear wall of the block of flats. This neighbouring property is further separated from the application site by a number of outbuildings on the plot north of Kipling Towers. As such, the only neighbour to be affected by the proposed block of flats are those north of the application site along Chaucer Road.
- 6.5.3 The proposed block of flats would be approximately 5.8m from the rear boundary of neighbouring dwellings along Chaucer Road and approximately 18.7m from the rear wall of these dwellings. The separation distance is considered sufficient to prevent any harmful impact in terms of overshadowing. The development would further have a pitched roof which will be hipped away from neighbouring properties, reducing any potential impact.
- 6.5.4 The flats would not introduce any flank wall windows. The proposal would have balconies on 1st floor level to the west of the building. Given the separation distance from neighbouring properties to the north and west, it is not considered that any harmful levels of overlooking would occur as a result of the balconies. It was noted upon site inspection that the neighbours to the north have dense vegetation to their southern boundaries which would further mitigate any potential for overlooking.
- 6.5.5 The 3 terrace dwellings would be north of No. 126 Heaton Avenue, separated by approximately 6.8m (flank-to-flank relationship). Being to the north of this neighbouring development and of a similar height, it is not considered that the proposal would have any impact on its amenities. The flank wall window would serve a landing area which can be required to be fixed shut and obscure glazed by means of a condition.
- 6.5.6 Bards Court is located to the east, approximately 21m from the proposed dwellings. Due to its separation distance, it is not considered that any potential for overlooking or overshadowing would occur.
- 6.5.7 The only neighbours therefore to be affected are those to the north of the application site. The proposal's northern flank wall would be 16m from the nearest neighbour to the north. The proposal would be set back from the southern boundary of these neighbouring properties by approximately 3.5m. No potential for overlooking would occur to these neighbours as the proposal would only introduce 1 flank window which can be fixed shut and obscure glazed. In terms of overshadowing, it is considered that the separation distances between the proposal and neighbouring boundaries

and the rear wall of dwellings to the north would be sufficient to prevent any harmful levels of overshadowing.

- 6.5.8 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that the proposal for 7 new residential units is unlikely to result in a significant rise in the level of vehicular activity over and above the current use of the site as a garage court (although vacant at present).
- 6.5.9 In terms of general noise and disturbance, it is not considered that the addition of 4 No. 2-bed flats and 3 No. 3-bed dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.10 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed 2-storey developments 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.
- 6.5.11 It is therefore 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 Highways / Parking Issues

- 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 in Romford. The development would provide 6 parking spaces for the 3 dwellings (2 each) and 5 spaces for the flats (1 per flat and a visitor space). In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 which, at 1.5 spaces per unit, would require 10.5 spaces. The provision of 11 parking spaces is therefore not considered to result in any highway or parking issues in this respect.
- 6.6.2 The development provides storage for 2 x no. cycle spaces to each dwelling and 10 spaces in a bike shelter for the flats 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.
- 6.6.3 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 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. The access road to the development is sufficient to accommodate refuse collection vehicles and the block of flats would provide an area for waste and recycling. The proposed arrangements are considered acceptable in this respect.

7. Conclusion

- 7.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or neighbouring properties. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from neighbour's rear gardens. It is considered that the proposal would not have any material harmful impact on neighbouring amenity. Amenity space provision is considered sufficient. Overall, Staff consider the development to comply with Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

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

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

BACKGROUND PAPERS

Application forms and plans received on 7th September 2011.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

27 October 2011

Subject Heading:	P1073.11 – Victoria House, 1 Durham Avenue, Romford Change of use from C3 – Dwelling house to B1 – office, ramp to new office access, removal of a portacabin and container store (Application received 15th July 2011)
Report Author and contact details:	Helen Oakerbee (Planning Control Manager) 01708 432800
Policy context:	Local Development Framework
Financial summary:	None

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

Ensuring a clean, safe and green borough	[]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[]
Valuing and enhancing the lives of our residents	[x]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

This application is for a change of use of a two bedroom ground floor flat from C3 (dwelling house) to B1 (office), a ramp and the removal of a portacabin and container store. The flat has been vacant since August 2008 and ceases to be housing accommodation. Homes in Havering have been pursuing this proposed change of use for some time and therefore, the flat was not re-let. The flat would be used as office

accommodation for the local tenant management organisation, DELTA, which would be beneficial to the residents of the Victoria House estate. The planning issues are set out in the report below, which focuses on the principle of change of use, the impact on the streetscene, the impact on amenity and parking and highways considerations. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

RECOMMENDATIONS

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

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

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

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accord 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. Hours of use - The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00 and 18:00 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.

4. Noise insulation - Prior to the first use of the office hereby approved, details of a noise insulation scheme to minimise the amount of noise emanating from the office shall be submitted and agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity.

5. Storage of refuse - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse 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 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 DC1 and DC61 of the LDF Development Control Policies Development Plan Document.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a ground floor flat, which forms part of Victoria House located on the north side of Durham Avenue, Romford. There are flats on the upper floors of the building in residential use. There are garages to the north and north east of the site. There are residential properties located to the east, south and west of the site.

2. Description of Proposal

- 2.1 The application is for a change of use of a two bedroom ground floor flat from C3 (dwelling house) to B1 (office), a ramp and the removal of a portacabin and container store.
- 2.2 The flat has been vacant since August 2008 and ceases to be housing accommodation. The flat would be used as office accommodation for the local tenant management organisation, DELTA, which would be beneficial to the residents of the Victoria House estate. Since 2006, DELTA has operated from a portacabin on the DELTA estate, which provides only limited and cramped office accommodation and does not have any meeting room facilities.
- 2.3 There would be five full time employees. Opening hours are proposed to be between 9am and 5.30pm Monday to Friday.
- 2.4 Following a site visit, it is noted that the portacabin and container store have already been removed from the site.
- 2.5 The ramp would provide access to the office and would be located adjacent to the southern and western flanks of Victoria House.

3. Relevant History

No relevant planning history.

4. Consultations/Representations

- 4.1 Neighbour notification letters have been sent to 104 local addresses. No letters of representation have been received.

5. Staff Comments

- 5.1 The issues arising from this application are the principle of change of use, the impact on the streetscene, the impact on amenity and parking and highways considerations. Policies DC1 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant to the determination of the application.

6. Principle of Development

- 6.1 Policy DC1 of the LDF Core Strategy and Development Control Policies DPD states that planning permission resulting in the net loss of existing housing will only be granted in exceptional circumstances where it involves the provision of essential community facilities, for example health or education, which are necessary to meet the specific needs of the community; or the proposal is necessary to deliver mixed and balanced communities.
- 6.2 In this instance, the principle of the change of use is contrary to Policy DC1, although it is deemed to be acceptable as it would be beneficial to the local community and there are exceptional circumstances in this case. The flat has been vacant since August 2008 and ceases to be housing accommodation. Homes in Havering have been pursuing this proposed change of use for some time and therefore, the flat was not re-let. The flat would be used as office accommodation for the local tenant management organisation, DELTA, which would be beneficial to the residents of the Victoria House estate. Since 2006, DELTA has operated from a portacabin on the DELTA estate, which provides only limited and cramped office accommodation and does not have any meeting room facilities.

7. Design/Street scene

- 7.1 The proposal is seeking to alter the appearance to the southern and western flanks of Victoria House through the introduction of a ramp. The proposed ramp is of a suitable design and materials which would not look out of character within the surrounding area.

8. Impact on Amenity

- 8.1 It is considered that the change of use would not result in a significant loss of amenity to neighbouring occupiers, given the use of the premises as an office for five employees. When reviewing the merits of this application, consideration was

given to the fact that the flat would be used as office accommodation for the local tenant management organisation, DELTA, which would be beneficial to the residents of the Victoria House estate.

- 8.2 The proposed opening hours for the office are 9am to 5.30pm Monday to Friday. The opening hours will be secured by condition and will cover from 9am to 6pm Monday to Friday. It is considered that extending the opening hours from 5.30pm to 6pm will not adversely affect neighbouring amenity, as these are standard office hours and it would not result in any activity during the evenings. It is considered that the opening hours should not result in a significant loss of amenity to neighbouring occupiers given that the ground floor of the building would be used as an office.
- 8.3 It is considered that the ramp would not be harmful to residential amenity, as it would be relatively well separated from neighbouring properties.

9. Highway/Parking

- 9.1 In respect of parking issues Council policy DC33 seeks to ensure that the proposal provides adequate car parking on site. For the proposed office (B1) use the Council's parking standard recommends one space per 100 square metres of floor space. The office would have a floor area of 64 square metres. The proposal does not provide any car parking provision. Although, the Highway Authority has no objection to the proposal, as there are parking bays in close proximity to the site in Durham Avenue and Elvet Avenue. It is considered that the proposal would not create any highway or parking issues. The storage of refuse has been secured by condition.

10. Conclusion

- 10.1 The proposed change of use is considered to be acceptable in principle, as there are exceptional circumstances in this case. Staff are of the view that the proposal would not adversely affect the streetscene or residential amenity. It is considered that the proposal would not create any highway or parking issues. It is recommended that planning permission is granted, subject to conditions.

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 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.

BACKGROUND PAPERS

Application form and plans received on 15th July 2011.



10

REGULATORY SERVICES COMMITTEE

REPORT

27 October 2011

Subject Heading:

**P0063.11 – Former Build Centre,
Rushdon Close, Romford**

Construction of a five storey flatted block comprising 18 1 bedroom flats, 18 2 bedroom flats and 10 3 bedroom flats - amendment of approved planning permission reference P0206.10 (Application received 17th January 2011 and additional plan received 6th October 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

Ensuring a clean, safe and green borough	<input checked="" type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Value and enhance the life of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

Members will recall that planning permission was granted in 2010 for the redevelopment of the application site to provide 74 residential units. This planning permission is currently being implemented on site. Subsequent to the commencement of construction works it became apparent that the approved architect's plans did not accurately reflect the existing change in ground levels on part of the site. As a result of this the flatted block has needed to be redesigned to take account of the levels change. This current application therefore seeks full planning permission for the flatted block in isolation from the remainder of the development. The planning issues include design issues and impact on the street scene and residential amenity. These issues are set out in detail in the report below. Staff consider the application to be acceptable, subject to the satisfactory completion of a legal agreement and the imposition of conditions.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed on 2nd August 2010 in respect of planning permission P0206.10 by varying the definition of Planning Permission which shall mean either planning permission P0206.10 as originally granted or planning permission P0206.10 as altered by planning permission under reference P0063.11 subject to construction of a maximum of 74 residential units on the application site pursuant to the Planning Permission.

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. 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.

2. Car parking - Before the flats 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.

3. Materials – The development hereby approved shall be constructed using the external materials previously submitted and agreed under condition discharge request application reference Q0192.10 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the building and the character of the immediate area.

4. Landscaping – The hard and soft landscaping shall be completed in accordance with the details previously submitted and approved under condition discharge request application reference Q0192.10. 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: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

5. Refuse and recycling – Refuse and recycling storage shall be implemented in accordance with 10.6919.100 revision A (dated September 2010) as previously submitted and agreed under condition discharge request application reference Q0192.10 unless otherwise 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.

6. Cycle storage – Prior to the first occupation of the flats hereby permitted cycle storage provision shall be provided in accordance with drawing number D0100 revision P3 dated February 2010 as previously submitted and agreed under condition discharge request application reference Q0146.10 and retained thereafter 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 and in order that the

development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

7. Boundary treatment - The boundary treatment of the development shall be implemented in accordance with drawing numbers 10.6919.100 revision A and 10.6919.101 revision A (both dated September 2010) as previously submitted and agreed under condition discharge request application reference Q0192.10 and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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.

8. Secure by Design - The development hereby approved shall be implemented in accordance with the Secure by Design application reference SBD.01KD.17.10 and the information submitted and agreed under condition discharge request application reference Q0146.10 unless otherwise agreed in writing by the Local Planning Authority.

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

9. External lighting - The external lighting of the development shall be implemented in accordance with information previously submitted and agreed under condition discharge request application reference Q0038.11 unless otherwise agreed in writing by 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.

10. 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.

11. Code for Sustainable Homes – Prior to the first occupation of the development hereby approved the Final Code Certificate confirming that the development achieves a minimum Code for Sustainable Homes ‘Level 3’ rating shall be submitted to and approved in writing by the Local Planning Authority.

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

12. Renewable energy system - 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 and the London Plan.

13. Use of roof areas - The roof area of the building hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason: In the interests of the amenity of the occupiers of neighbouring dwelling.

14. Sound attenuation - The flats hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

INFORMATIVES

1. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP9, CP10, CP15, CP17, DC2, DC3, DC6, DC7, DC11, DC21, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC53, DC55, DC56, DC58, DC59, DC60, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies 3.3, 3.5, 3.7, 3.8, 3.9, 3.11, 5.1, 5.2, 5.3, 5.12, 5.13, 5.21, 6.3, 6.9, 6.10, 6.12, 6.13, 7.1, 7.3, 7.4, 7.6, 7.19 and 7.21 of the London Plan.

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 Rushdon Close is situated on the eastern side of Manor Road, a residential street drawn predominantly from two storey semi detached family housing. Rushdon Close itself is a crescent shaped road curving from Manor Road in a northerly direction. The land, which today forms Rushdon Close and the application site, is reputed to have once been railway sidings and a coal yard. Today the land to the north side of Rushdon Close is occupied by a cluster of three storey residential flatted blocks of facing brickwork design with tiled hipped roofs.
- 1.2 The application site is situated on the eastern side of Rushdon Close. This proposal concerns a portion of the larger former builder's merchants site which is currently being redeveloped for residential purposes. The site covers an area of approximately 0.16 hectares within a larger site area associated with planning permission P0206.10 being approximately 0.89 hectares. To the west of the application site is a three-storey office building on land generally 2.5 to 3 metres above the level of the site. The southern site boundary is bounded by the rear gardens of residential properties fronting onto Marwell Close and Francombe Gardens.

2. Description of Proposal

- 2.1 Planning permission has previously been granted under planning reference P0206.10 for the construction of 74 affordable residential units on the wider site. The approved scheme comprised both housing and a single block of five storey flats. This planning permission is currently under construction with the houses due for completion in January 2012 and the flatted block by March 2012. Subsequent to the commencement of the development on site it became apparent that the approved architect's plans did not accurately reflect the existing change in ground levels on part of the site. As a result of this the flatted block has been redesigned to take account of the levels change thus necessitating the submission of a further planning application. This application therefore seeks full planning permission for the flatted block approved under the original scheme in isolation. The block would contain the same number of units as previously approved, namely 18 no. 1 bedroom flats, 18 no. 2 bedroom flats and 10 no. 3 bedroom flats.
- 2.2 The flatted block would remain on the same footprint as previously approved and would be no different in terms of overall width or depth. Ground levels

across the site fall from west to east. In order to deal with this change in levels the flatted block would be higher towards the eastern end of the building. The portion of the site where the flatted block is presently being constructed is set below the adjoining ground level to the west and south by between 2.5 and 3 metres. As per the original approval the north facing façade of the building would have a width of 33.5 metres with a depth of 16.5 metres and the east facing façade of the building would have a width of 42.5 metres and a depth of 15.5 metres. The approved architect's plans indicated the block on a level site with the building having an overall height of 14.6 metres with a flat roof. Given the change in ground levels across the site the block will when completed have a varying overall height of between 15 metres and 16.1 metres. At its greatest height the building will be 16.1 metres at the eastern façade (facing east into the site), a difference of 1.5 metres than previously approved.

- 2.3 In addition to the alterations described above the elevations of the flatted block would also differ slightly from those previously approved in that several windows have been repositioned to address Building Regulation requirements. The submitted plans also indicate that automatic opening vents (AOVs) and lift shaft overrun areas are now proposed to the roof of the building. These were omitted from the approved architect's drawings but are required in order that the building would comply with Building Regulations and fire safety requirements. A total of six AOVs are proposed, three to the northern end of the block and three to the southern end of the block.

3. Relevant History

- 3.1 P0206.10 - Redevelopment to provide 74 affordable residential units, comprising 5 x 4 bed houses, 23 x 3 bed houses, 18 x 1 bed flats, 18 x 2 bed flats and 10 x 3 bed flats, together with associated landscaping, children's play space, refuse stores, access road and parking – Approved August 2010

4. Consultations/Representations

- 4.1 The application has been advertised and neighbour notification letters sent to 231 local addresses with five letters of representation being received. The letters raise objection to the proposal on the following grounds;
- The height of the proposed block being intrusive
 - Overlooking and a loss of privacy
 - Additional noise and disturbance from traffic
 - Increased traffic
 - Disruption during construction
- 4.2 The London Fire Brigade raise no objection subject to the provision of two additional fire hydrants within the wider site.

4.3 The London Fire and Emergency Planning Authority is satisfied with the proposals.

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), DC6 (affordable housing), DC7 (lifetime homes and mobility housing), DC11 (non-designated sites), DC21 (major developments and open space), DC29 (educational premises), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC48 (flood risk), DC49 (sustainable design and construction), DC50 (renewable energy), DC51 (water supply and drainage), DC53 (contaminated land), DC55 (noise), DC56 (light), DC58 (biodiversity and geodiversity), DC59 (biodiversity in new developments), DC60 (trees), DC61 (urban design), DC63 (crime) and DC72 (planning obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations.

5.2 The Supplementary Planning Document for Residential Design is a material consideration as are the Supplementary Planning Documents for Sustainable Design and Construction, Landscaping and for Protecting and Enhancing the Borough's Biodiversity.

5.3 Policies 3.3 (increasing housing supply), 3.5 (quality and design of new housing development), 3.7 (large residential developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.11 (affordable housing targets), 5.1 (climate change mitigation), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.21 (contaminated land), 6.3 (assessing effects of development on transport capacity), 6.9 (cycling), 6.10 (walking), 6.12 (road network capacity), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.19 (biodiversity and access to nature) and 7.21 (trees and woodlands) of the London Plan are relevant.

5.4 National policy guidance set out in Planning Policy Statement 1 'Delivering Sustainable Development', Planning Policy Statement 3 'Housing', Planning Policy Statement 9 'Biodiversity and Geological Conservation', Planning Policy Guidance Note 13 'Transport', Planning Policy Guidance Note 17 'Planning for open space, sport and recreation', Planning Policy Statement 22 'Renewable Energy', Planning Policy Guidance Note 24 'Planning and Noise' and Planning Policy Statement 25 'Development and Flood Risk' are also relevant. Government guidance relating to highway matters contained within 'Manual for Streets' published by The Department for Transport in 2007 is also considered to be a material consideration.

6. Staff Comments

- 6.1 Planning permission has previously been granted for a housing and flatted residential development on this site. This planning application has been submitted in order to gain permission for changes to the flatted block, which have been necessary in order to deal with the levels changes across the site. The application also seeks permission for the repositioning of several window openings and the inclusion of a number of roof mounted automatic opening vents and two lift over runs. In all other respects the proposed building is to remain as per the approved plans. Given that the application proposes no other changes to the flatted block as previously approved the assessment below will focus solely upon the ground levels issue and the roof mounted smoke vents/lift over runs. The issues arising from this application are design and street scene issues, impact on amenity and highway issues.
- 6.2 Members may recall that the flatted element of the development is formed of a single 'L' shaped block sited adjacent to the western site boundary. The block when completed will be five stories in height with the top floor being recessed. The block is positioned in a manner that it is bounded to the west and south by a retaining wall. The difference in ground level between the site and the top of this retaining wall varies between 2.5 and 3 metres. The change in ground levels in the vicinity and set down of the flatted block into the site will effectively result in the building appearing a storey height lower when viewed from outside of the site once construction is complete. The change in ground levels within the site itself is such that the ground slopes west to east towards the railway line. In order to deal with this change in levels the proposed building has been redesigned in order to step down into the site. The consequence of this is that the block will appear, once construction is complete, 1.5 metres higher (at the tallest point) to the eastern end of the building than previously approved. Essentially this additional height will only be readily apparent from along the internal road within the site. Staff are of the view that despite the necessary changes to the design of the building in order to address the ground level differences that it would remain of an acceptable external appearance. The relationship of the flatted block with the houses previously approved and the presentation of the block to the street scene are also judged to be acceptable.
- 6.3 The western end of the block, nearest to Manor Road, will remain unchanged in terms of overall height and is positioned on the ground level as originally indicated on the approved planning application. This means that the block as viewed from the west outside of the site (i.e. from Manor Road looking along Rushdon Close) will appear the same height as previously approved.
- 6.4 The submitted plans indicate that a number of window openings have been slightly re-positioned from the locations shown on the approved plans. The reasoning behind this is to address Building Regulations requirements. The re-siting of the windows is considered to be of a minor nature and is not

judged to have a materially greater impact on the design of the building nor its external appearance.

- 6.5 The proposed smoke vents and lift over runs are to be sited to the roof of the building. In the case of the smoke vents these are also a Building Regulations requirement. Although the smoke vents and lift over runs are readily evident in plan form staff are of the view that the vents are unlikely to be clearly visible from ground level within the immediate street scene once the flatted block is completed. Given the projection of the proposed vents and lift over runs from the roof of the building it is likely however that they would be visible from vantage points in the wider area. Staff are of the view that the proposed smoke vents and lift over runs would not represent significant additions to the roof area of the building and as such would not be harmful to the design of the block or the wider street scene.
- 6.6 External materials for the flatted block have already been approved through the condition discharge process for the original application and would remain unchanged through this application. As per the original approval the flatted block is to be completed with 10% of the units provided as wheelchair housing and all units meeting Lifetime Homes Standards. The development as a whole is also scheduled to gain Code for Sustainable Homes Level 3.
- 6.7 The flatted block has previously been judged to have an acceptable relationship with adjoining properties. Consideration must be given however to whether the increased height of the block to the eastern end, the repositioned windows and the proposed roof additions would give rise to a greater impact on residential amenity. To the west of the block is a three-storey flat roof office building (nos. 37-39 Manor Road). Staff are of the view that the flatted block would have an acceptable relationship with this building and would not prejudice the redevelopment of this site should it come forward in the future.
- 6.7 To the south of the flatted block is Marwell Close, a residential cul de sac containing four flatted blocks and Francombe Gardens also a residential cul de sac made up of two storey housing. The flatted block is separated from the nearest building in Marwell Close (nos. 33-44) by the proposed amenity deck and a car park serving Marwell Close. The distance between the rear of the flatted block and nos. 33-44 Marwell Close is approximately 29 metres. The distance between the flatted block and the nearest house in Francombe Gardens is also approximately 29 metres. Staff are of the view that the separation of the block to adjoining buildings would ensure that it would not have a harmful impact on amenity. As stated above although the block will appear higher to its eastern end from within the site this change is unlikely to be notable from the south owing to the fact the ground levels within the site are at a lower level.
- 6.8 Having regard to the siting and size of the proposed smoke vents and lift over runs in comparison with the scale and mass of the flatted block as a whole staff are of the view that they would not be harmful to residential amenity.

6.9 The proposal would not result in any highways issues.

7. Conclusion

7.1 This application has been submitted in order to gain permission for changes to the flatted block presently approved under P0206.10. The changes have been necessary during the construction of the block in order to deal with a levels change across the site. The application also seeks permission for a number of roof mounted automatic opening vents (AOVs) and two lift over runs both omitted from the approved plans. Staff are of the view that the changes to the flatted block are acceptable and that the additional height of the building to its eastern end would not be harmful to the street scene. Staff are also of the view that the proposed roof mounted smoke vents and lift over runs would have an acceptable impact on the appearance of the flatted block and would not have an adverse impact on the street scene. The application is not considered to raise any adverse amenity or highway issues. It is recommended that planning permission be granted subject to a deed of variation of a legal agreement together with the imposition of planning conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required for the drafting of a legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity. The flats are being constructed to meet the Lifetime Homes Standard, which means that they will be easily adaptable in the future to meet the changing needs of occupiers.

BACKGROUND PAPERS

Application form, plans and supporting statements received on 17th January 2011 and additional plan received on 6th October 2011.

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MEETING	DATE	ITEM
REGULATORY SERVICES COMMITTEE	27 October 2011	11

SUBJECT: STOPPING UP OF HIGHWAY AT LAND DIRECTLY NORTH OF 61-71 TUPRIN AVENUE, ROMFORD

1. SUMMARY

A report to the Regulatory Services Committee on 4th October 2011 considered the proposed stopping up and authorised the process under Section 247 of the Town and Country Planning Act 1990 to stop up highway at Turpin Avenue. The plan provided was incorrect and the plan attached to this report has now been provided by the applicant which shows the correct area of the proposed stopping up of highway. This report relates to an application for the stopping up of highway received on 18th July 2011, to enable the following proposals pursuant to planning reference P0302.11 to be carried out. The planning permission reference P0302.11 involves the demolition of and existing 7 garages and the erection of 5 houses with associated parking.

The developers have applied to the Council under S.247 of the Town and Country Planning Act 1990 (as amended) ("the Act") to stop up areas hatched black on the plan (Reference: 8430-90-1024) annexed to this report so that the development can be carried out. The Council's highway officers have considered the application and consider that the stopping up is required to enable the planning permission granted under planning reference P0302.11 to be carried out.

2. RECOMMENDATIONS

Subject to the developer paying the Council's reasonable charges in respect of the making, advertising, confirmation of the stopping up order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 that:-

1. The Council makes a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted

highway hatched black on the attached plan as the land is required to enable development for which the Council has granted planning permission granted under planning reference P0302.11 to be carried out.

2. In the event that no relevant objections are made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.
3. In the event that relevant objections are made by other than a Statutory Undertaker or Transport Undertaker and not withdrawn that the application be referred to the Mayor for London to determine whether or not the Council can proceed to confirm the order.
4. In the event that relevant objections are raised by a Statutory Undertaker or Transport Undertaker and are not withdrawn the matter may be referred to the Secretary of State for their determination.

3. REPORT DETAILS

- 3.1 On 7th April 2011 the Council resolved to grant planning permission (under planning reference P0302.11) for a development comprising the demolition of and existing 7 garages and the erection of 5 houses with associated parking. Planning permission was issued on 8th April 2011.
- 3.2 The stopping up is necessary in order that the development can be implemented and it involves the stopping up of the existing lay-by and realignment of the footpath which will enable the development to be carried out.
- 3.3 The proposed scheme involves building on land which includes areas of adopted highway (including carriageway and footway). In order for this to happen, the area of the highway hatched black on the attached plan needs to be formally stopped up in accordance with the procedure set out in the Town and Country Planning Act 1990 (as amended). The stopping up order will not become effective however unless and until it is confirmed.
- 3.4 Section 247 (2A) of the Town and Country Planning Act 1990 allows a London borough to make an order authorising the stopping up of any highway if it is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission.
- 3.5 The Council makes the necessary Order, advertises it, posts Notices on site and sends copies to the statutory undertakers. There is then a 28 day period for objections to be lodged. If there are no objections or any objections that have been made are withdrawn the Council can confirm the Order, thereby bringing it into legal effect. If objections are made and not withdrawn then the Council must notify the Mayor of London of the objections and the Mayor may determine that a local inquiry should be held. However under Section 252(5A)

of the 1990 Act the Mayor of London may decide that an inquiry is not necessary if the objection/s are not made by a local authority, statutory undertaker or transport undertaker and may remit the matter to the Council for confirmation of the order. If however a Statutory Undertaker of Transport Undertaker makes a relevant objection which is not withdrawn then the matter may be referred to the Secretary of State for determination.

4 Financial Implications and Risks:

- 4.1 The costs of the making, advertising and confirmation, should the order be confirmed will be borne by the developer pursuant to The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000.

5 Legal Implications and Risks:

- 5.1 Legal Services will be required to draft the Stopping Up Order and notices.

6 Human Resources Implications and Risks:

- 6.1 None directly attributable to the proposals.

7 Equalities and Social Inclusion Implications:

- 7.1 None directly attributable to the proposal.

8 Conclusion

- 8.1 The proposed stopping up relates to an area of highway the stopping up of which is necessary to facilitate the development of 5 dwellings pursuant to planning permission reference P0302.11. It is therefore recommended that the necessary Order is made and confirmed.

Staff Contact:	Bob Wenmam
Designation:	Head of Streetcare
Telephone No:	01708 432720
E-mail address:	bob.wenman@havering.gov.uk

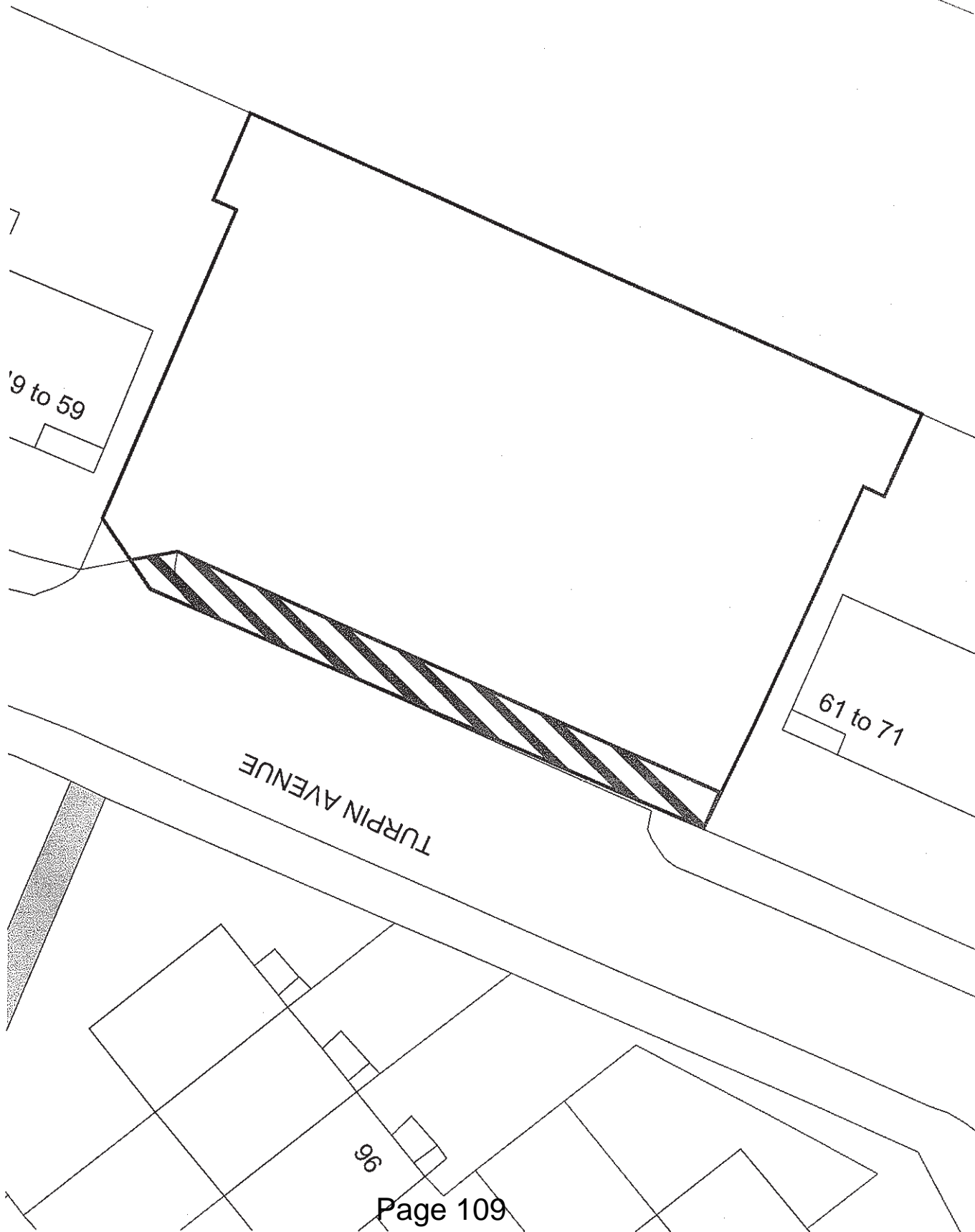
CHERYL COPPELL
Chief Executive

Background Papers List

1. Report of Regulatory Services Committee which granted planning permission under planning reference P0302.11.
2. Plan (Reference 8430-90-1021) showing the area to be stopped up
3. Report to Regulatory Services Committee of 4th October 2011.

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Rev	Date	Description	Initials

Richard Pike Associates
 4 Redwood Road, Longbridge, Birmingham, B11 1JY
 0121 717 1122
 www.richardpike.co.uk

exor
 EXOR PARTNERSHIPS LTD

Project Details
 Turpin Avenue
 Havering
 (Package 2)

Client
 Hill Partnerships Ltd

Drawn by
 Section 247 Stopping Up Plan
 Land to be stopped up
 Sheet 4

Date
 October 2011

Scale
 1/200 @A3

Drawn: MC
Checked: LM

Drawn No.
 8430-90-1024

FOR COMMENT ONLY

All dimensions must be fully checked
 and confirmed from the drawings
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Regulatory Services Committee

27 October 2011

Item 10

OUTSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-11	P0783.11	Harold Wood	The Old Forge Hall Lane Upminster
12-22	P1039.11	Squirrels Heath	3 Manor Avenue Hornchurch
23-32	P1199.11	Havering Park	9, 9a and 11 Chase Cross Road Romford
33-47	P1232.11	Upminster	1 St Mary's Lane Upminster
48-60	P1324.11	Squirrels Heath	395-405 Brentwood Road Romford

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REGULATORY SERVICES COMMITTEE

27th October 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P0783.11	
WARD :	Harold Wood	Date Received: 25th May 2011
ADDRESS:	The Old Forge Hall Lane, Upminster	
PROPOSAL:	Factory to be demolished and construction of 4no. three bedroom dwellings (2no. semi-detached) revised plan received 23/8	
DRAWING NO(S):	673/5044/2; 996/03 996/01B	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

Councillor Clarence Barrett has called-in this application on the grounds of inappropriate development on Metropolitan Green Belt.

SITE DESCRIPTION

The site comprises a commercial building in the Metropolitan Green Belt. The site area is 0.22ha (including an adjoining area within the ownership of the applicant and land levels rise to the rear (east) and rise to the south side, although the highway itself falls to the south.

The surrounding area is mainly open, however there are a few residential properties to this side of Hall Lane including Four Wantz (north) and the Four Wantz Cottages (south), all within the Metropolitan Green Belt. There are also a small number of farm-related buildings in the locality.

DESCRIPTION OF PROPOSAL

The proposal is for the demolition of the existing light industrial building and the construction of 4 houses arranged as two pairs of semi-detached houses.

The proposed houses would be located some 20m from the rear edge of the highway. The houses would be located 1.8m from the shared boundary with Four Wantz. The existing raised embankment which would be to the south of the application site (within the applicant's ownership) would be retained as an open grassed area with the nearest property's flank wall located between 0.75m and 0.9m from the proposed new southern boundary. Units 1 and 2 to the northern part of the site would be located in a setback position 3m behind Units 3 & 4 on the southern part. Rear amenity space would be provided to each property.

Each property would be 5m wide and have a depth of 10m with gabled side elevations with maximum ridge heights of 7.8m above ground level. The houses would be of a chalet-bungalow style with the first floor accommodated within the roof area with large dormer windows to the front and rear of the properties. Two parking spaces would be provided to the front of each property with a second vehicular access being formed to the southern part of the application site to create a shared in-out access for the four houses. There would be substantial planting areas of around 6m in depth provided either side of each access point. Visibility splays would be provided with low shrubs to each access.

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A special circumstances case has been put forward which can be summarised as follows:

- the proposal would remove an inappropriate and "non-conforming" use in the green belt
- it would reduce the volume of buildings at the site and allow gardens which would increase the openness of the site
- there would be a lack of interest in the site for the present use due to it being in an awkward place and that it cannot be extended
- the building has been extended in an add-hoc fashion and cannot be easily converted and there would be no amenity space or car parking if conversion was undertaken
- significant reduction in traffic from the current 19 staff cars parked all day, 3 fitters vans and sub contractors in and out all day and material deliveries two or three times a day and 3 or 4 times a year a 1,200 gallon delivery of diesel oil
- the proposed complete redevelopment would enable a more sensible layout and more visually appealing development to be provided
- the proposed type of dwellings would be feasible
- other development in the locality, including the old abattoir site and sites of disused agricultural buildings, set a precedent for development of this site in the green belt
- the significant set back allows screening of the development

RELEVANT HISTORY

P0251.95 - Educational resource building (temporary permission) - Refused 12-05-1995

P0598.90 - Single storey side extension - light industrial (assembly of window blinds) - Additional plans received 9/11/90. Revised landscaping plans received 27/ 12/90 - Approved s.t.legal agreement 10-08-1992

CONSULTATIONS/REPRESENTATIONS

8 adjoining occupiers were notified for the proposal. There were 7 correspondence items received from 6 addresses objecting on the following grounds:

- out of keeping with existing housing development in this rural part of Hall Lane
- height is unacceptable
- there is a large area of open land within the site and this application raises concerns as to what will happen with it
- green belt in Hall Lane is constantly under threat and all development must be opposed
- the proposed dwellings lack character and would not enhance the rural setting
- the proposed style and appearance would not blend with surroundings
- proposed increase in traffic on this very busy and dangerous road will not help/could make it worse
- increased noise pollution and traffic especially in the evening and at weekends
- overlooking/loss of privacy
- loss of view
- overshadowing of neighbouring garden
- the height would be double that now; other recent development has had to be lowered to protect the views from Four Wantz
- parking proposed is excessive and would appear as a car park
- the houses would be crammed in
- hardstanding at the site has not been authorised
- details in the submission are misleading and incorrect
- alternative development may be acceptable
- the factory building has been in constant use for 37 years, has never been vacant and could continue
- the proposed development would be unsympathetic

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- the site is within the Thames Chase Community Forest area
- it will devalue existing property
- the applicant has deliberately let the unit run down and inflate the rental rate in the hope of getting planning permission
- semi-detached pairs would not be in character in the area
- there are no services or facilities near the site and therefore they would not be suitable for family accommodation; older people would prefer single-storey
- contrary to Planning Policy in the LDF
- there is a need to strongly resist all development in the green belt
- density is too high on this very small site
- extensions etc would cause the site to become ugly and congested and would not retain the semi-rural character
- the car park to the front will be visible from the road; screening can easily be removed afterwards
- other sites have been sold off and this would set a precedent for a small housing estate

A petition signed by 11 signatories objects to the proposal on the grounds that it would not be in keeping, the houses would be too high, not in keeping with the rural side of Hall Lane, have an unacceptable appearance and character in relation to existing residential development and result in increased traffic every day of the week and that no change of use has been advised to residents.

Following revisions two further responses were received: one reiterating earlier comments; and, the second raising concerns regarding an adjoining row of conifers located on the boundary and whether they may be damaged during construction or whether they may damage the new buildings in future.

Thames Water have written to advise that they do not have any objection to the proposal regarding sewerage infrastructure. They remind the developer that it is their responsibility to make proper provision for surface water drainage and advise that their prior approval would be needed together with a ground water discharge permit during construction.

The London Fire Brigade have written to advise that they would not require any additional hydrants to be installed.

English Heritage have written to advise that there is no requirement for any archaeological investigation.

The Metropolitan Police's Crime Prevention Design advisor has responded to consultation. He suggests that conditions are attached to any consent to improve the safety design aspects of the scheme.

RELEVANT POLICIES

LDF: DC2, DC3, DC45, DC55, DC60, DC61

The London Plan: 3.3, 3.4, 3.5, 3.8, 6.9, 6.13, 7.3, 7.4, 7.6, 7.16

Other: PPG2 (Green Belts); SPD Residential Design, SPD Residential Extensions and Alterations, SPD Landscaping.

STAFF COMMENTS

The main issues are the principle of the development, impact on the open character of the green belt, density, impact in the streetscene, impact on residential amenity and highways/parking.

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PRINCIPLE OF DEVELOPMENT

Policy DC45 (supported by PPG2 and The London Plan Policy 7.16) indicates that residential development within the green belt is inappropriate development and therefore unacceptable in principle.

In line with PPG2 such inappropriate uses may only be acceptable if very special circumstances exist which outweigh the in principle harm together with any other harm, such as loss of openness. Prior to any special circumstances case being considered any harm to other areas of acknowledged interest is first assessed.

GREEN BELT IMPLICATIONS

The proposal would result in the removal of an existing building which has been extended over time such that it extends from a position approximately 12m back from the rear edge of the highway to approximately 50m back from the same edge. The building is single-storey however it has a 4.3m high gabled front elevation with parts of the building being 3.5m above ground level; the latter rises to the rear of the application site. The existing building has a volume of 885 cubic metres with the proposed houses having a volume of 362 cubic metres.

Whilst there would be a significant reduction in the amount of building volume at the application site, it is considered that due to the increased height of the houses relative to the existing building and their alignment north/south rather than the existing arrangement which is east/west, the proposed development would have a more visible presence when viewed directly from the highway than the current buildings. However, there is a significant screen hedge to the boundary with Four Wantz and the retained open space is on a ground level between 1-2m higher than the application site. It is considered therefore from longer distance views that the houses would not be visible or only visible in part, particularly once the 6m deep landscaping area to the front of the properties becomes established.

It is therefore considered that the proposal would result in an overall environmental improvement to the application site without resulting in any loss of openness as the reduction in overall volume would be significant and landscaping measures would significantly improve the current verdant-deprived areas to the front and northern side of the existing elongated industrial building.

DENSITY/SITE LAYOUT

The proposal is for 4 houses on a site of 0.125 hectares. In this location with a low public transport accessibility level, the residential density range is between 30 and 50 units per hectare. The proposal would have a density of 32 units per hectare which would fall within this range.

The site would be laid out with a deep landscaping area to the front with parking spaces provided in curtilage to the front of each house. To the rear of each house a garden, each approximately 108 sq.m, would be provided. Staff therefore consider that the proposed layout would be acceptable.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposed development would result in the removal of existing low level buildings and their replacement with residential accommodation. While single storey, substantial accommodation would be made at first floor level such that the roof heights would exceed that currently at the application site.

The proposal is for two pairs of semi-detached houses which, whilst neither detached such as Four Wantz, or a terrace such as Four Wantz Cottages, would not be so out of character with

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the particularly limited existing residential development as to be considered unacceptable in terms of their impact on visual amenity.

The current building has a front elevation of 10.6m in width with a flat roof side of 4.2m, totalling 14.8m in width. The proposed dwellings would result in development across the site of 22m in width with a gap of about 2m in between. It is considered that in terms of the impact in the streetscene, while it is acknowledged that the existing building does extend to the side boundary at the rear, the proposed development would close the existing gap between the nearest building and the shared boundary with Four Wantz. Nonetheless, there is no definite character to the existing residential development such that the gaps themselves would not be unacceptable. In particular as screening would be provided to the front of the site which would help to screen the development and give it a more verdant appearance than the current arrangement.

The nearest building would be 1.8m from the shared boundary with Four Wantz. While the gap between buildings would be reduced, it is not considered that this would result in an over-dominant form of development in relation to that property. The proposed buildings would not be any closer to the Four Wantz Cottages than the existing building and would be on lower ground.

In relation to Four Wantz the proposed House 1 would be closer to the boundary with this existing building and would be set back from the highway by approximately 19m. As such approximately half of the building would extend beyond the rear of the existing development. Given the separation distance of a minimum of 11m, Staff consider that the proposed chalet bungalows would not have a significant adverse impact on the side/rear garden environment even though it would be located to the south of the existing development.

Staff consider that the proposal would have an acceptable impact on visual amenity in the streetscene and on the rear garden environment.

IMPACT ON AMENITY

The property mainly affected by the proposed development is Four Wantz. The proposed development would reduce the existing gap between buildings. Staff consider that while the main windows to the two-storey Four Wantz property are located in their southern and northern elevations, at a distance of 11m to the nearest side elevation of the proposed House 1, that there would be no significant loss of amenity to the existing occupier in part as the proposed development would be located on slightly lower ground levels than that at Four Wantz and as there is significant hedging to the shared boundary.

The window proposed at first floor level facing Four Wantz is to a bathroom. A condition could be attached to any grant of planning permission to require this window to be fitted with obscure glass and fixed shut to prevent any overlooking or loss of privacy to this occupier. Additionally a condition could be attached to prevent the provision of windows to the flanks of the substantial dormer windows.

The proposal would involve the provision of 8 parking spaces with an in-out driveway. Objections have been made that traffic noise would be generated at night and at weekends when the existing light industrial unit is normally shut. However Staff consider that the noise and disturbance generated in connecting with the occupiers/vehicles of four houses would not be so significantly greater than the existing noise and disturbance generated by the B1 Use as to refuse planning permission on these grounds, particularly bearing in mind that the proposal would remove a facility which currently has some large vehicles servicing it on a regular basis and staff parking in excess of that now proposed.

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Staff consider there would be no significant harm to residential amenity of existing occupiers.

The proposal would have a layout and arrangement of outdoor amenity areas and parking facilities which would, in Staff's view, result in an acceptable level of amenity for new residential occupiers.

HIGHWAY/PARKING

In this location where there is a low public transport accessibility level 1.5 - 2 parking spaces is the range of expected provision. The proposal would provide 2 parking spaces in curtilage for each of the properties which would be in this range and is therefore acceptable.

Suitable conditions could be attached to any grant of planning permission to require appropriate cycle and refuse/recycling storage to be provided.

OTHER ISSUES

Secured by Design:

In order to ensure that the development would meet concerns raised in respect of design safety, a number of conditions relating to various security measures and requested by the CPDA advisor, will be attached to any grant of planning permission including that for Secured by Design accreditation, together with an informative.

Special Circumstances Case:

On the basis that harm has been identified, and in accordance with PPG2, it is appropriate to consider the special circumstances case put forward by the applicants.

Case : the proposal would remove an inappropriate and "non-conforming" use in the green belt
Officer Response: The proposal would remove an inappropriate use in the green belt and replace it with another inappropriate development. The removal of a light industrial use may be considered to be of general benefit, nonetheless the proposal cannot be justified solely on this basis

Case:it would reduce the volume of buildings at the site and allow gardens which would increase the openness of the site

Officer Response: The amount of hardstanding and floor coverage of buildings would be significantly reduced and replaced by lawns. Providing that permitted development is restricted for outbuildings and extensions to the buildings the proposal would result in a more open site.

Case:there would be a lack of interest in the site for the present use due to it being in an awkward place and that it cannot be extended

Officer Response: The site has only recently become vacant just prior to the planning application being submitted. No marketing evidence has been submitted to verify this statement, nonetheless policy does not require this to be provided to justify development.

Case: the building has been extended in an add-hoc fashion and cannot be easily converted and there would be no amenity space or car parking if conversion was undertaken

Officer Response: It is recognised that the building has a number of different roof forms and shapes to its form. In respect of residential conversion it is unlikely that this could be effected in a satisfactory way as to provide amenity space and car parking due to the shape of the building and the open area to the south of the existing building does not form part of the application. The rationalising of this site in relation to residential development is therefore more compliant with the SPD on Residential Design.

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Case: significant reduction in traffic from the current 19 staff cars parked all day, 3 fitters vans and sub contractors in and out all day and material deliveries two or three times a day and 3 or 4 times a year a 1,200 gallon delivery of diesel oil

Officer Response: There appears to be some dispute as to the actual number of vehicles using the site on a daily basis, nonetheless there is extensive hardstanding and the building is in Light Industrial Use. The impact on residential amenity is considered above and is considered to be acceptable in terms of traffic.

Case: the proposed complete redevelopment would enable a more sensible layout and more visually appealing development to be provided

Officer Response: This of itself would be expected of a redevelopment from B1 use to residential. However it is not considered that this represents a very special circumstance as this would be the case anywhere in the borough where such redevelopment is proposed. The visual acceptability of the scheme is considered above.

Case: the proposed type of dwellings would be feasible

Officer Response: The scale and form of development has been taken by the applicant who has looked at a number of different forms of development. The feasibility/sell-ability of what he has chosen is not of itself a planning issue.

Case: other development in the locality, including the old abattoir site and sites of disused agricultural buildings, set a precedent for development of this site in the green belt

Officer Response: Each case is considered on its planning merits. While other sites have been developed for housing in the green belt, the special circumstances case will clearly differ in each case and cannot be taken as a precedent for development elsewhere where exactly the same set of circumstances are unlikely to occur.

Case: the significant set back allows screening of the development

Officer Response: The proposal would allow some level of screening of the development, landscaping would not block the proposal from view, particularly in the short term whilst it becomes established. Nonetheless it is considered that the removal of the significant area of hardstanding and its replacement to the road frontage with soft landscaping would result in an improvement.

Staff consider that the considerable reduction in the volume of buildings at the application site would result in environmental improvements being made in the form of hardstanding and buildings being demolished and lawned and landscaping areas replacing them. Members may place different weight on the special circumstances case and conclude that they do not represent very special circumstances, nonetheless Staff consider that the circumstances do amount to those which are very special and needed to outweigh the presumption against development in the green belt, providing conditions are attached to restrict permitted development allowances, in accordance with PPG2 and DC45 of the LDF.

KEY ISSUES/CONCLUSIONS

The proposal would be inappropriate development and would give rise to harm to the open character of the green belt. However, the proposal would not result in any significant harm to residential amenity and would be acceptable in terms of its impact on visual amenity and highways/parking provision. Providing conditions are attached to restrict further otherwise permitted development, Staff consider that very special circumstances exist so as to outweigh the harm identified. Members may place different weight on the issues involved, nonetheless Staff consider that planning permission should be granted.

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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. 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 high shall be erected on the proposed new boundary to the south of the application site and to the shared boundary, details of any front boundary treatment should also be submitted. Such fencing 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 protect the open area and trees adjacent to the application site, and that the development accords with the Development Control Policies Development Plan Document Policy DC45 and DC61.

6. S SC14 (Sight lines)

Clear and unobstructed visibility splays 1.2m wide by 1.2m deep shall be provided to the satisfaction of the Local Planning Authority in the position shown on the submitted plans. The approved splays shall be kept permanently unobstructed thereafter to the satisfaction of the Local Planning Authority.

Reason:-

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

7. S SC32 (Accordance with plans)
8. SC34A (Obscure and fixed glazing)

The proposed flank windows to the first floor bathroom shall be permanently glazed with obscure glass and thereafter be maintained and permanently fixed shut 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.

9. SC44 (Noise Insulation - Dwelling) ENTER DETAILS

The buildings(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.

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10. M SC45A Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, Classes A, B, C, D, E and F, no enlargement, improvement or alteration of the dwellinghouses, no enlargement of a dwellinghouse consisting of an addition or alteration to its roof, no other alteration to the roof, no erection or construction of a porch outside any external door of the dwellinghouses, no curtilage buildings, enclosures, swimming or other pool enclosure or the maintenance, improvement or other alteration of such a building or enclosure, no container for domestic heating purposes for the storage of oil or liquid gas and no hard surface or replacement in whole or in part of such a surface 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.

11. SC46 (Standard flank window condition)

12. S SC58 (Storage of refuse)

13. M SC59 (Cycle Storage)

14. M SC60 (Contaminated land)

15. M SC62 (Hours of construction)

16. M SC63 (Construction Methodology)

17. Non standard condition

The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

18. 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.

19. Non standard condition

The buildings shall not be occupied until a means of vehicular/pedestrian/cycle access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies.

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20. 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.

21. Non standard condition

Community Safety Secured by Design Condition:

Prior to the commencement of the development hereby permitted, details of external lighting shall be submitted for approval. This should include lux level details. The approved details shall be implemented prior to first occupation of the development.

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.

22. Non standard condition

The existing buildings/hardstanding etc shall be demolished in their entirety and any waste materials removed from the application site prior to works commencing on the residential development hereby approved.

Reason: To ensure the development is acceptable in accordance with Policies DC3, DC45 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

1 INFORMATIVES:

1. 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. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

2. 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.

3. In aiming to satisfy Condition 20 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(s).

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4. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies D2, DC3, DC45, DC55, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and PPG2 (Green belts).

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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APPLICATION NO:	P1039.11	
WARD :	Squirrels Heath	Date Received: 21st July 2011
ADDRESS:	3 Manor Avenue Hornchurch	
PROPOSAL:	Demolition of existing dwelling and garage and construction of 3 new build detached dwellings	
DRAWING NO(S):	site location plan block plan existing and proposed streetscene proposed elevations proposed floor plans proposed site plans	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

No call in.

RECOMMENDATION

That planning permission is granted subject to conditions.

SITE DESCRIPTION

The application site is located to the northern edge of Manor Avenue and presently comprises a detached two storey red brick dwelling with vehicular access onto Manor Avenue. The site has an area of 1805 square metres and the vast majority of cover is presently overgrown with numerous large trees, shrubs and other vegetation to the front boundary, stretching back to the centre of the site. To the rear of the dwelling is a garage which is accessed via the side of the property. This, like the main dwelling, is vacant.

To the rear of the garage is a clearing in the site with a open lawn area. This is surrounded by further areas of dense wooded trees, these vary in condition. The ground cover here is bare where the tree canopies have restricted sunlight to the ground. The rear boundary of the site has a close boarded fence with shed which backs onto neighbouring properties. This boundary is screened by a line of conifers which are in poor condition.

The surrounding locality is residential in nature. Directly adjacent are other detached residential dwelling and a large residential care home. There is a mixture of materials present in Manor Avenue including facing brick, render and cladding.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the demolition of the existing single dwelling and for the erection of three, detached two storey dwellings. Each measure 8.4m wide. Plot 3A measures a maximum of 17.8m deep at ground floor (including the bay window and kitchen projection) and 14.8m deep at first floor. Plot 3B and 3C measure 16.8m deep at ground floor (including the kitchen projection) and 13.8m deep at first floor. All dwelling measure 9.4m high to the ridge.

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At ground floor each dwelling comprises an integral garage, kitchen, living room and dining room. At first floor there would be 4 bedrooms and 3 bathrooms. Within the roof space there would be an additional bedroom and bathroom.

The properties are finished with a Victorian architectural influence with bay windows, front gables with wood detail and red brick. Each property has a slightly different elevational treatment with regard to its windows and detailing.

RELEVANT HISTORY

None

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 20 properties. 4 representations were received, stating the following comments.

- overdevelopment
- the trees are protected and appear to be in perfect condition.
- development is only interested in profit
- concerns over boundary screening

RELEVANT POLICIES

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC20 (Access to recreation and Leisure Including Open Space), DC33 (Car Parking), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document and the Supplementary Planning Document for Residential Design are considered to be relevant. London Plan policies 3.5 and 3.8 and government guidance contained in Planning Policy Statement 3 (Housing) are also material to the determination of this application.

STAFF COMMENTS

Policy CP1 indicates that a minimum of 535 new homes need to be built each year on sites which are not designated for other purposes. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for housing development in principle subject to the detailed design of proposals. PPS3 encourages high quality residential development with access to a good range of facilities. Re-use of previously developed land is also encouraged.

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 not included 5 bedroom units within this policy, but states that 4 bedroom, 6 person units should have a floor area of 113 square metres. The dwellings have an internal floor space in excess of 250 square metres which is acceptable.

The proposal is considered to be in accordance with Policy 3.3 of the London Plan which seeks to increase London's supply of housing.

DENSITY/SITE LAYOUT

Policy DC2 states that development in this location should have a density between 30-50

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dwellings per hectare. The site covers an area of 0.18 hectares. The dwellings proposed represent a density of 16 dwellings per hectare, which is below the anticipated ranges. Density levels however, are only one measure of acceptability and it is considered that in this instance, a density level of 16 dph is acceptable given the context of Manor Road, where a higher density would represent an overdevelopment of the site.

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 amenity space to all three dwellings is provided towards the rear in single blocks, 3A has 455 square metres of amenity space, 3B has 435 square metres of amenity space and 3C has 415 square metres of amenity space. The amenity areas would not be visible from any public view points and would follow the existing urban grain and are considered to conform to the guidance within the SPD.

Each dwelling would be inset 1m from the boundary at ground and first floors, to create a 2m separation distance between each property. The dwellings are also staggered in their arrangement within the plot, following the slightly angled frontage of the road and varied positioning of neighbouring buildings. Plot 3A would be set in line with the adjacent dwelling, No. 1 Manor Avenue. 3B would be positioned 3.5m back from 3A and 3C would be positioned 3.5m rearward again from 3B, so it is in line with the adjacent Moreland House Care Home. This arrangement would follow the changing set back nature of buildings on this edge of Manor Road and is considered acceptable. Computer generated images show large areas of hard standing to the front, these are however, indicative to show the massing of the dwellings in the streetscene and a landscaping plan is attached via condition which will require the application to show areas for both soft and hard landscaping.

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 existing Manor Avenue streetscene is typified by detached and one pair of semi-detached dwelling in a variety of architectural styles. To the east is the Gidea Park Methodist Church and to the west, directly adjacent to the site is the Moreland House Care Home, large two storeys building which fills the plot width. The application site is unusually wide in this locality and covered in heavy tree screening, which partly overhangs the public highway. It is proposed to subdivide this single plot to create three residential curtilages, each with a 10.4m road frontage, although this is smaller than the adjacent care home, they would be of a similar size to surrounding dwellings and are not considered to appear cramped within the streetscene.

The dwellings were originally proposed to be finished in render with brick detailing, a projecting garage and two storey bay front windows. Following Staff concern that the dwellings would have

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an identical appearance and therefore would not reflect the varied character in Manor Avenue, revised plans were submitted which amended the rendered elevations to full facing brick and altered the detailing of the dwellings to vary their appearance individually. This includes different window treatments and Plot 3A having front facing hips with 3B and 3C having front feature gables with different wood detailing. Chimneys were also added to each dwelling on the western elevation. This creates an appearance which is more in line with the existing (to be demolished) dwelling and gives each dwelling an individual appearance. This is considered acceptable.

Plans were originally submitted with each dwelling having crown roofs. Staff considered this roof arrangement to be unsympathetic with the surrounding locality and revised plans have been received which amend this roof design to create a full pitch; this has consequently raised the roof height by 0.4m. However, given the variation of roof forms in Manor Avenue this is considered acceptable.

Each property would have a single rear dormer window. This would not be visible from the streetscene. It is set below the ridge level and away from the hips of the roof. They are all finished with a tiled pitched roof and are considered to be of an acceptable scale and position.

Staff consider the appearance of the dwellings to be acceptable for the locality, however, samples of materials are to be requested via condition, to ensure they are of an acceptable quality.

IMPACT ON AMENITY

The existing dwelling is set 3m from the shared boundary with No. 1 Manor Avenue and has a rear projection of 4m beyond this property. A detached garage measuring 10.5m deep is then set along this boundary 5m rearward of the property.

The replacement dwelling would be set closer to the boundary with No. 1, and have a rear projection of 3.5m at two storey level and further projection of 3m at ground floor level. The two storey projection is not considered to result in a loss of amenity, or overbearing impact to this neighbouring occupier. The single storey projection is largely glazed and set 1.2m away from the boundary. Given the boundary screening and distance that No. 1 is set away from the boundary, this relationship is considered acceptable. The removal of the garage from this boundary in any case, is considered to improve the quality of the rear garden environment.

Plot 3B is set 3.5m rearward of 3A, to the front elevation, due to the angle of the road frontage and orientation of surrounding buildings. The rearward two storey projection would measure 3m, with the single storey kitchen projection measuring an additional 3m. This relationship is considered acceptable and not result in overshadowing.

Plot 3C is set a further 3.5m rearward of 3B, to the front elevation, and be set back 3.5m rearward at two storey level. Like the two other plots, the kitchen extension has a ground floor projection of 3m. This dwelling, even though set back from the adjacent two dwelling would still be set 2m forward from the rear elevation of Moreland House Care Home. The single storey projection for the kitchen of this dwelling is well removed from the adjacent Care Home and Staff consider there would be no loss of amenity between both buildings. Moreland House (No. 5-7 Manor Avenue) has extensions approved under reference P1826.07, for large extensions, these include a two storey rear projection of a total of 14m, however, this is arranged in a staggered arrangement, set off the boundary by a minimum of 2.8m and maximum of 5m. Given this distance and the boundary screening, this is considered acceptable. The additional flank window in this extended elevation of Moreland House facing Plot 3C serves a bathroom and would be

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obscure glazed. Staff further note that large two storey rear projections which create a relationship similar to the one proposed are already in existence in Manor Avenue where the Gidea Park Methodist Church projects rearward of No. 1 Manor Avenue down its entire site boundary.

Representations received from the Councils Crime Prevention Design Advisor raised concern over plots 3B and 3C with regard to their recessed entrances over 3m back from the front elevation, which would result in reduced natural light and surveillance to the entrance. Revised plans have accordingly been received which repositions the front door forward so it is now 1.5m back from the front elevation. Whilst this is still behind the front elevation, the dining rooms to both 3B and 3C have flank windows which overlook this recessed entrance.

It is proposed to inset flank windows into all three units. At ground floor these would serve a study and kitchen, W.C and living room. These windows do not raise concern from Staff given they are ground floor level and would be screened by the adjacent boundary enclosures. Plot 3A at first floor would have two flank windows in the eastern elevation serving two bathrooms. To the western elevation a single first floor flank window is proposed, serving a bathroom. Plot 3B, and 3C proposed to have three flank windows in the eastern elevation at first floor, serving a bedroom (albeit on a secondary basis) and two bathrooms. The plans denote the bathroom windows would be obscure glazed. The bedroom window would overlook the adjacent (3A, and 3B respectively), however, these would not overlook any other adjacent windows, and the potential for overlooking in this location is considered to be extremely limited due to the proximity and depth of the buildings, which would not allow views into the gardens. To the western elevation all three units would have a single first floor flank window, serving a bathroom and this would be obscure glazed and non opening.

There would be a flank roof light serving a bathroom to each dwelling on the western elevation, this will be obscure glazed. The rear dormer window within the roof space to each property would overlook their own respective gardens and raises no concern in this instance.

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.

Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation the boundaries and positioning of adjacent buildings, 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.

HIGHWAY/PARKING

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. Highways however, require a separate crossover for each dwelling.

OTHER ISSUES

Ecology:

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The site has substantial tree cover and therefore has the potential to house protected species or other wildlife. The applicant has submitted an Ecological Scoping Survey and Biodiversity report which examined the trees and buildings on site for wildlife.

The report states that some trees to the rear boundary should be removed as they are a non native species and can prevent the growth of native species.

With regard to birds, the report states that all site with tree cover have the potential to support birds. Habitat should therefore be cleared outside of the nesting season (March-August). At the time of writing this report the site has been cleared of the lower vegetation, to leave the large preserved trees. This work was completed outside of the nesting season.

The site does not provide potential to house Amphibians, Reptiles or Badgers. With regard to Bats, an inspection was carried out of the main dwelling and garage, inspecting the roof void and elevations for entry/ exit. No signs of roosting Bats were found to either structure. The large trees were also inspected and no Bats were found.

The report recommends careful lighting during construction and the provision of bird boxes. The applicant should refer to the points raised within the Ecological survey with regard to these aspects.

At the time of writing this report, comments are still being sought from the Council's Countryside Projects Officer, however, the report makes clear that the site is not of any ecological value which Staff are satisfied with. Any comments received from the Countryside Projects Officer will be reported verbally at the meeting.

TREES

The existing site is covered in heavy tree cover, and by a Tree Preservation Order (reference TPO 9/76) however, of the 6 trees originally preserved only 4 now remain these are 2 Oaks, 1 Ash and 1 Copper. It is proposed to fell all the trees adjacent to the existing dwelling. Representation received objected to the loss of these trees as they appear to be in good condition. The trees here are a mixture of species including Oaks, Ash, Sycamore and Copper Beeches.

A site visit was undertaken with the Council's Tree Officer to assess the condition of these trees. It has been confirmed that the condition of all these trees, with the exception of one Oak tree, is poor. The Copper Beech has a severe lean towards the east. One of the oaks has heartwood rot in the base of its trunk at two obvious points of decay. The Ash has a number of fissures on its trunk which indicates decay in its stem consistent with its age.

Collectively the four trees form a cohesive group or clump and their crowns have effectively grown as one, with the outside of the group having all the crown growth, the inside being relatively bare of foliage and timber. This is because the centre of the clump is more shaded out and over time the trees have extended their growth upward and outward, which is why they all lean noticeably away from each other. This means that all four trees effectively shelter their opposite number in the group from wind and exposure. The loss of any of the trees mean the group is opened up and the remaining trees become at risk from 'wind throw' in high winds and 'sun scald', frost damage and excessive transpiration.

The Tree Officer noted that from a human safety perspective, it should be noted that the two trees with decay (e.g. the ash and one oak) are already prone to collapse and any of the trees

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would be prone to the loss of major limbs in high winds if any of their neighbours in the group was removed. Both the decayed oak and ash will become exempt from the provisions of the TPO which would otherwise prevent their removal at the point they can be considered to be dying or be in an overall dangerous condition. This point could be reached soon and so it would be unreasonable to insist on the trees retention in the rear garden of any new residential property. It is further consider it would be unreasonable to insist on the retention of the other two trees in a residential setting should planning permission be granted.

The Tree Officer has stated that this is an unusual set of circumstances and only exists because of the way the four trees have grown together over time. It clearly illustrates why trees which have a large mature size should not be planted closely together in residential settings.

With regard to the remaining trees on site, it is recommended that the row of young limes which stand partially across the end of the site be retained through condition and included within any approved landscaping scheme.

KEY ISSUES/CONCLUSIONS

In conclusion, the proposal or residential development on this site is acceptable in principle. The dwellings would be of an acceptable, scale, mass and architectural treatment which would acceptably relate to the Manor Avenue street scene.

Parking provision would be meet current standards and the resultant impact on residential amenity is considered to be acceptable, providing a condition is imposed removing permitted development rights.

Staff recognise that the loss of substantial areas of trees would have significant impact on the locality, but given their poor condition, confirmed by the Tree Officer, there is no objection to their removal. However, the retention of the other trees on the site to the rear is recommended to be conditioned as part of a wider landscaping scheme. It is considered that there would be no loss to wildlife. Staff recommend that planning permission is granted in this instance.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. S SC32 (Accordance with plans)
3. M SC09 (Materials)
4. M SC62 (Hours of construction)
5. SC46 (Standard flank window condition)
6. SC34B (Obscure with fanlight openings only)

The proposed first floor windows to the eastern elevation of Plots 3A, 3B and 3C serving the bathrooms, and first floor windows to the western elevation to plots 3A, 3B and 3C 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.

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7. S SC34 (Obscure glazing)

The proposed roof lights to the western elevation of plots 3A, 3B and 3C shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

Reason:-

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

8. M SC45A Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent revisions Article 3, Schedule 2, Part 1, Classes A, B, C, D or E no extensions, roof extensions or roof alterations shall take place and no outbuildings or other means of enclosures shall be erected within the garden areas of the dwelling 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.

9. SC05A (Number of parking spaces)

Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 6 parking spaces, 2 for 3A, 3B and 3C 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.

10. M SC11 (Landscaping)

16. M SC63 (Construction Methodology)

11. 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

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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.

12. Non standard condition

The proposed alterations to the Public Highway shall be submitted in detail for prior approval to the commencement of the development.

Reason:-

In the interest of ensuring good design and ensuring public safety and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

13. 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.

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14. Non standard condition

Prior to the commencement of the development hereby permitted, a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the aforementioned 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 residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 'DESIGN' LBH CONTROL POLICIES DPD, and 4B.6 'SAFETY, SECURITY AND FIRE PREVENTION AND PROTECTION' of the London Plan (published February 2008).

15. Non standard condition

The proposals shall provide a 2.1m by 2.1m pedestrian visibility splay on either side of the accesses, set back from the boundary of the public footway. There should be no obstruction or object higher than 0.6m within the visibility splays.

Reason:-

In the interests of highway safety.

2 INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC33, DC61, 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 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

3 1. The developer is advised that it is the responsibility of the developer to make proper provision for draining 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 draining 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 proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

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

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Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

3. The developer, their representatives and contractors are advised that planning approval does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

4. In aiming to satisfy condition 14 The applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of 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 discharging of community safety condition(s)

5. The applicant should refer to the approved Ecological Scoping Survey and Biodiversity Statement, prepared by Southern Ecological Solutions with regard to the provision of bird boxes and construction lighting on nearby Bats.

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APPLICATION NO:	P1199.11	
WARD :	Havering Park	Date Received: 19th August 2011
ADDRESS:	9, 9a and 11 Chase Cross Road Romford	
PROPOSAL:	Demolition of existing rear workshop and construction of five apartments, comprising 3No. 2-Bed and 2 no. 1-bed units, and revised internal layout to existing first floor residential unit at 9a Chase Cross Road	
DRAWING NO(S):	2009-139/240 2009-139/102 Revision D 2009-139/221 Revision E 2009/139/220 Revision D 2009-139/200 Revision G 2009-139/201 Revision E 2009-139/202 Revision E 2009-139/203 Revision D	
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 northern side of Chase Cross Road, approximately 30 metres east of the Clockhouse Lane roundabout. The rear western corner of the site is located approximately 5 metres from Clockhouse Lane. The site is presently occupied by a pair of two storey semi-detached properties, which are utilised as 'Buddies Driving School' and 'Buddies Motor Repairs' at ground floor, with two flats, 9A and 11A on the first floor. 9A Chase Cross Road has a bedroom in the roof space. There is a large single storey workshop building, which is attached to the rear façade of the semi-detached properties. There is an existing telecommunications mast located in the north western corner of the site.

The site has a minimum frontage onto Chase Cross Road of approximately 8 metres and has a maximum depth of approximately 50 metres. The surrounding area is predominantly residential in character, comprising of two storey semi-detached and terraced properties. The site is flanked by a two storey end of terrace property 'Bollywood' Indian restaurant (No. 7) to the west and a two storey semi-detached property 'Chase Cross Medical Centre' (No.'s 13-15) to the east. A day nursery entitled 'Collier Row Children's Centre' is located to the rear of the site.

DESCRIPTION OF PROPOSAL

The application seeks permission for the demolition of the existing single storey workshop to the rear of the site and the construction of five apartments, comprising of 3 no. 2 bedroom and 2 no. 1 bedroom units. The proposal includes a revised internal layout to the existing first floor residential unit at 9A Chase Cross Road.

The proposed two storey building would be arranged with one, one bedroom flat and one two

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bedroom flat on the ground floor with gardens. One, one bedroom flat with a Juliet balcony and one two bedroom flat would occupy the first floor. One, two bedroom flat would occupy the second floor.

In terms of appearance the proposed building would have two areas of pitched roof with different ridge heights and two crown roof sections. The proposal features one flat roofed dormer window on the northern elevation and two flat roofed dormers on the western elevation. There is a roof light on the southern elevation and two roof lights on the eastern elevation. In terms of finishing materials, the materials proposed are red brickwork, white render, double glazed aluminium windows and a slate roof. The cycle store would have vertical timber slats and a flat roof covered with felt.

The proposed two storey building with accommodation in the roof space would have a maximum width of 10.7 metres by 12.6 metres in depth. The building would have a maximum and minimum height of 8.5 and 8.2 metres respectively. The pair of two storey semi-detached properties, No.'s 9-11 Chase Cross Road, will be retained. The proposal includes a single storey element comprising cycle store, bathroom (serving a one bedroom flat) and refuse/recycling store that adjoins No. 9 Chase Cross Road, which would have a width of 9.5 metres, a maximum depth of 6.9 metres and a height of 2.7 metres. The cycle store would have a roof light.

In total, the proposal features ten car parking spaces. There is an amenity space located to the rear of the site and both ground floor flats have private gardens.

The proposal includes altering the internal layout of the existing first floor flat at 9A Chase Cross Road. The bedroom to the rear of the flat would be changed to a kitchen and utility/store room. The existing kitchen would be converted into a single bedroom at the front of the flat.

RELEVANT HISTORY

There is extensive planning history for the site, the most relevant of which is:

P1616.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 3 no. 2-bed and 2 no. 1-bed units. New projecting bay window to existing first floor residential unit at 9A Chase Cross Road - Refused. Dismissed on appeal.

P0001.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 2 no. 2-bed and 3 no. 1-bed units - Refused.

M0005.03 - Telecommunications base station site comprising 1 no. 12 mono-pole supporting 3 no. antenna and associated equipment - Approved.

CONSULTATIONS/REPRESENTATIONS

The occupiers of 51 neighbouring properties were notified of this proposal. No letters of representation have been received.

The Highway Authority has no objection to the proposals and is satisfied with the parking provision and the proposed parking layout.

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.

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London Fire Brigade - Consideration has been given to the provision of statutory hydrants and private fire hydrants. No additional or alterations to the existing fire hydrants are required for the site. The Fire Brigade is satisfied with the proposal in terms of access.

StreetCare - There is a suitable bin storage area for the flats shown on the plans. The bin store should have reasonable access for the refuse collection vehicle as this is on a very busy roundabout. The bin store should be lit and have catches to hold the doors open during the course of collections and should not be more than 25m pulling distance over good ground to the collection point.

RELEVANT POLICIES

The Supplementary Planning Document for Residential Design.

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP9 and CP10 (Transport), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC16 (Core and Fringe Frontages in District and Local Centres), DC32 (The Road Network), DC33 (Car Parking), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document are also 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.

PPS1 'Delivering Sustainable Development'
PPS3 'Housing'

STAFF COMMENTS

This proposal follows a previous planning application, P1616.10, for the demolition of an existing workshop to rear of the site, and the construction of five apartments, comprising 3 no. 2-bed and 2 no. 1-bed units. New projecting bay window to existing first floor residential unit at 9A Chase Cross Road that was refused planning permission for the following reason:

1) The proposed development would, by reason of its height, scale, mass and position close to No. 9A Chase Cross Road, appear dominant, visually intrusive and overbearing and result in a loss of amenity and outlook to No. 9A Chase Cross Road contrary to Policies DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.

In this respect, the current application differs from the refused scheme in the following key area:

- A previously proposed projecting bay window has been removed from the first floor rear elevation of 9A Chase Cross Road. The internal layout of the existing first floor flat at 9A Chase Cross Road will be changed, whereby a bedroom will be resited from the rear to the front of the flat and this will be secured by condition if minded to grant planning permission.

- The depth of the proposed development has been reduced from 13.2 metres to 12.6 metres, thereby increasing the separation distance between the south elevation of the proposed development and the rear façade of No.'s 9-11 Chase Cross Road 4.8 metres to 5.4 metres.

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PRINCIPLE OF DEVELOPMENT

No.'s 9 and 11 Chase Cross Road are located within the Retail Core of Collier Row Minor District Centre. Policy DC16 seeks to maintain retailing uses within the core areas of the borough's town centres and balance this with non-retail uses (A2, A3, A4, A5) to ensure its vitality and viability.

The principle of residential development is deemed to be acceptable, as No.'s 9-11 Chase Cross Road are being retained, therefore, the proposal would not result in the loss of retail units.

The provision of additional housing is also consistent with PPS1 and PPS3 as the development is re-using urban land.

DENSITY/SITE LAYOUT

The site has a relatively low level of Public Transport Accessibility (PTAL) of 1-2, as defined by Policy DC2 on Housing Density. Within this zone and the Collier Row District Centre, housing density of between 50-80 dwellings is anticipated. The site identified comprises an area of 0.1 hectares and the proposal would produce a density of 50 dwellings per hectare which falls within the range.

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.

The one bedroom ground floor flat would have an amenity space of approximately 22 square metres comprising of two garden areas. The two bedroom ground floor flat would have an amenity space of approximately 20 square metres comprising of one garden area. The flats on the first and second floors would have access to a communal amenity space of approximately 74 square metres.

Given the town centre location, it is considered that the quantity of amenity space for the flats is acceptable. Staff are of the opinion that the communal amenity space would be screened from general public view and access, and in a conveniently usable form. It is considered that the lounge window of No. 9A Chase Cross Road may overlook the private gardens of the ground floor flats, although this has been partly mitigated by the siting of the cycle store and a bathroom adjacent to the western boundary to provide a greater physical barrier between No. 9A and the garden of the ground floor flats. Balancing the possible limited loss of some privacy against the actual provision of space, it is considered that the provision of some amenity space would be beneficial to future occupiers of the proposed development in addition to the communal amenity area, particularly in light of the town centre location, where this level of provision is unusual. Overall, the quality and quantity of the amenity space is deemed to be acceptable.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application would comprise the demolition of the workshop at the rear of the site. While the workshop 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.

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

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and a sense of place. It can help to secure continued public acceptance of necessary new development. PPS3 outlines the matters to consider when assessing design quality including the extent to which the proposed development is well integrated with, and complements, the neighbouring properties and the local area more generally in terms of scale, density, layout and access. As a consequence Local Planning Authorities are advised to reject designs which are considered to be poor or unacceptable.

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 the rear gardens of neighbouring properties as well as two storey, semi-detached and terraced properties.

It is considered that the proposal would not be directly visible from Chase Cross Road, as it would be located to the rear of, and would be lower in height (8.5 and 8.2 metres) than, No.'s 9-11 Chase Cross Road.

There would be a separation distance of 3.6 metres between the upper floors of the proposed development and the western boundary of the site, which would help to minimise its impact on the streetscene given the open aspect of the northern part of the site. Overall, it is considered that the height, design, bulk and mass of the proposed development is acceptable and would integrate well with the streetscene.

IMPACT ON AMENITY

It is considered that the proposed development would not result in a significant loss of amenity to No. 7 Chase Cross Road, as there is favourable orientation as it faces North and this neighbouring property is situated at an oblique angle from the development. In addition, the triangular shaped parcel of land between No. 7 and the application site provides a minimum separation distance of approximately 2 metres to a maximum of 11 metres.

It is considered that the proposed development would not result in a significant loss of amenity to No.'s 13-15 Chase Cross Road, as there is favourable orientation as it faces North and No.'s 13, 13a, 15 and 15a Chase Cross Road (on both the ground and first floors) are collectively used as Chase Cross Medical Centre, which is a commercial use.

It is considered that No. 28 Clockhouse Lane would not be adversely affected by the proposal, as it has a commercial use as Collier Row Children's Centre (day nursery) and its garden provides a separation distance of between 18 and 23 metres to the northern boundary of the site.

The Case Officer undertook an internal inspection of the flats on the first floor, No's 9A and 11A Chase Cross Road.

No. 11A Chase Cross Road has two first floor windows on its rear façade. One window is obscure glazed and serves a bathroom. The second window serves a bedroom and is a primary light source. It is considered that the proposal would not result in a loss of light to No. 11A, as there is favourable orientation as it is located north of 9-11 Chase Cross Road. In addition, the height, scale, bulk and mass of the proposal has been considerably reduced, particularly in terms of its hipped roof. It is considered that the proposal would result in some loss of outlook to the bedroom window of No. 11A, although it is considered to be within acceptable limits. The

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reason being is that the bedroom window of No. 11A is located further to the east of the building, which has a much more open aspect adjacent to the access road.

It is noted that No. 9A Chase Cross Road has three first floor windows on its rear façade and a roof light serving a bedroom in the roof space. The three pane window nearest the western flank of the building serves a lounge and is a secondary light source with a window on the front façade. The second window is obscure glazed and serves a bathroom, which is not a habitable room. The third window currently serves a bedroom and is a primary light source.

The Planning Inspector for the appeal (application P1616.10) acknowledged that the bedroom window to the rear of No. 9A Chase Cross Road currently looks towards the workshop building behind. This is only about 1.8 metres away and is a dominant feature in the outlook from this window. However, it is only the roof of the workshop that is level in height with the window and more distant views are available from inside the bedroom to the north-east. The Inspector stated that the new block of flats would be wider and taller than the existing building, and more centrally located in front of this window. The outlook from this window would therefore be directly towards a blank two storey wall, with a roof rising above that. The Inspector concluded that this would be worse than the existing outlook and unacceptable.

The Planning Inspector acknowledged that the appellant company has attempted to deal with the adverse impact on No. 9A, through proposing to install a bay window to this bedroom to provide some additional outlook to either side of the building. However, the Planning Inspector took the view that the new building is just too close and too wide for this to be effective and the proposal would have an adverse effect on the living conditions of the occupiers of No. 9A Chase Cross Road.

In this instance, the projecting bay window has been removed from the first floor rear elevation of 9A Chase Cross Road. The internal layout of the existing first floor flat at 9A Chase Cross Road will be changed, whereby a bedroom will be resited from the rear to the front of the flat with a kitchen relocated in its place. In addition, the depth of the proposed development has been reduced from 13.2 metres to 12.6 metres, thereby increasing the separation distance between the south elevation of the proposed development and the rear façade of No.'s 9-11 Chase Cross Road 4.8 metres to 5.4 metres.

It is considered that revising the internal layout so the bedroom is at the front of the flat at 9A Chase Cross Road, instead of to the rear, is a significant improvement. The south facing bedroom window will offer a greater level of amenity in terms of light and outlook to this habitable room (compared with the existing layout), which will be beneficial to future occupiers. It is considered that the revised internal layout and increasing the separation distance between the south elevation of the proposed development and the rear façade of No.'s 9-11 Chase Cross Road 4.8 metres to 5.4 metres have cumulatively addressed the previous reason for refusal for P1616.10.

It is considered that the proposal would not result in a loss of light to No. 9A Chase Cross Road. Furthermore, the lounge/dining room of No. 9A is dual aspect with windows to the front and rear. The bathroom window is obscure glazed and does not serve a habitable room. It is considered that the proposal may result in some loss of amenity to the kitchen of No. 9A (following the revised internal layout), although this is not deemed to be significantly harmful to warrant a refusal, as less time is spent in a kitchen than a bedroom and there would be a separation distance of 5.4 metres between the south elevation of the proposed development and the rear façade of No. 9A Chase Cross Road.

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HIGHWAY/PARKING

The site is located within Public Transport Accessibility Zone 1-2. Policy DC2 recommends the provision of 1.5-1 space per unit in this location. The development would provide ten off-street parking spaces resulting in two spaces per unit, which is acceptable. A turning zone has been provided. The Highway Authority has no objection to the proposals and is satisfied with the parking provision and the proposed parking layout.

Consideration has been given to the provision of statutory hydrants and private fire hydrants. No additional or alterations to the existing fire hydrants are required for the site. The Fire Brigade is satisfied with the proposal in terms of access.

The refuse and recycling store for the flats is sited round the side of the building. The bins would not be pulled more than 25 metres to a collection point, which is acceptable. There is a cycle store located to the rear of the refuse and recycling store.

KEY ISSUES/CONCLUSIONS

The proposed residential use of the site is acceptable in principle.

The proposal is deemed to be acceptable in terms of its design and impact on the streetscene.

It is considered that the revised internal layout and increasing the separation distance between the south elevation of the proposed development and the rear façade of No.'s 9-11 Chase Cross Road from 4.8 metres to 5.4 metres have cumulatively addressed the previous reason for refusal for P1616.10.

It is considered that the proposal would not result in a significant loss of amenity to neighbouring occupiers.

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 SC58 (Storage of refuse)
7. M SC62 (Hours of construction)
8. S SC06 (Parking provision)
9. S SC48 (Balcony condition)

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- 10.** M SC59 (Cycle Storage)
- 11.** 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.
- 12.** Non standard condition
Before the buildings hereby permitted is first occupied, the access road to the site shall be surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the use of vehicles visiting the site.
- Reason: To ensure that access to the site is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.
- 13.** 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.
- 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 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 LBH LDF.
- 15.** 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;

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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.

16. Non standard condition

The dwelling hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L₂nT,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.

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17. Non standard condition

Prior to the commencement of the development, the internal layout of flat 9A Chase Cross Road shall be reconfigured in accordance with the approved plans including drawing No. 2009-139/201 Revision E. Notice of the completion of the reconfiguration shall be providing in writing to the Local Planning Authority prior to the commencement of the development. Thereafter, the revised layout shall be permanently retained.

Reason: In the interest of residential amenity.

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, CP9, CP10, CP17, DC2, DC3, DC16, DC32, 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. In aiming to satisfy condition 14, the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. 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(s).

3. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. A separate Highway Authority approval will be required for any works involving the highway.

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.

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APPLICATION NO:	P1232.11	
WARD :	Upminster	Date Received: 11th August 2011
ADDRESS:	1 ST MARYS LANE UPMINSTER	
PROPOSAL:	Revision of approved planning permission (P0040.11) for development of 2-storey building incorporating 8 x no. flats. Associated hard and soft landscaping, parking and widening of vehicular access. Revised & Additional Plans Received 13.10.2011	
DRAWING NO(S):	Front Elevation - showing changes Drawing No. 1 - Floor plans & elevations Landscaping Actual scale 1:1250 Proposed site plan - Drawing 2 (Revised Sept 2011) Site Plan - Drawing No. 2	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

RECOMMENDATION

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

BACKGROUND

Update:

The application was reported to the Regulatory Services Committee on 4th October 2011 with a recommendation for approval. Members deferred the application to provide the applicant with the opportunity to address overlooking concerns arising from the building's position being closer to the common boundary with Nos. 1 to 7 (odds) Hill Rise.

In response to the reason for deferral, the applicant has:

- 1) moved the 1st floor window closest to the eastern boundary over towards the west by 1.2m and reduced the overall size of the window (from 2.4m to 1.2m).
- 2) Changed the internal layout of the 2nd floor to have a bathroom to the front enabling the dormer closest to the eastern boundary to be obscure glazed and with the exception of top-hung fanlights, remain fixed shut.

Members were updated at Committee of 2 late objection letters. Both letters raised similar issues as those already set out in the report below. One of the letters also raises a number of queries regarding the accuracy of the original drawings, which this application and the report to the 4th October committee seeks to address.

Members were also updated that a dimension given on page 6 of the report incorrectly states 19m and should be 18m.

The report set out below is that presented to Committee on 4th October.

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4th October Committee:

The application was reported to the Regulatory Services Committee on 24th February 2011 with a recommendation for approval. Members agreed with the Officer recommendation and granted permission.

This application is a resubmission of the previous approval as construction works have not been carried out in complete accordance with the approved drawings. The applicant confirmed that during construction of the approved development, an old "gasometer" dating back to the early 1900s and its surrounding ring beam was encountered. As a result of this, the footing had to be altered in order to create a solid foundation.

The above means that the pinch point of the building is 800mm closer to the eastern boundary than what was approved in P0040.11 as the foundation siting meant the footprint of the building has been slightly altered.

Overall the application is similar to the earlier approval (P0040.11) however, due to the building being closer to the eastern boundary, the main differences are:

- 1) It was noted that a previous drawing indicating distances to the neighbouring properties and was incorrectly dimensioned. Instead of 27m to the rear of No. 3 Hill Rise, based on the current drawings, the building would be 24.1m from the rear wall of this neighbour.
- 2) The pinch point to the eastern boundary is now 4.5m instead of 5.3m (800mm difference) as granted for P0040.11.
- 3) It was noted that the previous report incorrectly stated 4 No. 2-bed flats and 2 No. 1-bed flats (totalling 6 flats which was incorrect). The application is similar to the previous in this respect and officers corrected the report to state 6 No. 2-bed flats and 2 No. 1-bed flats.
- 4) The previously approved landscape scheme did not clearly indicate the boundaries of the site and Staff calculated the amenity area to be 383sq.m. The current landscape drawings are calculated to provide 283sq.m of amenity space.
- 5) Since permission was granted, the applicant established that his boundary extends further towards the west compared to the drawings submitted on the original application.

In light of the above, the merits of the application have been revisited. The report has been adjusted accordingly.

SITE DESCRIPTION

The application site is located towards the northern side of St Mary's Lane, Upminster. The site is bound towards the east by the rear gardens of single storey bungalows along Hill Rise, 2-storey dwellings along St Mary's Lane, The Ingrebourne River and Windmill Pub towards the west and a railway embankment with the District Line towards the north.

The surrounding area is characterised mainly by residential dwellings towards the east and south whilst the area west of the application site has a mixture of commercial and residential developments. One of Upminster's Minor Local Centres is located approximately 270m west of the site.

The application site is triangular in shape and includes No. 1 St Mary's Lane and the pedestrian access towards the north of Nos. 1 - 7 St Mary's Lane. The entire application site measures approximately 1400sq metres with the triangular section designated for the proposed development measuring approximately 1070sq metres.

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The site is within a Flood Zone 2 and 3 and the area immediately surrounding the Ingrebourne River is classified as a Site for Importance to Nature Conservation (SINC).

No. 1 St Mary's Lane is a 2-storey semi-detached dwelling whilst the triangular site has been covered in shingle with 4 outbuildings and according to the applicant, been used as a storage for a clothing business and an office. It should however be noted that the lawful use of the site has not been established, however 2002 aerial photographs show the site being densely vegetated.

DESCRIPTION OF PROPOSAL

This Council is in receipt of an application seeking permission for the construction of a 2-storey building to accommodate 8 x No. flats with associated parking and landscaping.

The proposed building would have a width of 13.5m (east-west measurement) with a depth of 12.5m which increases to 17m towards the western boundary. The building would be 2-storey in height measuring 8.7m to the top of the ridge, 5.4m to the eaves. The building would incorporate development in the roof space and would introduce 6 x No. 2-bedroom flats and 2 x No. 1-bedroom flats. All flats would be self contained with separate bedroom/s, bathroom and open plan kitchen / living area.

The building would be set in from the northern boundary by approximately 3.2m, 4m from the existing western boundary fence and 10m from the centre of the river. It would be 4.5m at its pinch point from the eastern boundary and 31m from the edge of St Mary's Lane.

Entrance to the site would be off St Mary's Lane via the existing vehicular cross over and access to the site. The proposal would involve increasing the width of the access to the site (to 9.6m) however, no changes are proposed to the vehicular cross over. The proposal would make provision for 8 No. parking spaces on the site with 2 spaces towards the eastern boundary and the remaining 6 spaces towards the western boundary. A refuse storage / bin collection area would be provided behind the access gate, south of the proposed parking spaces.

The site will be provided with soft landscaping around the building, providing a communal garden area measuring approximately 283sq metres.

Windows would be arranged towards the southern, western and northern elevations. No windows are proposed towards the eastern elevation. The development would include small pitched roof dormers to serve development in the loft space. Materials to be used would be a mix of face brickwork at ground floor level, smooth render at 1st floor level with Mock Tudor beams to the eastern elevation. Windows and doors would be UPVC in a golden oak finish.

Following discussions with the Council's Tree Officer and the Environment Agency, the applicant has agreed to accept any suggestions and conditions to improve the already degraded biodiversity and geodiversity value of the site. A landscaping scheme has been included as part of the application.

RELEVANT HISTORY

P0040.11 - Development of 2-storey building incorporating 8 x no. flats. Associated hard and soft landscaping, parking and widening of vehicular access - Approved, under construction

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 27 neighbouring properties. 3 Letters of representation were

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received, raising objections in respect of the following:

- Building closer to bungalows on eastern side
- Out of character
- Development will alter outlook of bungalows
- Invasion of privacy
- Parking spaces
- Previous conditions were not adhered to
- Overshadowing
- Development too large
- Development cannot be screened by vegetation
- Cramped form of backland development
- Overbearing and visually intrusive
- Prejudices the environment of neighbouring occupiers
- Discrepancies between current application and previous approval
- Concerns with regards to proposed landscaping scheme
- Harm caused by headlights of vehicles parking on site
- The communal amenity area would be insufficient
- No demand for flats in the area
- Increased risk of flooding
- Security issues

The planning matters raised above will be discussed in the remainder of the report.

With regards to discrepancies between the previous approval and what has actually been constructed on the site, these matters form part of the current planning application. All conditions that have not been dealt with as part of the previous approved application (Ref: P0040.11) will be imposed on this application, should Members be minded to grant permission.

RELEVANT POLICIES

LDF policies:

CP1 (Housing Supply)
CP2 (Sustainable Communities)
CP9 (Need to Travel)
CP16 (Biodiversity and Geodiversity)
CP17 (Design)

DC2 (Housing Mix and Density)
DC3 (Housing Design and Layout)
DC33 (Car parking)
DC36 (Servicing)
DC48 (Flood Risk)
DC58 (Biodiversity and Geodiversity)
DC59 (Biodiversity in New Developments)
DC61 (Urban Design)
DC62 (Access)
DC63 (Delivering Safer Places)

Residential Design Supplementary Planning Document

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London Plan (2011):

3.8 (Housing Choice)

Other:

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 3 (Housing)

STAFF COMMENTS

The main issues to be considered in this case are the principle of development, site layout and amenity space, impact on local character and streetscene, residential amenity, highways/parking issues, the impact of the development on biodiversity and geodiversity on the site and flood risk issues.

PRINCIPLE OF DEVELOPMENT

The principle of the residential development for 8 flats and associated parking and amenity was established when permission was previously granted (Planning Ref: P0040.11) by Members at committee on 24th February 2011.

The proposal is further in accordance with Policy 3.8 of the London Plan (2011) 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 communal amenity area was considered acceptable when permission was granted for P0040.11 and this situation remains largely similar to the previous application, albeit that the area available is 100sq.m less. Staff are of the opinion that this aspect of the proposal is compliant with the aims and objectives of the Council's Residential Design SPD.

An appropriate landscaping management scheme will be required by means of a planning condition to secure effective and affordable landscape management and maintenance on the site.

The residential density range for this site is 50 - 80 units per hectare where terrace dwellings and residential flats are characteristic of the locality. The development of 8 flats on the site would therefore result in a density of 74 units per hectare.

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 not involve any changes to the external appearance. Apart from being sited 800mm closer to the eastern boundary, all aspects of the design would remain the same compared to the previously approved scheme. In light of the fact that Members considered the

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overall scale, bulk and design acceptable when permission was granted in application P0040.11, Staff are of the opinion that the proposal has remained unchanged in this respect and would therefore be acceptable in terms of its impact on the character and appearance of the street scene.

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.

Windows within the southern elevation would be directed towards Nos. 1 to 3 St Mary's Lane. The windows in the southern elevation would be 21m from the rear of the building at No. 1 St Mary's Lane at its closest point and 28m from the rear of No. 1 Hill Rise. The proposed building would not have a back-to-back relationship with any of the neighbouring dwellings and the relationship between the proposed south facing windows and neighbouring buildings would be at oblique angles. Members may be of the opinion that the proposal would have the potential to overlook the amenity areas of Nos. 1 to 3 St Mary's Lane and No. 1 Hill Rise. It is however not considered that the proposal would present a situation which would result in any greater overlooking compared to that which currently exists from Nos. 1 to 3 St Mary's Lane towards No. 1 Hill Rise. Members are however invited to apply their judgement to this aspect of the proposal.

The applicant further proposes to retain the existing shrubs towards the site's eastern boundary. It was also noted upon site inspection that the rear gardens of bungalows along Hill Rise have outbuildings towards their western boundaries. The existing boundary treatment in conjunction with outbuildings would further mitigate any potential for overlooking towards neighbouring properties.

With regards to the visual impact of the development within this rear garden environment, the proposed building would be separated by bungalows along Hill Rise by 24m at its pinch point and 19m from dwellings along St Mary's Lane. The proposal has further been designed to be similar in height compared to a 2-storey dwelling with a maximum height of 8.7m. The boundary treatment and outbuildings within the rear gardens of neighbouring dwellings would serve as a degree of screening. Following approval of application P0040.11, construction works on the site has commenced and the building is up to eaves level. Staff have since revisited the site and given the separation distance, the 2-storey height of the proposal and the existing vegetation to the eastern boundary, it is considered that the development would have an acceptable appearance without appearing visually intrusive or dominant as seen from the rear gardens of neighbouring properties. The building has also been designed to step away from neighbouring dwellings and due to its layout would be viewed at oblique angles, minimising any visual bulk. In Staff's opinion, in light of the minor changes and compared to the previous approval, it would be difficult to justify refusal of the application.

All other aspects in terms of the proposal's impact on neighbouring amenity were considered acceptable when permission was granted for application P0040.11. Due to the minor changes involved in this application, Staff are still of the opinion that the development would not result in any harmful levels of overshadowing, overlooking or noise and disturbance.

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.

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HIGHWAY/PARKING

Highway and parking issues were considered acceptable when permission was granted for application P0040.11. The parking and access arrangements remain unchanged and is therefore still considered acceptable and compliant with Policy DC33 of the LDF.

OTHER ISSUES

Ecology / Biodiversity:

The application site is located at the interface of two Sites of Importance for Nature Conservation (SINC) - HvB1142D Havering District Line & M108 Ingrebourne Valley.

According to Policy DC58, biodiversity and geodiversity will be protected and enhanced throughout the borough by protecting and enhancing Sites of Special Scientific Interest and all sites of Metropolitan, Borough or Local Importance for Nature Conservation.

The site is also adjacent the River Ingrebourne and Policy DC57 of the LDF states that where developments are located within close proximity to rivers, the Council will seek river restoration, in particular improvements to the River Ingrebourne, amongst others, including restoration of banks and in-channel habitat enhancement.

Following a site inspection, comments from the Council's Wildspace Project Officer revealed that the site is currently of low ecological value. The majority of the site has been filled with shingle and cleared of any natural vegetation (Aerial photographs shows that this has been the condition of the site since 2007 or before). The boundary along the River Ingrebourne is currently severely degraded in terms of its nature conservation value and is heavily shaded by a row of semi-mature leylandii trees. Along the Eastern boundary of the site is a mature hedge of laurel of very limited nature conservation value.

Since this site has been degraded in the past there would evidently be no detrimental impact to the SINC through development of the site, however the underlying theme of the DC policies is the protection and enhancement of biodiversity. This development should therefore use the opportunity to address this by incorporating enhancements for the benefit of the river corridor and biodiversity. In granting permission previously, conditions were attached to secure enhancements.

The applicant has indicated that any recommendation by the Council or Environment Agency to provide an opportunity to enhance the biodiversity value of the site, would be taken onboard in order to comply with the aims of Policies DC57 and DC58. Following the approval of the earlier application, it was confirmed by the Environment Agency that information has been received from the applicants that they are also the riparian owners of the River Ingrebourne. The following was also agreed:

- Removal all of the conifer trees along the river bank;
 - river enhancement works including the re-grading of the bank alongside the site;
 - the provision of a buffer zone planted with native species and demarked by a native hedge;
- and
- that the parking areas alongside the river will be of a gravelled surface.

In light of the above, Staff are of the opinion that this part of the river corridor adjacent the application site and its biodiversity value can be enhanced as a result of the proposal. Appropriate conditions will be attached, should Members be minded to grant permission for the application. With the above mentioned conditions in place, the proposal is considered to comply with the aims and objectives of Policies DC57 and DC58 of the LDF Development Control

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Policies Development Plan Document.

FLOOD RISK

The development is located within a Flood Zone 2 and 3 and Policy DC48 of the LDF would apply in this regard. According to Policy DC48, Development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Sustainable Drainage Systems (SUDS) can be applied to all new development and those in flood risk areas to control the quantity of surface water drainage. Such systems can include permeable pavements, filter drains and strips, swale, temporary basins, ponds, wetlands, and green/brown roofs. The guidance further stipulate that planning obligations to secure flood attenuation measures may be required to make the development acceptable.

The applicant has submitted a Flood Risk Assessment (FRA) and comments from the Environment Agency reveals that the river bank re-grading may result in an increase in flood storage area and are therefore satisfied that details of flood storage can be dealt with by means of a condition.

The conditions recommended by the EA relates to the development being carried out in accordance with the details submitted in the FRA indicating no loss of fluvial storage volume and a minimum finished floor level 300mm above the 1:100+cc fluvial flood level. It is also recommended that SUDS be incorporated into the final drainage design.

Staff are of the opinion that compliance with appropriate conditions as requested by the EA would not result in an increased risk of flooding elsewhere as a result of the proposed development. It is therefore considered that the development is acceptable in this respect and would comply with the aims and objectives of PPG25 and DC48 of the LDF Development Control Policies Development Plan Document.

SECURED BY DESIGN

Subject to compliance with the conditions as agreed as part of condition discharge (Ref: Q0097.11), no issues are raised in this respect.

KEY ISSUES/CONCLUSIONS

The proposal overall remains largely similar to the previous approved application (Planning Ref: P0040.11) apart from the building being sited 800mm closer to the eastern boundary. In light of the previous approval, the proposal remains acceptable in principle. There are no changes to the design and appearance of the building and is therefore acceptable in street scene terms.

The only neighbours to be affected by the amendments proposed by this application are those to the east along Hill Rise. Staff are of the opinion that the resiting 800mm closer to the site's eastern boundary would not result in any additional harm to the amenities of these neighbours to a degree which would justify refusal of the application. The development is considered to remain acceptable with regards to its impact on the amenities of neighbouring occupiers.

Highway / Parking issues remain unchanged and is therefore acceptable.

The biodiversity and geodiversity value of the site has been degraded significantly over the years and with appropriate conditions, the development presents an opportunity to enhance biodiversity in particular along the River Ingrebourne which would be an overall improvement in

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accordance with Policies DC57 and DC58 of the LDF. The Environment Agency is satisfied with the details supplied in the FRA and with appropriate conditions, the development would not result in an increase of flood risk elsewhere, compliant to PPG25 and DC48.

Overall, the proposed development is considered to be acceptable and therefore compliant with the aims and objectives of Policy DC61 of the LDF Development Control Policies Development Plan Document.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. SC05A (Number of parking spaces)
Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 8 car parking spaces 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.

3. M SC09 (Materials)
4. M SC11 (Landscaping)
5. S SC32 (Accordance with plans)
6. SC46 (Standard flank window condition)
7. S SC58 (Storage of refuse)
8. M SC59 (Cycle Storage)
9. SC61 (Railway noise assessment)
10. Non standard condition
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 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.

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11. Non standard condition

The development hereby approved shall be constructed in exact accordance with the Construction Method Statement which was agreed under condition discharge request application reference Q0097.11 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

12. Non standard condition

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.

13. Non standard condition

The development hereby approved shall be constructed in exact accordance with the Secured by Design details which was agreed under condition discharge request application reference Q0097.11 unless otherwise agreed 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 LBH LDF

14. Non standard condition

The building(s) shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 LnT,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" 1994.

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15. 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.

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16. Non standard condition

Notwithstanding the details shown on the drawings hereby approved, prior to the commencement of development a scheme for the provision and management of a buffer zone and riverbank regrading alongside the river Ingrebourne shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- * plans showing the extent and layout of the buffer zone
- * plan showing the removal of the conifer trees along the river bank and any replacement planting
- * details of the planting scheme (native species)
- * details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- * details of the bank regrading to produce a gentler gradient and including the creation of lowered shelves supporting marginal vegetation of native species
- * details of the gravelled parking area
- * details of any fencing hardstanding etc.

Reason:

Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

The Environment Agency should be contacted for advice to develop this scheme.

17. Non standard condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) for 1 St Mary's Lane Upminster, dated December 2010, reference KL/KTP/ml/100278/FD01, compiled by Lanmore Consulting and the following mitigation measures detailed within the FRA:

- * There will be no loss of fluvial storage volume under the proposed development (section 6.2.2 page 8).
- * Minimum finished floor level for the proposed development will be set at 11.56mAOD, 300mm above the 1:100+cc fluvial flood level (section 7.1.2 page 9).
- * SUDS should be incorporated into the final drainage design (section 7.2.1 page 9).

Reason:

To reduce the risk and impact of flooding to the proposed development and future users.

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18. Non standard condition

The development hereby permitted shall not be commenced until such time as a flood storage scheme, providing level for level and volume for volume compensation for any development within the 1:100+20% Flood Zone of the River Ingrebourne has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason:

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

19. Non standard condition

For the development or each phase of the development a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than privately owned domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the first residential occupation of the development or any phase thereof, as appropriate. The landscape management plan approved shall be carried out to the approved timescale and adhered to thereafter.

Reason:

To protect/conservate the natural features and character of the area, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

5 INFORMATIVE:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of the Draft Residential Extensions and Alterations SPD and Policies DC33, DC48, DC57, DC58 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

2. Under the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for certain works (such as infiltration tests or trial pits) or structures within 8m of the top of the bank of the River Ingrebourne, designated a "main river". This is irrespective of any planning permission granted.

For a flood storage compensation scheme to be acceptable the Environment Agency would expect to see the following:

* That compensation volumes must apply at all levels between the lowest point on the site and the design flood level. This is calculated by comparing volumes taken up by the development, and volumes offered by the compensatory storage for a number of horizontal slices from the lowest point on the site up to the design flood level.

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- * For the proposed development the slice thickness should be 0.1 metres.
- * Compensatory storage must then be provided equal to or exceeding the development volume for each of those slices.

The developer should prepare suitably detailed plans and calculations to show how this is to be achieved for all the layers between the upper and lower levels over which the compensation works will apply, confirming slice thickness, location of the works and should be presented on suitably scaled drawings which include individual layer / slice results in table format.

3. 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.

4. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

5. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

6. With 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.

7. There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

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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APPLICATION NO:	P1324.11	
WARD :	Squirrels Heath	Date Received: 25th August 2011
ADDRESS:	395-405 Brentwood Road Romford	
PROPOSAL:	Change of use from an existing car sales showroom to Class A1 retail unit and change of use of first floor office space to three residential units.	
DRAWING NO(S):	2411_P401 2411_P402 2411_P403A 2411_P404 2411_P405 2411_P406 2411_P408A 2411_P409	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

BACKGROUND

Members will be aware that planning permission has previously been approved for the change of use of part of the former Heath Park Motor Company showroom to a retail unit. This planning permission (reference P0018.11) related to the ground floor right hand side of the building only and also included the creation of a new lay by outside the premises for servicing purposes. This current application relates to the left hand side of the building and the remaining portion of the building previously indicated as being retained as a smaller car showroom.

SITE DESCRIPTION

The application site is located on the western side of Brentwood Road, directly opposite The Drill Public House and in close proximity to The Drill roundabout. The application site is occupied by a two storey building which is currently vacant. Until early 2009 the building was occupied by the Heath Park Motor Company who used the ground floor as a showroom area with the upper floor being used as offices. The application site is loosely a triangular shape with the existing buildings on site covering almost the entire site.

Directly to the north of the site is The Drill Corner Minor Local Centre (fronting Heath Park Road), which is formed of two storey-terraced buildings with commercial uses at ground floor with residential flats above. To the rear the site is abutted by the garden areas of residential dwellings also fronting onto Heath Park Road. To the south of the site along Brentwood Road the western side of the road is formed of two storey semi-detached housing. The western side of the road is formed by a further portion of The Drill Corner Minor Local Centre with residential properties beyond. The application site is located on several bus routes and is within 5 minutes walk of Gidea Park Railway Station.

DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the partial change of use of the former car showroom to form a retail unit (Class A1), the change of use of first floor to form three residential

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units together with minor alterations to the façade of the building.

The ground floor of the building was most recently a car showroom. A previous planning permission gave consent for the building to be split in two providing a retail unit to the right hand side and retaining a small car showroom in the left hand portion. Permission is now sought to change the left hand unit nearest to no. 393 Brentwood Road into a retail unit. At this stage the applicant has advised that no tenant has been identified.

The application seeks permission for a number of minor alterations to the façade of the building. These include the replacement of the existing doors and windows with modern variants, the application of render to a portion of the first floor and the provision of timber panelling above the entrance door to the first floor.

The first floor of the building is presently vacant but was formerly in office use. The proposal would see three flats provided to the first floor of the building 1 no. two bedroom units and 2 no. one bedroom unit. The proposed flats would be accessed via a centrally located communal entrance with key fob operation. Six forecourt parking spaces are to be provided and dedicated for the proposed flats with each flat having a one allocated space. The remaining three spaces would comprise two visitor spaces and one disabled sized space.

RELEVANT HISTORY

The application site has an extensive history relating to its occupation by the Heath Park Motor Company however none of these applications are of relevance to this proposal. The most recent applications for this site are;

P0018.11 - Part change of use of former car showroom to form a Class A1 retail unit, alteration to front forecourt layout and the front facade of the building - Approved subject to conditions.

P0019.11 - Change of use of part of former car showroom to Class A1 retail, change of use of first floor to form 3no. residential units and construction of second floor extension to form 2no. residential units together with alterations to the front facade of the building - Refused and appeal lodged.

P0636.11 - Variation of condition 4 of P0018.11- to extend store trading hours between 7.00am to 11.00pm any day - Approved.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters have been sent to 34 adjoining occupiers with no letters of representation being received.

RELEVANT POLICIES

Relevant policies from Local Development Framework Core Strategy and Development Control Policies Development Plan Document are Policies CP1 (housing supply), CP2 (sustainable communities), CP4 (town centres), CP9 (reducing the need to travel), CP10 (sustainable transport), CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC61 (urban design) and DC63 (crime).

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design in housing developments), 4.1 (developing London's economy), 4.7 (retail and town

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centre development), 4.8 (supporting a successful and diverse retail sector), 6.3 (assessing affects of development on transport capacity), 6.9 (cycling), 6.10 (walking), 6.12 (road network capacity), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime) and 7.4 (local character) of the London Plan are further material considerations, together with Government Planning Policy contained within Planning Policy Statement 1 (Delivering Sustainable Development), Planning Policy Statement 3 (Housing), Planning Policy Statement 4 (Planning for Sustainable Economic Growth), Planning Policy Guidance Note 13 (Transport) and Planning Policy Guidance Note 24 (Planning and Noise).

STAFF COMMENTS

The main issues to be considered by Members in this case are the principle of development, density and layout, design/street scene issues, amenity implications and parking and highways issues.

PRINCIPLE OF DEVELOPMENT

The application site is designated in the Council's Local Development Framework as falling within The Drill Corner Minor Local Centre. Policy DC16 advises that within the borough's Minor Local Centres retail uses and other uses appropriate to a shopping area will be granted planning permission. The proposed retail use would accord with the provisions of this policy and bring back into use part of a building, which has been vacant for at least two years. Staff are of the view that the proposed use would compliment and support the existing shopping function of the local centre.

Government planning policy contained within PPS4 acknowledges that new retail uses can increase vitality and viability of local centres and meet the government's objectives for prosperous economies. Furthermore advice contained within PPS1 encourages Local Planning Authorities to actively ensure that vacant and underused land and buildings are brought back into beneficial use to achieve the targets the Government has set for development on previously developed land. The proposal would also contribute to the objectives of the London Plan Policy 4.7 for supporting a successful and diverse retail sector. Having regard to the above the proposal is broadly supported by national planning guidance providing all other material considerations are addressed.

The upper floor of the building is currently vacant but was most recently used as offices. Staff raise no objection to the loss of the existing offices as there is no policy presumption for them to be retained in this location. In respect of the proposed change of use to form residential units the Council has no policies covering the use of upper floors in local centre locations. The policy presumption outlined by Policy CP1 is such that new housing development is normally directed outside of allocated or designated areas. Notwithstanding this the provision of residential accommodation to the upper floors of local shopping parades is considered to be acceptable in principle having regard to Government guidance which seeks to encourage a variety of uses within town and local centres. Having regard to this staff also raise no objection in principle to the proposed upper floor extension also to form residential units. The proposal would contribute to the Mayor's London Plan objective of increasing the overall supply of housing.

DENSITY/SITE LAYOUT

Policy DC2 seeks to guide a higher density of development to those parts of the Borough having good access to public transport. In this instance, the application site falls within the Gidea Park PTAL zone where a density of development of 30-65 units per hectare is anticipated. The proposal would result in a density of 27 units per hectare based on a site area of 0.11 hectares.

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The proposed density of development would fall slightly outside the identified range however the proposal would see the existing building reused for a mixed use development which would make an efficient use of urban land. For this reason staff consider the density to be acceptable.

The proposal would see the first floor of the building converted to form three self-contained flats. Consideration must be given to the provisions of Policy DC4, which sets out a number of criteria for proposals involving conversions to form residential accommodation. Policy DC4 requires that each flat should be adequately sized, self-contained and with reasonable outlook and aspect. The proposed flats are considered to be adequately sized and are self-contained. The flats have a reasonably open aspect and the attractiveness of these units as living accommodation would be a matter of choice for the prospective purchasers of the flats. In terms of internal layout the proposal would see the living area for flat 2 provided adjacent to a bedroom within flat 1. Policy DC4 advises that the living rooms of new units should not abut the bedrooms of adjoining dwellings. Whilst this can be mitigated through soundproofing, it could nonetheless result in an unsatisfactory living environment. However, future residents would be aware of the situation prior to occupation. Staff are also mindful of the fact that a lower level of amenity is generally afforded to living accommodation above commercial uses in town or local centre location where the environment is expected to be different to that of a purely residential area. As a matter of judgement, subject to a condition requiring sound attention, the proposal is considered to be acceptable in this respect.

The Council's SPD for Residential Design provides detailed guidance on the provision of amenity space within residential developments. For flatted developments the SPD seeks both communal amenity space and balconies. In this case the proposal would see the provision of three residential units above existing commercial premises within a local centre location. Given the location of the proposed flats, the units are unlikely to be occupied by families and future occupiers would not necessarily expect their own private amenity space. Consideration must also be given to Government guidance, which encourages local authorities to be flexible with standards in order that residential accommodation can be provided in locations of this nature. Staff are of the view that the absence of amenity space is acceptable in this instance.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Given that the application building has been vacant for some time the exterior of the building has not benefited from regular maintenance resulting in the façade appearing tired. The proposal would result in the refurbishment of the existing building including the installation of new windows and doors, new shop fronts and the application of a render finish to the exterior walls at ground floor level and a portion of the first floor. No objection is raised to these works, which would in staff's view enhance the appearance of the building. The submitted plans indicate a proposed signage zone on the front elevation of the building however any advertisements would be subject to separate application(s).

Policy DC63 of the LDF requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect, subject to the imposition of a condition requested by the Borough Crime Prevention Design Advisor.

IMPACT ON AMENITY

The application site was most recently occupied by the Heath Park Motor Company who operated during core daytime hours during the week and on Saturdays with some limited opening on Sundays. It should be noted however that there are no planning conditions restricting the hours that the showroom and offices are able to open were these uses to reinitiate.

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This proposal is for the creation of a retail shop and although no occupier has been identified at this stage it is reasonable to assume that given the size of the unit that it could be used as a small format supermarket. Indeed Tesco has recently acquired the adjoining portion of the building. In view of the size of the unit and its proposed retail use it could be expected that the traffic, both via car and foot, and general activity at and within the vicinity of the site, would increase beyond that generated by the previous use of the site. From this, it could also be reasonably concluded that the use of the premises along with customers entering and leaving the site, would give rise to a degree of greater impact in terms of noise and general disturbance.

The application site is located within a Minor Local Centre where a use of the nature proposed is to be expected. The site is also located adjacent to a highway junction where several main roads converge. In view of this those residents adjoining the application site to the south or living above the adjoining commercial parade to the north would expect a different type of environment from that which would be found in an entirely suburban housing area. The operation of the proposed retail unit during the core daytime hours is unlikely, in staffs view, to be materially harmful to residential amenity given the ambient noise levels already present in this location. Depending on the exact nature of the retail business they may wish to operate into the evening period when ambient noise levels are reduced.

Planning permission has been granted for the adjoining unit, which is to be a Tesco to be open on any day between 0700 and 2300. The proposed retail unit would be closer to adjoining residential properties than the Tesco unit. In view of this and the fact that an occupier is unknown at this stage staff recommend the imposition of a trading hours condition restricting opening of the proposed retail unit between 0800 and 2100 on any day. Members may however wish to alter this condition as they deem appropriate.

Another form of noise, which would be likely to result from this proposal is from deliveries and the associated unloading. Subject to the imposition of a condition limiting delivery hours, it is considered that any noise impact arising would not be unduly harmful.

In view of the fact a tenant for the proposed retail unit is unknown at this stage a condition can be imposed to require details of any plant and machinery such as air-conditioning units or fridge cooling systems. In order to ensure that this equipment does not result in noise nuisance the condition can stipulate a standard, which any such equipment must meet.

The proposed internal layout of the first floor of the building has been designed for the most part with a corridor to the rear. The windows serving this corridor could be conditioned with obscure glazing to prevent views rearwards over adjoining garden areas. Flat 1 would have a rear facing bedroom and bathroom window with flat 3 having two rear facing kitchen windows. The proposed bathroom and kitchen windows could be conditioned with obscure glazing. In the case of the proposed bedroom window to flat 1 this would be located at the greatest distance from the rear site boundary and would primarily provide a view over the ground floor roof area. Staff are of the view that this window is acceptable and would not result in a loss of privacy to adjoining occupiers.

HIGHWAY/PARKING

Policy DC36 seeks to ensure that new developments, including changes of use, make adequate provision for servicing. The application site is located on Brentwood Road, which is busy route through the area. Brentwood Road is subject to a fairly consistent amount of traffic throughout the day with the road forming the route of numerous bus services. Given the nature of the road and the location of the application site adjacent to The Drill roundabout on street servicing is not

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judged to be an ideal situation. Mindful of this the applicant proposed a new layby to the front of the premises as part of the planning application for the change of use of the adjoining part of the building to a retail unit (reference P0018.11). This layby, which is intended for use by delivery vehicles, is currently under construction and would also be suitable for the serving of the proposed retail unit. Staff are of the view therefore that the proposal is acceptable in respect of servicing.

The proposal would see six parking spaces provided to the forecourt area of the site dedicated to the proposed first floor flats with each flat having one allocated space. The remaining three spaces would comprise two visitor spaces and one disabled sized space. Staff are of the view that the proposed parking arrangements are acceptable. It is recommended however that a condition be imposed to secure details of the management of the spaces to ensure that they are kept permanently available for use by residential occupiers.

Car parking standards contained within the LDF recommend the provision of one off street parking space per 30 square metres of floor space for a retail shop in a local centre location. The adjoining part of the building, which has already been approved for retail use, has a floor space of 381 square metres. The remaining portion of the building for which a retail use is now sought has an area of 361 square metres. Based upon the LDF parking standard between the two units a total of 24 parking spaces is recommended. As Members will recall the previous application was approved on the basis of no dedicated off street car parking for the retail use. This current proposal would also see no dedicated off street parking provided for the proposed retail unit however as with the previous application the proposed lay-by would be capable of accommodating up to four cars during times when the layby is not required for a delivery.

The proposal would provide no off street car parking for the proposed retail use. The Council's parking standards are maximum standards and as such it is appropriate to apply them flexibly having regard to site-specific circumstances. Consideration should also be given to Government planning policy, which encourages local planning authorities to be flexible with parking standards in areas where effective on-street parking control is present or can be secured.

Staff knowledge of retail shops of a comparable size to that proposed in other minor local centre locations is that the majority of customers arrive by foot as they are likely to live within close proximity of the shop. In reaching a conclusion on the acceptability of this proposal from a parking perspective staff have given consideration to a recent appeal decision for 77-79 Butts Green Road (application reference P1649.09). This application proposed the extension of an existing shop to form a Tesco Metro format store with the resultant floor space being comparable with this application. The appeal was dismissed based upon the impact of the extension on an adjoining property. In respect of parking the proposal made no provision for off street parking. In reaching a decision on the acceptability of the proposal the Inspector had regard to the location of the site being fairly well served by public transport and the availability of some on street parking opportunities in the wider area.

The application site is located in an area where a number of parking controls are present. The section of Brentwood Road outside the application site is presently controlled by a single yellow line which applies Monday to Saturday between 0830 and 1830. Nearby roads including Heath Park Road, Slewins Lane, Manor Avenue and Balgores Lane are also subject to single yellow line parking restrictions at varying times of day. During periods when this restriction is in force the nearest potential on street parking available to customers is within Heath Park Road (58 metres from the site) or Manor Avenue (92 metres from the site) where there are several blocks of parking bays. These parking bays are for disc parking only between the hours of 0800 and 1830 Monday to Saturday. Outside of these hours the bays are available for non disc holders.

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Having regard to the presence of on street parking controls staff are of the view that any potential on street parking would be adequately controlled. Were vehicles to park on street outside of these hours staff are of the view that this would not be materially harmful to the free flow of the public highway.

LDF Policy DC36 seeks to ensure that cycle parking is provided by applicants in order to encourage sustainable forms of transport. In this case whilst the applicant has not indicated cycle parking on the submitted plans however sufficient space would be available to the forecourt area for this to be provided. This could be secured via planning condition.

OTHER ISSUES

Policy DC40 advises that planning permission will only be granted for developments where suitable waste and recycling storage facilities are provided. In this case the submitted plans indicate that dedicated internal refuse store areas would be provided accessed directly from the front of the building. Staff are of the view that this arrangement is acceptable however further details could be secured via planning condition.

KEY ISSUES/CONCLUSIONS

Planning permission has previously been granted for the partial change of use of the ground floor of the building to retail unit. This current application seeks planning permission to change the remaining portion of the ground floor to form a further retail unit. This proposal would bring back into use part of the former car showroom building, which has been vacant for at least two years. The proposed retail use is considered to be compatible with the surrounding area and is supported in principle by LDF Policy DC16. In view of this staff are of the view that the proposal would improve the vitality and viability of this part of The Drill Corner Minor Local Centre.

Staff are raise no objection in principle to the provision of residential units to the upper floor of the building. Members are invited to exercise their judgement in respect of the siting of a bedroom to flat 1 being located adjacent to the living area of flat 2. The proposed improvement works to the façade of the building are judged to be acceptable. The proposal is judged to be acceptable in respect of potential impact on adjoining residential properties subject to the imposition of planning conditions.

In respect of parking and highway matters the proposal would utilise a new layby to the forecourt of the site, which would be capable of accommodating delivery vehicles for the proposed retail unit and that previously approved. Staff are of the view that the proposed layby would provide an acceptable means of servicing the site without causing obstruction to the highway. In respect of parking the proposal would provide no off street parking for the proposed retail unit however staff are of the view that this is acceptable having regard to the site specific circumstances. These include the presence of on street parking controls and the proximity to local bus routes and the railway station. A total of six parking spaces are proposed for the first floor flats which accord with Council policy.

Having regard to all material planning considerations, it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION

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

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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 residential flats hereby permitted are first occupied, the areas set aside for forecourt car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the flats 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. Hours of use

The retail premises shall not be used for the purposes hereby permitted other than between the hours of 07:00 and 21:00 any day 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 the LDF Development Control Policies Development Plan Document Policy DC61.

5. Noise insulation

Before the retail use commences this portion of the building shall be insulated in accordance with a scheme which shall previously have been submitted to and approved in writing by the Local Planning Authority in order secure a reduction in the level of noise emanating from the building.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning & Noise 1994.

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6. Details of new plant and machinery
Before any works commence a scheme for any new plant or machinery to be provided to the retail unit shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -10dB and shall be maintained thereafter 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.

7. Details of extract / ventilation equipment
If any cooking or food heating facilities are to be provided, before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be designed and certified by a competent engineer and to be approved in writing by the Local Planning Authority. After installation a certificate shall be submitted to the Local Planning Authority and the equipment shall be properly maintained and operated within design specifications during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

8. Details of measures to control noise and vibration
If any cooking or food heating is to be undertaken, before the use commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

9. 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.

10. Sound attenuation
The building shall be so constructed as to provide sound attenuation of 45 DnT,w + Ctr dB (minimum values) against airborne noise and 62 L'nT,w dB (maximum values)

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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 & Noise" 1994, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC55 and DC61.

11. Works affecting the public highway

Prior to the commencement of the development, details of the proposed works affecting the public highway including the loading bay shall be submitted to and approved in writing by the Local Planning Authority and all necessary legal agreements secured. The works shall be carried out in full and in strict accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

Reason: In the interests of highway safety.

12. Provision of a layby

Before the retail premises hereby permitted is first occupied, the lay by area shall be provided in front of the site for the loading and unloading of vehicles. Thereafter the lay by shall be made permanently available for use to the satisfaction of the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. No loading or unloading of goods from vehicles arriving at or departing from the premises shall be carried out otherwise than within such area.

Reason: To avoid obstruction of the surrounding streets and to safeguard the amenities of occupiers of neighbouring property, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

13. 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.

14. Refuse and recycling

Before the development hereby permitted commences, details of the proposed refuse storage and recycling facilities to be provided at the site for the use, together with arrangements for refuse disposal and details of recycling and collection shall be submitted to and approved in writing by the Local Planning Authority. The facilities as approved shall then be provided at the site prior to the commencement of the use and retained at the site thereafter in accordance with the approved drawings at all times.

Reason: In order to ensure that any such facilities respect the visual amenity of the locality, and the amenity of surrounding residents.

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15. Details of CCTV system

Prior to the commencement of use of the development hereby permitted a scheme showing the details of a CCTV system to be installed for the purposes of community safety and the prevention of crime throughout, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor. No part of the development shall be occupied or used before the scheme is implemented as agreed.

Reason: In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and Policies CP17 and DC63 of the LDF Development Control Policies Development Plan Document and Policy 7.3 of the London Plan.

16. Details of trolley bays

Prior to first use of the Class A1 (retail) use hereby permitted, details of any trolleys and trolley bays shall be submitted to and approved by the Local Planning Authority. Once approved, they shall be implemented in accordance with the approved details and retained thereafter.

Reason: To protect residential amenity and on highway safety grounds in accordance with Policies DC61 and DC32 of the LDF Development Control Policies Development Plan Document.

17. Delivery and servicing hours

No deliveries or servicing shall take place other than between the hours of 08:00 and 18:00 any day 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 the LDF Development Control Policies Development Plan Document Policy DC61.

18. Delivery and servicing plan

Prior to the first occupation of the development hereby approved a delivery and servicing plan (DSP) in accordance with the provisions of the London Freight Plan shall be submitted to and agreed in writing by the Local Planning Authority. The DSP shall include details of the servicing arrangements including the exact location, times and frequency of deliveries. The development shall thereafter be operated strictly in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC36.

19. Obscure glazing

The first floor rear elevation windows serving a corridor and the lounge/kitchen area of flat 3 shall be permanently glazed with obscure glass and with the exception of any top hung fanlights shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority.

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Reason:-

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

20. Management of parking spaces

Prior to the first occupation of the residential units hereby permitted a management scheme to ensure that the parking spaces dedicated for residential occupiers are kept unobstructed and available for use shall be submitted to and approved in writing by 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 and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

6 INFORMATIVES:

1. Reason for Approval: It is considered that the proposal satisfies the relevant criteria of Policies CP8, CP17, DC33, DC34, DC61, DC62 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policies 4.1, 4.7, 4.8, 6.9, 6.10, 6.12, 6.13, 6.14, 7.3 and 7.4 of the London Plan.

2. Please note that any external extract ducting system would be likely to require a planning permission in its own right.

3. The developer should ensure that highway outside the site affected by the construction works are kept in a clean and tidy condition otherwise action may be taken under the Highways Act.

4. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission / Licence Approval process.

5. In aiming to satisfy Community Safety Conditions the applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of 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).

6. In response to Community Safety Condition (CCTV), the system will need to include an acceptable level of external coverage, where the cameras are capable of recording good quality images at all time of day and night.

Note: Following a change in government legislation a fee is now required when

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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.
