



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
1 December 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 P1596.11 - GARAGE COURT TO THE REAR OF 17 DORKING ROAD, ROMFORD (Pages 1 - 14)

5 P1505.11 - ACCESS TO HORNBURCH STADIUM OFF BRIDGE ROAD (Pages 15 - 22)

6 P1518.11 - LAND REAR OF 13-33 DUDLEY ROAD, HAROLD HILL (Pages 23 - 38)

- 7 **P1519.11 - LAND TO THE REAR OF 20-24 LEYBURN CRESCENT, HAROLD HILL**
(Pages 39 - 54)

- 8 **P1488.11 - LAND BETWEEN 10 & 11 YELVERTON CLOSE, HAROLD HILL** (Pages
55 - 70)

- 9 **P1592.11 - GARAGE COURT ADJACENT TO 66 AYLSHAM LANE, ROMFORD**
(Pages 71 - 84)

- 10 **P1593.11 - GARAGE COURT TO THE REAR OF 106 WHITCHURCH ROAD,
ROMFORD** (Pages 85 - 100)

- 11 **P1594.11 - GARAGE COURT TO THE REAR OF 69 WIGTON ROAD, ROMFORD**
(Pages 101 - 116)

- 12 **P1401.11 - FORMER RUSKINS SITE, ST. MARY'S LANE, UPMINSTER** (Pages 117 -
136)

- 13 **P1317.11 - KING GEORGE'S PLAYING FIELD, EASTERN AVENUE WEST,
ROMFORD** (Pages 137 - 164)

- 14 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS** (Pages 165 - 174)

Applications outside statutory period

- 15 **APPLICATION FOR THE STOPPING UP OF HIGHWAY AT LAND EAST OF
DAVENTRY ROAD, ROMFORD RM3 7QT BETWEEN NO.S 2 AND 174** (Pages 175 -
180)

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

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:	<p>P1596.11 – Garage court to the rear of 17 Dorking Road, Romford</p> <p>Construction of 2 dwellings with associated car parking</p> <p>(Application received 19th October 2011)</p>
Report Author and contact details:	<p>Helen Oakerbee, 01708 432800 helen.oakerbee@havering.gov.uk</p>
Policy context:	<p>Local Development Framework</p>
Financial summary:	<p>None</p>

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

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 construction of 2 x 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 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4) Materials: The materials used in the construction of the development hereby permitted shall be Hanson Becton Yellow Multi bricks for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing No. 8430-97-1001 (received 19th October 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-western and south-eastern elevations serving the bathrooms of each dwelling 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. 8430-97-1000, received 19th October 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.

17) Lighting to Access: Prior to the commencement of the development hereby approved, details of a lighting scheme for the access road shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operational prior to the first occupation of the development and shall be permanently retained thereafter.

Reason: In the interests of community safety and residential amenity and to accord with Policies DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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 east of Dorking Road with access to the site between Nos. 17 and 19 Dorking Road. The site is surrounded by 2-storey residential dwellings. The site has 22 garages with 5 currently let and the others empty. Ground levels rise from west to east. The site has an overall area of approximately 634sq.m.
- 1.2 Development in the vicinity is characterised by 2-storey residential dwellings. There is no characteristic built form and dwellings are mainly constructed from red brick and red / orange pantiles.

2. **Description of Proposal**

- 2.1 The application seeks permission for the erection of 2 No. semi-detached dwellings with associated parking and amenity.

- 2.2 The proposal would be for 2 x No. semi-detached, 2-storey dwellings which will replace the existing garages and hardstanding. The dwellings would be to the rear of properties along Whitchurch Road, Dorking Road and Dorking Rise. Each dwelling would have a width of 6.3m resulting in an overall width of 12.6m. Each dwelling would have a depth of 10.3m with a height of 8.5m to the top of the ridge and 5m to the eaves. The proposals would be approximately 2.75m from its closest side boundary to the north-west.
- 2.3 The proposal would have a pitched roof with hipped ends. Windows and doors would generally be arranged to the front and rear, although some flank wall windows are proposed.
- 2.4 On ground floor level, each dwelling would have a living room, kitchen / dining room and a w.c. On first floor level would be 4 bedrooms with a bathroom.
- 2.5 Access would be from Dorking Road providing direct access to off-street parking. There would be 4 parking spaces in total, 2 per dwelling.
- 2.6 Amenity space would be towards the rear of each dwelling, measuring 105sq.m for Plot 1 and 143sq.m for Plot 2.
- 2.7 Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 34 neighbouring properties. Two letters of representation have been received objecting on the following grounds:
- blocks right of way to garage
 - scheme cannot be implemented in current form
 - what provisions are there to protect privacy
 - loss of greenery and wildlife

5. Relevant Policies

- 5.1 Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) 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. Each dwelling would have an internal floor space of 111sq.m. Although this is marginally below the required 113sq.m, the proposal is for two single family dwellings and Staff consider the internal floor space 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 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 to both plots would be towards the rear and measuring 105sq.m for Plot 1 and 143sq.m for Plot 2. The amenity area would be screened by means of a 1.8m close boarded timber fence, avoiding any potential to overlook the amenity areas from a public point of view.

6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. The proposed amenity space would be consistent with the shape, size and location of amenity space at other dwellings in the vicinity. 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 areas of the new dwellings 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 32 units per hectare. This density would be at the bottom end of the recommended density range for this area and is considered acceptable.

6.3.5 In terms of the general site layout, at its pinch point, the proposal would be approximately 2.75m from the north-western side boundary of the site. For the remainder of the site, Staff are of the opinion that the proposed layout would represent an acceptable level of spacing between the proposed building and site boundaries and also a sufficient spacing between buildings and would not appear cramped or as an overdevelopment of the site. Amenity space can be provided at the rear with parking towards the front in a convenient location with sufficient space for a turning area. 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 rear of properties along Dorking Road, Dorking Rise and Whitchurch Road. The development would therefore not form part of the Dorking Road 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. 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 site has previously been developed and no significant loss of green space would arise. It was noted upon site inspection that ground levels rise significantly from east to west. The proposal would therefore be higher compared to dwellings along Dorking Road. Notwithstanding, the proposal is modest in terms of its size and height. The roofs have been designed to be hipped away from the neighbouring properties, reducing any visual impact and further minimising the size and appearance of the building. 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. The development would further introduce soft and hard landscaping. In terms of its visual appearance, the proposal is considered to be an improvement of the current situation on the site and would not detract from the surrounding environment.

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 proposal is for a pair of 2-storey semi-detached dwellings. The neighbouring properties most likely to be affected are those along Dorking Rise as they are closest to the proposed dwellings. At its pinch point the proposal would be approximately 16m from the rear elevation on 1st floor of these dwellings. Given the orientation of the proposal north of these neighbours, it is not considered that any overshadowing would occur. The proposal would have a set-back of approximately 3.3m from the common boundary and in combination with the hipped roof design, is not considered to appear visually intrusive or bulky as seen from the rear of these properties. On 1st floor level would be a flank wall window serving a bathroom. This window can be required to be obscure glazed and with the exception of top-hung fanlights, remain fixed shut. No potential for overlooking would therefore occur to the south.

6.5.3 The proposal is far enough from other neighbouring properties to prevent any harmful levels of overshadowing to occur. The hipped roof design and set-back from the site boundaries is considered sufficient to prevent the proposal from appearing visually intrusive or bulky as seen from the neighbouring properties.

- 6.5.4 There is no potential for overlooking towards the north-west as the window of 1st floor level serves a bathroom and can be required to be obscure glazed and with the exception of top-hung fan lights, remain fixed shut.
- 6.5.5 The proposal would have bedrooms on 1st floor level with their main windows facing north-east and south-west. The nearest dwelling towards the south-west would be No. 17 Dorking Road however, the proposal's front windows would be at an oblique angle. This dwelling would further be approximately 21m from the proposal and it is therefore not considered that the potential for overlooking would be harmful to the degree which would justify refusal of the application. The proposal would, similarly, have oblique views of No. 19 which is 24.5m away. This separation distance and the orientation are considered sufficient to overcome any harmful levels of overlooking.
- 6.5.6 Those dwelling to the north-east are 25m from the bedroom windows of the proposal at their pinch point. In addition, any views to these neighbouring properties would be at oblique angles. Staff are therefore of the opinion that no harmful levels of overlooking would occur.
- 6.5.7 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 2 x new family dwellings would not give rise to a significant rise in the level of vehicular activity over and above that which is currently experienced as a result of the garages.
- 6.5.8 In terms of general noise and disturbance, it is not considered that the addition of 2 x No. 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.
- 6.5.9 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 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.
- 6.5.10 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 4 x No. parking spaces to the front of the dwellings, providing 2 spaces per dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.

6.6.2 According to information provided by the applicant, of the 22 garages, 5 are in use and the remaining 17 void. No alternative sites are proposed for displacements. 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. 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 proposal provides a bin collection point along the access road, approximately 32m from the front of the dwelling and 3m 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. The collection point is however further than the 30m as recommended by Building Regulations. This is however not a planning consideration and rather an issue for the developer to resolve with Building Control upon implementation of the scheme.

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.

6.7.3 Concerns raised in representations regarding lack of access to private garages are not matters covered by planning legislation and would not therefore constitute material grounds for refusal.

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. . The vehicles currently parked in these garages can comfortably be accommodated on the adjoining roads. Members are invited to apply their judgement in this respect. 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 19th October 2011.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:	P1505.11 – Access to Hornchurch Stadium off Bridge Road.
	Installation of 2 No, 6 metre high street lighting columns.
	(Application received 6 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

The Council manages the Hornchurch Stadium, which is used by Hornchurch AFC and the Havering and Mayesbrook Athletics Club. The main access to the stadium

and car park is used by vehicles and pedestrians, and is presently unlit. This has been identified as a safety concern by the clubs.

This application seeks planning permission for the erection of two lighting columns in order to provide illumination to the access way.

The main issues to be considered by Members in this case are the principle of development, design/street scene issues, impact on amenity and community safety issues. These issues are set out in the report below. In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. Approval of the application is therefore recommended, 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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Lighting columns - The lighting columns hereby permitted shall not be illuminated before 16:00 or after 21:30 on any day unless otherwise agreed in writing by the Local Planning Authority.

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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies CP7, and CP17, DC20, DC33, DC56, and DC63 of the LDF Core Strategy and Development control Policies Development Plan Document as well as the provisions of Planning Policy Statement 1, and PPG17 and Policies 3.9 7.2, 7.3, 7.4, and 7.5 of the London Plan.

REPORT DETAIL

1. Site Description:

- 1.1 The application site is the access way to Hornchurch Stadium. Hornchurch Stadium is located on the south side of Upminster Road, between Norfolk Road to the west and Bridge Avenue to the east.
- 1.2 Hornchurch Stadium Car Park is located to the south of the Stadium Complex. Vehicular and pedestrian access is directly from Bridge Avenue (opposite its junction with Brookdale Avenue) and is bounded by open land to south and west and residential properties to the east.
- 1.3 The route to the stadium and car park is via an irregular shaped landscaped green space, (20m to 35m wide, 60m in length) with a narrow paved single vehicle access way in the centre. The land slopes significantly from Bridge Avenue, to the stadium and car park.
- 1.4 The nearest residential occupiers to the car park are nos. 44-48a Bridge Avenue who front on to the access road to the car park (these properties are sited at right angles to Bridge Avenue). Between the houses and the park is a footpath (separated by a wire fence) that is illuminated with pole mounted lighting.
- 1.5 On the opposite side number 52 Bridge Avenue, shares a side boundary with the access way.

2. Background Information:

- 2.1 The Council is the owner and landlord of Hornchurch Stadium.
- 2.2 The Stadium and car park is regularly utilised for games and training by Hornchurch AFC and the Havering and Mayesbrook Athletics Club. Both users generally access the car park after 5.15pm, although there can be an occasional need to access the car park during the day for a limited number of cars.
- 2.3 The athletics club and football club have asked for additional lighting between Bridge Avenue and the stadium gates as it is very dark when the stadium is in use during winter months. This will make for a safer

environment when the stadium is being used for events and for training, as people enter and leave.

2.4 To facilitate this request a Health and Safety Bid application was made to the LBH Corporate Health and Safety on 19th July 2011.

2.5 It was agreed that funds of £10,000 would be provided for the purposes of additional lighting to be installed along the main driveway between Bridge Avenue and the main turnstiles, at the entrance to the stadium.

3. Description of Proposal:

3.1 This application proposes the installation of two x 6.0 metre high poles, and lights. The poles and lights are to be the same model as the street lights in Bridge Avenue. The lights are fitted with rear shields to avoid direct light spillage to residential properties adjacent.

3.2 The lights are proposed to be linked to a timer to ensure that the illumination coincides with the times when the stadium and car park are in use. These times are 4.00 pm and 9.30pm, Mon to Thurs.

4. Relevant History:

3.1 Previous relevant applications include:

- P1728.08 - temporary change of use of Hornchurch Stadium car park.

5. Consultations/Representations:

5.1 Fourteen neighbouring and nearby properties have been notified of the planning application.

5.2 Two separate letters have been received objecting to the proposal on the grounds of loss of amenity through the impact of additional lighting on residential properties, and the potential for anti-social behaviour in the access way.

5.2 The Borough Crime Prevention Design Advisor has no objection.

6. Relevant Policies

6.1 Policies CP7 (recreation and leisure), CP17 (design), DC18 (protection of public open space, recreation sports and leisure facilities), DC20 (access to recreation and leisure), DC56 (light), DC63 (safer places), of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations.

6.2 Policies 3.9 (Sports Facilities), 7.2 (Inclusive Environment) 7.3 (Designing Out Crime), 7.4 (Local Character) and 7.5 (Public Realm) of the London Plan 2011 are relevant.

6.3 National policy guidance set out in Planning Policy Statement 1, and Planning Policy Guidance Note 17 “Planning for open space, sport and recreation” are also relevant.

7. Staff Comments

7.1 This proposal is put before the Committee due to the application being submitted by and for land in Council ownership. The main issues to be considered by Members in this case are the principle of development, design/street scene issues, impact on amenity and parking and highways issues.

7.2 Principle of Development

7.3 Staff are advised that on occasions there can be up to 2000 people in the stadium. Illumination of the access way will assist in providing a safer route for people accessing and leaving the stadium, during events and when the facility is used for training purposes.

7.4 It is important that safe and secure access is provided to the stadium during the time that it is in use. Notwithstanding this, a balance is required to be achieved between any proposal and the impact upon the amenity of the neighbouring properties.

7.5 The Hornchurch Stadium is an established longstanding use on the site, and the current access is the recognised main point of ingress and egress to the stadium.

7.6 There is no objection to the principle of development to upgrade the access way by providing additional lighting to provide a safer route to and from the stadium for all users, subject to appropriate conditions being applied to protect adjoining neighbourhood amenity.

7.7 Design/Impact on Street scene

7.8 The character of the area is comprised of a through road and landscaping leading to an open car park, with residential properties adjacent. There is already established lighting in the area surrounding the access way at present. This includes:

- street lighting in Bridge Avenue,
- pole mounted lighting along the pedestrian way in front of dwelling,
- fronting the access way (Numbers 44-48A Bridge Avenue),
- pole mounted lighting to the car park, and
- stadium pitch and running track floodlights.

7.9 The proposal for two 6.0m light poles in the access way are not considered to be detrimental to such an extent that the proposal would have a harmful effect upon the character of the area. The light poles are to be no higher

than other light poles in the surrounding area and no higher than the surrounding dwellings.

7.10 The height of the poles (6.0 metres) ensures that the number of poles to be installed is limited to two, as this will provide sufficient height for the lighting to cover the area.

7.11 Options to provide lighting at a lower level would likely result in more than two poles. Officers have been advised that there is more potential for vandalism of lighting if it is provided at a lower level.

7.12 Community Safety and Access

7.13 The Council promotes the importance of safety and security in design, which in turn contributes to successful sustainable communities. Providing safer access allows for greater accessibility to Council recreation and leisure facilities and helps deliver the objectives of CP7 (recreation and leisure).

7.14 Policy DC63 of the LDF advises that new development should address issues of community safety. The proposal will assist in the prevention of accidents and crime by providing a well lit environment, making the route easier to traverse after dark.

7.15 Staff are of the view that the proposal is acceptable in that it will provide increased community safety and opportunity for access DC63 subject to planning conditions.

7.16 Impact on Amenity

7.17 The preparation of the application has followed the guidance set out in PPG17 'Planning for Open Space, Sport and Recreation'. The policy states that in considering applications for floodlighting, local authorities should ensure that local amenity is protected. The policy states that in looking to improve existing open space and facilities, local authorities should

- promote the compatibility of the uses made of open spaces and sport and recreational facilities with adjoining land uses;
- encourage better accessibility of existing open spaces and sports and recreational facilities, taking account of the mobility needs in the local population; and
- promote better use of open spaces and sports and recreational facilities, by the use of good design to reduce crime.

7.18 Policy DC 56 – Light, recognises that artificial lighting is an effective measure in creating safe and secure environments, and is also necessary for night-time sporting activity.

7.19 The policy states that “In order to minimise the intrusion of artificial lighting, planning permission will only be granted for development, including artificial lighting, where it does not have a negative impact on the amenity of residents or public safety.” The policy advises that planning conditions may

be used to control the level of luminance, glare, spillage, angle, type of lighting and hours of operation.

7.20 The proposed two lighting poles would be sited in an existing access way that runs between residential properties. It is noted that the route is already used to access the stadium at various times and can become very busy, with vehicles and pedestrians using the route. The level of amenity found at this location when the stadium is in use is not the same as that in other parts of the Borough.

7.21 However the impact on the adjoining properties has been considered in the preparation of the proposal. In order to minimise impacts on neighbouring properties:

- The number of poles has been limited to two,
- Lighting levels will be as low as possible, (60w) whilst ensuring that they are fit for purpose, and
- The lights are fitted with rear baffles and orientated away from residential properties, and
- The lights will be in use only until 9.30 pm Monday-Thursday

7.22 This is considered to provide an appropriate balance between the needs of the users of the Stadium and the surrounding residences. The operation of the lighting will be controlled via condition.

7.23 Parking and Highway Issues

7.24 Currently vehicles and pedestrians use the common route to the stadium and car park. Staff are of the view that the proposal will lead to safer conditions in an area of potential vehicle and pedestrian conflict and is acceptable and in compliance with Policy DC33 of the LDF.

8 Conclusion

8.1 Having regard to all relevant factors and material planning considerations staff are of the view that this proposal to provide two lighting poles to illuminate the existing access way is acceptable in principle, and consistent with the relevant policies.

8.2 Staff are of the view that the proposal will not be materially harmful to the character or appearance of the area.

8.3 Subject to the imposition of conditions covering lighting hours and design the proposal would have an acceptable impact on residential amenity. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning consent be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Council has allocated funds for the project via the Health and Safety Bids Application process.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposed lighting has been designed to be ensure that the route to the Hornchurch Stadium remains accessible to all members of the community.

BACKGROUND PAPERS

Application form, plans and supporting statements received on 6 October 2011.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:	<p>P1518.11 – Land rear of 13-33 Dudley Road, Harold Hill</p> <p>Demolition of existing 16 garages and erection of 2 No. 2 storey 4 bedroom semi-detached dwellings with associated parking and garden areas (Application received 14th October 2011)</p>
Report Author and contact details:	<p>Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk</p>
Policy context:	<p>Local development Framework</p>
Financial summary:	<p>None</p>

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 16 garages and the erection of 2 no. 2 storey dwellings with associated parking and garden areas.

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

RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

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

Reason:

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

2) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 as shown on drawing no. 10.6861.2300 (received 30th September 2011) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4) Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

5) Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:

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

6) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

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

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 1 and Plot 2 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 10.6861.2300) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

9) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

10) Construction Methodology Statement: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:

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

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

Reason:

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

12) Highways Licence Agreement: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:

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

13) Secured by Design: Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason:

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

14) Noise insulation: The building(s) shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

Reason:

To prevent noise nuisance to adjoining properties in accordance with the

recommendations of Planning Policy Guidance Note 24 "Planning and Noise" 1994.

15) Refuse and recycling: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

16) Obscure glazed windows: The proposed window on 1st floor level within the southern elevation, serving the bathroom as indicated on Drawing Nr. 10.6861.2301 shall be permanently glazed with obscure glass and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:

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

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

Reason:

In the interest of residential amenity.

18) Land contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

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

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

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

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

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

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

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

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

Reason:

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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. In aiming to satisfy Condition 13 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
7. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, 1m clear of all obstructions. This hydrant is to be numbered P1102067 and will conform to BS750:1984 and be indicated with a hydrant indicator plate conforming to BS3251:1976. Upon completion of works, this fire hydrant the surrounding areas should meet flush with the hydrant's frame and cover and the pit should be clear of any debris.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court located to the rear of Dudley Road Crescent, access into the site is between No's 27 and 29. The site is bound on all side with residential properties, the gardens of which enclose the garage court. The site is currently covered in hard standing and has 16 garages.
- 1.2 The site for residential development is approximately 398 square metres in size. The garage court is set at a higher level than the properties on Dudley Road, further north towards Dunstable Road the existing properties are set at a higher level than the garage court.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two storey development.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 16 garages on the site and erect 2 No. semi-detached dwellings with associated parking and garden areas.
- 2.2 The dwellings are set centrally within the site and have a South East/ North West orientation with windows and doors towards the front and rear. Flank windows to each dwelling facing north and south respectively serve the dining area at ground floor and bathroom at first floor.
- 2.3 The width of the dwellings is 6.25m, to give an overall width of 12.5m. The dwellings have an equal depth of 10.2m. The development is two storeys in height measuring 4.7m to the eaves and 8.2m to the ridge. The main entrance to each property is located to the western elevation.
- 2.4 At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are four bedrooms and a bathroom.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles). To the front of the dwellings would be a turning area. There would be 4 parking spaces, 2 to each plot, these are located to the north and east boundaries and are separated by pathways and enclosed by soft landscaping.
- 2.6 Amenity space for each dwelling is provided to the rear. Plot 1 (adjacent to the access road) has 116 square metres of amenity space. Plot 2 has 132 square metres of amenity space. All amenity areas would be screened by a 1.8m high fence with 0.3m trellis on top, providing a 2.1m high enclosure.

2.7 Garage/ garden access is to be retained to No. 30 Dunstable Road via a driveway around the boundary of Plot 1.

3. Relevant History

3.1 None

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 29 properties. 15 representations were received, stating the following comments and objections

- Query as to whether access is retained for neighbouring garage
- Overlooking and loss of privacy to neighbouring properties from bedrooms
- Dudley Road and Dudley Gardens suffer from lack of parking which this application will add to.
- Access is inadequate
- Proposals are visually overbearing due to level changes
- Reduction in property values
- Properties would be a fire hazard

5. Relevant Policies

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

6. Staff Comments

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

6.2 Principle of development

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

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space

standards. The Mayor has set these at 100 square metres for a 4 bed, 5 person two storey dwelling and 107 square metres for a 4 bed, 6 person dwelling. The dwellings have an internal floor space of in excess of 120 square metres which is acceptable.

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

6.3 Site Layout/ Amenity Space

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

6.3.2 The amenity space to both dwellings is provided towards the rear in single blocks, enclosed by a 1.8m close boarded fence with 0.3m trellis above. The amenity areas would not be visible from any public view points and would measure 116 square metres for Plot 1 and 132 square metres for Plot 2.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Adjacent gardens in Dudley Road and Dunstable Road measure between 100 square metres to over 200 square metres. Staff are of the opinion that the garden areas would be large enough to be practical for every day use and with the provision of fencing, would be screened from general public views and access. It is therefore considered that the proposed garden areas would acceptably integrate into the locality and comply with the requirements of the Residential Design SPD.

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

6.4 Impact on Local Character and Streetscene.

6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties.

Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

- 6.4.2 The surrounding area has no prevailing architectural style, but is characterised by a mixture of two storey semi-detached dwellings. Materials in the locality include facing brick. The proposed dwellings would be situated behind this development and it is not considered that would be materially harmful in the streetscene.
- 6.4.3 In terms of design, the properties have a traditional design with covered entrance and symmetrical elevations. They would be finished in facing brickwork with a tiled roof and white UPVC windows. Staff consider this would be acceptable for the locality. However, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.
- 6.4.4 Ground levels rise sharply from the south on Dudley Road to the north on Dunstable Road. The existing properties at 17-27 Dudley Road adjacent to the garage court access are between 0.8m and 4.2m lower than the garage court. To the north on Dunstable Road the ground levels rise less sharply, and No's 30-34 Dunstable Road are set between 0.2 to 1.4m higher than the garage court. The existing garage court is open in character.
- 6.4.5 When viewed from the south the properties would stand 2.2m taller than No's 25-27 Dudley Road by the entrance road, where there would be a partial view of the properties from the streetscene. The dwellings would be the same height as No's 12-22 Dunstable Road and 0.6m lower than No's 30-34 Dunstable Road. The ridge heights of the proposed dwellings would therefore follow the pattern of increasing heights moving from south to the north and are therefore considered acceptable.
- 6.5.6 The hipped roofs of the dwellings would be visible above those in Dudley Road. However; the dwellings are set 50m back from the highway and would be viewed behind existing development. When viewed from the north on Dunstable Road and Dartfields they would not be visible. Given this spacing and existing vegetation to neighbouring gardens it is considered that the dwellings would not appear visually intrusive or overbearing in the locality.
- 6.4.7 The development of housing on the site with landscaping would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general.
- 6.4.8 It is considered that the development of a pair of semi-detached 2-storey terrace dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would

have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

6.5 Impact on Amenity

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

6.5.2 The dwellings are set 20m rearward on a north west tangent from No. 4 Dudley Gardens. An objection has been received on the grounds that the dwellings would be overbearing and result in a loss of light and privacy. This property is set at a lower level than the garage court and has an east/ west orientation. The proposed dwellings and this property would be separated by the proposed parking, soft landscaping, boundary enclosure and residential garden to No. 4 Dudley Gardens. The orientation would also differ in that it would face south east and north west so that the front elevation of the dwellings is not in direct view from the rear windows of No. 4. The proposed dwellings would be visible from this property and therefore the relationship would not be unduly harmful given the orientation and separation distance.

6.5.3 The dwellings would be 15m rearward of No. 15 Dudley Road and 18.2m from 17 Dudley Road and are again positioned with a different orientation which faces away from this property. No. 15 is lower than the garage court, however, given the distance and proposed boundary treatments, it is considered that the dwellings would not be overbearing. To the rear the properties are set 28.8m from the rear elevations of no. 28-30 Dunstable Road. They would be of the same back to back orientation however, the separation distance raises no objections and is similar to that of existing properties. The northern flank elevation is over 32m away from No's 20-28 Dartfields, where this distance is considered acceptable.

6.5.4 The development would incorporate single ground floor flank windows which serve the dining room; these would not result in adverse overlooking of adjacent occupiers given the surrounding boundary enclosures and distances between properties. The single first floor flank windows serve a bathroom; these can be conditioned so that they are obscure glazed and non-opening with the exception of a top hung fan light.

6.5.5 In terms of additional noise and disturbance, it is not considered that the addition of 2 x family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.

6.5.6 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the front of the dwellings to the north and east corner boundaries, adjacent to No. 4 and 5 Dudley Gardens. The parking spaces would be screened by a 1.8m high timber fence and include strips of soft landscaping

to the edges. It is acknowledged that the site is currently used for informal parking and Staff are of the opinion that the parking is sufficiently removed from existing dwellings and that no noise or light pollution would occur as a result of these 4 car parking spaces on the site which is a reduction from the possible 16 that the site can accommodate at the present time.

6.5.7 Representations received state that the dwellings would be generally visually overbearing within the plot; however, Staff consider that given the spacing between properties and the inclusion of landscaping, the dwellings proposed would be acceptable in their current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.

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

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

6.6 Highway/Parking/Access

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

6.6.2 According to information provided by the applicant, the existing garage court is in poor condition. Some of the garages have already been demolished. The loss of these garages in favour of the proposal to provide new family accommodation is therefore considered acceptable and would not result in any highway safety or parking issues.

6.6.3 The 2.8m wide access road would have a shared surface for vehicles and pedestrians. The width of the access road would therefore remain as existing and raises no objection from Staff. Although representations received raise concern over the width of the access, in the absence of a Highways objection it is considered that there are no reasonable grounds on which to base a refusal reason.

6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6

which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.

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

6.7 Other issues

6.7.1 The plans show an area for refuse storage within the access drive from Dudley Road. Householders would carry their black sacks to the storage point on collection days. This arrangement has been considered as acceptable by representations received from StreetCare. Specific details of the refuse storage are attached as a condition.

6.7.2 Representations received from the London Fire Brigade require the provision of a private fire hydrant on site, which should conform with the relevant British Standard. This has been attached via condition.

7. Conclusion:

7.1.1 Overall, Staff are of the opinion that the proposals to provide 2 dwellings would be of an acceptable appearance, they would be largely screened by existing development in Dudley Road, although the roof tops would be visible from the wider locality when viewed from the south. This is considered acceptable, given the changing building heights in the area. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 14th October 2011.

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:	<p>P1519.11 – Land to the rear of 20-24 Leyburn Crescent, Harold Hill</p> <p>Demolition of existing 22 garages and erection of 2 No. 2 storey 4 bedroom semi-detached dwellings with associated parking and garden areas (Application received 14th October 2011)</p>
Report Author and contact details:	<p>Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk</p>
Policy context:	<p>Local development Framework</p>
Financial summary:	<p>None</p>

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 22 garages and the erection of 2 no. 2 storey dwellings with associated parking and garden areas.

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

RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

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

Reason:

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

2) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 as shown on drawing no. 10.6861.2100 A (received 1st November 2011) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4) Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

5) Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:

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

6) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

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

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 1 and Plot 2 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 10.6861.2100 A) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

9) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

10) Construction Methodology Statement: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:

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

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

Reason:

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

12) Highways Licence Agreement: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:

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

13) Secured by Design: Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason:

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

14) Noise insulation: The building(s) shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

Reason:

To prevent noise nuisance to adjoining properties in accordance with the

recommendations of Planning Policy Guidance Note 24 "Planning and Noise" 1994.

15) Refuse and recycling: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

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

Reason:

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

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

Reason:

In the interest of residential amenity.

18) Land contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

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

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

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

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

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

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

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

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

Reason:

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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. In aiming to satisfy Condition 13 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court located to the rear of Leyburn Crescent, access into the site is between No's 20-22. The site is bound on all sides with residential properties, the gardens on which enclose the

garage court. The site is currently covered in hard standing and has 22 garages.

- 1.2 The site for residential development is approximately 430 square metres in size. Ground levels slope to the rear towards properties in Camborne Avenue.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two storey development to the southern side of the road and three storey flats to the northern edge of the road.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 22 garages on the site and erect 2 No. semi-detached dwellings with associated parking and garden areas.
- 2.2 The dwellings are set centrally within the site and have a east-west orientation with windows and doors towards the front and rear. A ground floor flank window to each property serves the dining area and a first floor flank window to each property serves a bathroom. These flank windows have a north/ south orientation.
- 2.3 The width of the dwellings is 6.25m, to give an overall width of 12.5m. The dwellings have an equal depth of 10.2m. The development is two storeys in height measuring 4.7m to the eaves and 8m to the ridge. The main entrance to each property is located to the western elevation.
- 2.4 At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are four bedrooms and a bathroom.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles). To the front of the dwellings would be a turning area. There would be 4 parking spaces, 2 to each plot, these are located either side to the front of the properties and are separated by pathways.
- 2.6 Amenity space for each dwelling is provided to the rear. Plot 1 (adjacent to the access road) has 88 square metres of amenity space. Plot 2 has 111 square metres of amenity space. All amenity areas would be screened by a 1.8m high fence with 0.3m trellis on top, providing a 2.1m high enclosure.
- 2.7 Garage/ garden access is to be retained to No. 17 Keighley Road and No. 20 Leyburn Crescent.
- 2.8 The proposals would meet Code Level 4 for the Code for Sustainable Homes.

3. Relevant History

3.1 None

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 24 properties. 1 representation was received with the following comments:

- Queries regarding site fencing and maintenance and drainage.

5. Relevant Policies

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

6. Staff Comments

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

6.2 Principle of development

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

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 100 square metres for a 4 bed, 5 person two storey dwelling and 107 square metres for a 4 bed, 6 person dwelling. The dwellings have an internal floor space of in excess of 120 square metres which is acceptable.

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

6.3 Site Layout/ Amenity Space

- 6.3.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- 6.3.2 The amenity space to both dwellings is provided towards the rear in single blocks, enclosed by a 1.8m close boarded fence with 0.3m trellis above. The amenity areas would not be visible from any public view points and would measure 88 square metres for Plot 1 and 111 square metres for Plot 2.
- 6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Adjacent gardens in Leyburn Crescent measure approximately well in excess of 100 square metres up to a maximum of 165 square metres, while Gardens to the east and south on Keighley Road and Camborne Avenue measure between 90 and 120 square metres. The gardens here are smaller, however, Staff are of the opinion that the garden areas would be large enough to be practical for every day use and with the provision of fencing, would be screened from general public views and access. It is therefore considered that the proposed garden areas would acceptably integrate into the locality and comply with the requirements of the Residential Design SPD.
- 6.3.4 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 50 dph. This density is within the recommended density ranges for this area and is therefore considered acceptable.
- 6.4 Impact on Local Character and Streetscene.
- 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The surrounding area has no prevailing architectural style, and is characterised by a mixture of two storey semi-detached dwellings and three storey flats. Materials in the locality include facing brick and render. Given the proposed dwellings would be screened by existing development in Leyburn Crescent. The proposed dwellings would be situated behind this

development and it is not considered that they would be materially harmful in the streetscene.

- 6.4.3 In terms of design, the properties have a traditional design with covered entrance and symmetrical elevations. They would be finished in painted render with a hipped tiled roof and UPVC windows. Staff consider this would be acceptable for the locality. However, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.
- 6.4.4 There is a slight drop in ground levels north to south where the properties in Leyburn Crescent are set at a higher level than the garage court and properties to the south in Camborne Avenue. The properties would be 1.8m lower than 18-28 Leyburn Crescent and approximately 1m taller than adjacent properties in Keighley Road to the east where levels drop away from the garage court. Staff consider that the spacing between dwellings surrounding the site result in a development which would not be visually intrusive or overbearing in appearance, especially given their orientation and boundary screening. The hipped nature of the roofs would also reduce their bulk and the increase in height over properties in Keighley Road would be minimal given the enclosed nature of the site.
- 6.4.5 The development of housing and provision of soft landscaping on the site would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general.
- 6.4.6 It is considered that the development of a pair of semi-detached 2-storey terrace dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

6.5 Impact on Amenity

- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.5.2 The dwellings are set 21m rearward of No's 20-22 Leyburn Crescent to the north, when measured to the corner of Plot 1. The rear elevation of plot 1 is set between 20-22m away from the rear elevations of No's 17-19 Keighley Road depending on the point of measurement due to their positioning away from each other. The front elevation of Plot 2 is set 15m north of No. 55 Camborne Avenue and the flank elevation set 17.2m north of No. 57 Camborne Avenue. The rear elevation of this property is set 26m west of

13-15 Keighley Road. Guidance with the adopted Residential Design SPD does not prescribe back to back distances, and given the garden depths between the dwellings and surrounding properties and their differing orientation which would not result in direct overlooking, it is not considered that there would be any direct overlooking or invasion of privacy.

- 6.5.3 In terms of additional noise and disturbance, it is not considered that the addition of 2 x family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.4 The first floor flank windows serving a bathroom can be conditioned so that they are obscure glazed and non-opening with the exception of a top hung fanlight. This is considered acceptable and would not result in a loss of privacy to neighbouring occupiers.
- 6.5.5 There would be 4 parking spaces provided, 2 for each dwelling. These are located to their front elevations. It is acknowledged that the site is currently used as a garage court and Staff are of the opinion that the parking is sufficiently removed from existing dwellings and that no noise or light pollution would occur as a result of these 4 car parking spaces on the site which is a reduction from the possible 22 that the site can accommodate at the present time.
- 6.5.6 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.
- 6.5.7 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. 2 parking spaces are provided per unit which is acceptable.
- 6.6.2 According to information provided by the applicant, all 22 garages are in a poor condition and all are currently vacant. The loss of these garages in favour of the proposal to provide new family accommodation is therefore

considered acceptable and would not result in any highway safety or parking issues.

- 6.6.3 The access road would have a shared surface with the pedestrian path demarcated in contrasting pavers. The 2.83m width of the access road would therefore remain as existing and raises no objection from Staff.
- 6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.
- 6.6.5 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

6.7 Other issues

- 6.7.1 The plans submitted show an area for refuse storage in the access road and householders would need to carry their black sacks to this refuse point on collection days. This has been considered acceptably by StreetCare and raises no objection. Specific details as to the refuse storage are attached via condition.
- 6.7.2 A representation received has raised concern over drainage and surface water which currently runs into an adjacent property's soak away. The existing site is hard surfaced and the inclusion of gardens and soft landscaping is considered to result in an improvement in on site draining and a reduction in surface water.

7. Conclusion:

- 7.1.1 Overall, Staff are of the opinion that the proposals to provide 2 dwellings would be of an acceptable appearance, they would be largely screened from Leyburn Crescent by existing development. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 14/10/2011.

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

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REGULATORY SERVICES COMMITTEE

REPORT

1 December 2011

Subject Heading:	P1488.11 – Land between 10 & 11 Yelverton Close, Harold Hill. Construction of 2 x 3 bedroom semi-detached dwellings with associated parking and garden areas (Application received 14th October 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application relates to a Council owned garage court. This application proposes the construction of 2 no. 3 bedroom, 2 storey dwellings with associated parking and garden areas on an existing area of hard standing.

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

RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

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

Reason:

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

2) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 as shown on drawing no. 10.6861.2000 (received 30th September 2011) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4) Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s)

shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

5) Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:

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

6) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

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

7) Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made on Plot 1 and Plot 2 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 10.6861.2000) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

9) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

10) Construction Methodology Statement: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:

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

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

Reason:

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

12) Highways Licence Agreement: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:

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

13) Secured by Design: Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason:

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

14) Noise insulation: The building(s) shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

Reason:

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

1994.

15) Refuse and recycling: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

16) Obscure glazed windows: The proposed window on 1st floor level within the southern elevation, serving the bathroom as indicated on Drawing Nr. 10.6861.2001 shall be permanently glazed with obscure glass and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:

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

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

Reason:

In the interest of residential amenity.

18) Land contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

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

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

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

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

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

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

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

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

Reason:

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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.
3. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. In aiming to satisfy Condition 13 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. **Site Description**

- 1.1 The application site is a parking area located on the land between No 10 and 11 Yelverton Close. The site is bound on all side with residential

properties, to the rear are open playing fields. The site is currently covered in hard standing, informally used as a parking area.

- 1.2 The site for residential development is approximately 337 square metres in size. Ground levels are generally flat.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two and three storey terraced properties and larger flatted blocks.

2. Description of proposal

- 2.1 This application seeks permission for the construction of two semi-detached 3 bedroom dwellings with associated parking and garden areas on an existing area of hard standing, informally used as car parking.
- 2.2 The dwellings are set centrally within the site and have an east-west orientation with windows and doors towards the front and rear. A ground floor flank window provides light to the dining area and at first floor a flank window to each dwelling facing north and south respectively serve a bathroom.
- 2.3 The width of the dwellings is 5.1m, to give an overall width of 10.2m. The dwellings have an equal depth of 10.4m. The development is two storeys in height measuring 4.7m to the eaves and 9m to the ridge. The main entrance to each property is located to the western elevation and is covered by a canopy.
- 2.4 At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are three bedrooms and a bathroom.
- 2.5 The dwellings front onto the public highway. There would be 4 parking spaces, 2 to each plot, these are located to the front of the properties and are separated by pathways. Manoeuvring of vehicles would be via the existing highway in Yelverton Close.
- 2.6 Amenity space for each dwelling is provided to the rear. Plot 1 (adjacent to No. 10 Yelverton Close) has 73 square metres of amenity space. Plot 2 (adjacent to no. 11) has 71 square metres of amenity space. All amenity areas would be screened by a 1.8m high fence with 0.3m trellis on top, providing a 2.1m high enclosure.

3. Relevant History

- 3.1 None

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 17 properties. One representation was received, stating the following objections:

- area is already overdeveloped
- the car park is used by residents

5. Relevant Policies

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

6. Staff Comments

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

6.2 Principle of development

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

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 87 square metres for a 3 bed, 4 person two storey dwelling and 96 square metres for a 3 bed, 5 person dwelling. The dwellings have an internal floor space of in excess of 106 square metres which is acceptable.

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

6.3 Site Layout/ Amenity Space

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

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

- 6.3.2 The amenity space to both dwellings is provided towards the rear in single blocks, enclosed by a 1.8m close boarded fence with 0.3m trellis above. The amenity areas would measure 73 square metres for Plot 1 and 71 square metres for Plot 2. The rear fence of Plot 2 would be visible from the park to the rear as per surrounding properties.
- 6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Adjacent gardens in Yelverton Close measure between 46 and 73 square metres. Staff are of the opinion that the garden areas would be large enough to be practical for every day use and with the provision of fencing, would be screened from general public views and access. It is therefore considered that the proposed garden areas would acceptably integrate into the locality and comply with the requirements of the Residential Design SPD.
- 6.3.4 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 66 dph. This density is above the stated ranges, however, density is only one measure of acceptability and the site is surrounded by high density terraces and blocks of flats. Staff consider the density of the proposals to be of an appropriate density for the area.
- 6.3.5 In terms of layout, the proposed semi-detached dwellings would form part of the Yelverton Close streetscene and infill the gap between No's 10 and 11.
- 6.4 Impact on Local Character and Streetscene.
 - 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
 - 6.4.2 The surrounding area is characterised by a mixture of two and three storey dwellings and larger flatted blocks. Materials in the locality include facing brick, hanging tiles and weatherboarding. The proposed dwellings would be situated between the No 10 and 11 Yelverton Close and be part of the streetscene.
 - 6.4.3 In terms of design, the properties have a traditional design with covered entrance and symmetrical elevations. They would be finished in facing brickwork at ground floor with cream weatherboarding at first floor with a

tiled gable end roof and UPVC windows. Staff consider this would be acceptable for the locality. However, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.

6.4.4 Ground levels are generally flat. No's 10 and 11 are end dwellings of two separate blocks of terraces and are separated by an area of open hard standing. No. 11 is set 6m forward of No. 10 where its flank wall is highly prominent in the inward view into Yelverton Close. The infill dwellings would be positioned 1.6m forward of the front elevation of No.10 (but would remain 0.8m set back from the ground floor porch of these dwellings) and 4.6m rearward from the front elevation of No. 11. The dwellings would be highly prominent in the streetscene but given their staggered positioning between the existing terraced blocks staff consider that they would not be of a visually intrusive or overbearing appearance.

6.4.5 Streetscene and section drawings have been submitted to show the change in ridge heights. No. 10 is a three storey dwelling and No. 11 is a two storey dwelling. The properties proposed would be 1.8m lower than No. 10 to the south and 1.5m higher than No.11 to the north. This arrangement is considered acceptable and reflects the mixture of ridge heights in the locality. The gable ends to the properties would also reflect the arrangements present in the locality. An objection received raises concern that the semi-detached properties would look out of place. However, for the reasons outlined above, it is considered that the dwellings would acceptably integrate into the streetscene.

6.4.6 The development of housing on the site with landscaping would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general.

6.4.7 Staff note that the inclusion of semi-detached dwellings in an area typically made from terraces would mark a certain departure in character. However, it is considered that given their staggered position and ridge height between No's 10 and 11, that they would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, where the existing public footpath between Plot 2 and No. 11 is to be retained, Staff are of the opinion that the proposals 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 dwellings are set 1.6m forward of the main front elevation of no. 10 but are set behind their entrance porches. The properties are set 2.4m away from the flank of this property where this front projection is not considered to result in an adverse impact or overshadowing. The properties do not project beyond the rear of No. 10 and is therefore acceptable in this respect.
- 6.5.3 The properties are set 4.6m rearward of No.11 but are separated from that property's side garden, a public footpath and the side access to Plot 2, resulting in a 6.5m separation distance which is considered to mitigate against any overbearing that the existing No. 11 would have on the occupiers of Plot 2. This 4.6m set back from the front elevation of No. 11 has resulted in a rear projection of 7.2m beyond the rear elevation of that property. This would ordinarily not be acceptable; where current guidance states that two storey projections should not exceed 3m beyond the neighbouring property (4m in exceptional local circumstances) and be inset from the boundary by 2m. In this instance, the 6.5m separation gap is considered to not result in overshadowing of the adjacent property, and therefore not result in a loss of amenity. The flank wall would be visible from this occupier; however, this is not considered an unusual relationship in an urban area.
- 6.5.4 The development would have single ground floor flank windows which serve the w.c and single first floor flank windows serving a bathroom, these would not result in adverse overlooking of adjacent occupiers as they be controlled so that they are obscure glazed and non opening with the exception of a top hung fan light for ventilation.
- 6.5.5 In terms of additional noise and disturbance, it is not considered that the addition of 2 x family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. The existing public footpath from the highway into the playing fields to the rear would remain open.
- 6.5.6 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the front of the dwellings by the access road. It is acknowledged that the site is currently used for informal parking and Staff are of the opinion that the parking layout proposed is acceptable for the locality.
- 6.5.7 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.8 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore

considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 Highway/Parking/Access

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

6.6.2 The site is covered in hard standing and is informally used as car parking, although there are no marked parking bays. The proposals would result the loss of this existing facility and the objection received states that the locality is already congested with existing residents parking. Staff consider that there would be no adverse harm to the existing parking situation, where the surrounding properties have off street parking or use of an adjacent communal parking area to the immediate west of No. 11 (where there are again no marked parking bays) and there are no on street restrictions in place and where the proposed dwellings make sufficient provision for in curtilage parking.

6.6.3 Access into the site is via the main public highway which raises no objections from Staff.

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

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

6.7 Other issues

6.7.1 The plans do not show an exact location for refuse storage, and this has been requested via condition. Residents would however, leave black sacks for collection at the front of dwellings as per surrounding properties.

7. Conclusion:

7.1.1 Overall, Staff are of the opinion that the proposals to provide 2 semi-detached dwellings would be of an acceptable appearance, they would form part of the streetscene but would not be overly intrusive or dominant given their staggered position between No's 10 and 11 and acceptable ridge height. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and are not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on

neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwellings, although the loss of the existing informal parking area is an issue Members may wish to debate. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 14/10/2011.

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:	<p>P1592.11 – Garage court adjacent to 66 Aylsham Lane, Romford</p> <p>Demolition of 11 garages for erection of 2 No. dwellings with associated car parking</p> <p>(Application received 19th October 2011)</p>
Report Author and contact details:	<p>Helen Oakerbee, 01708 432800 helen.oakerbee@havering.gov.uk</p>
Policy context:	<p>Local Development Framework</p>
Financial summary:	<p>None</p>

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

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 demolition of the existing 11 garages for the erection of 2 x 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 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) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4) Materials: The materials used in the construction of the development hereby permitted shall be Hanson Lindum Barley Mixture bricks for walls and Marley Eternit Modern Interlocking Tile (Old English Dark Red) for roof tiles in accordance with the details supplied on Drawing No. 8430-115-1001 (received 19th October 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 eastern and western elevations serving the landing area of each dwelling 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. 8430-115-1000, received 19th October 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).

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court which is located to the north of Aylsham Lane, between Nos. 66 and 68 Aylsham Lane. The site is surrounded by 2-storey residential dwellings. The site has 11 garages with 7 currently let and the others empty. Ground level on the site is generally flat although there is a rise in levels from west to east. The site has an overall area of approximately 570sq.m.
- 1.2 Development in the vicinity is characterised by 2-storey residential dwellings. There is no characteristic built form and dwellings are mainly constructed from red brick and red / orange pantiles.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 2 No. semi-detached dwellings with associated parking and amenity.
- 2.2 The proposal will replace the existing garages and hardstanding. The dwellings would be a continuation of the existing building line along Aylsham Lane. Each dwelling would have a width of 5.8m resulting in an overall width of 11.6m. Each dwelling would have a depth of 9.2m with a height of 8.5m to the top of the ridge and 5m to the eaves. Each dwelling would be approximately 1.2m from the side boundaries (west and east) with a set back of 6m from the edge of the footway towards the front.

- 2.3 The proposal would have a pitched roof with hipped ends. Windows and doors would generally be arranged to the front and rear, although some flank wall windows are proposed.
- 2.4 On ground floor level, each dwelling would have a living / dining room, a w.c. and a kitchen. On first floor level would be 3 bedrooms with a bathroom.
- 2.5 Access would be from Aylsham Lane providing direct access to off-street parking. There would be 4 parking spaces in total, 2 per dwelling.
- 2.6 Amenity space would be towards the rear and side of each dwelling, measuring 145sq.m for Plot 1 and 140sq.m for Plot 2 .
- 2.7 Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 31 neighbouring properties with no letters of representation received. At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received.

5. Relevant Policies

- 5.1 Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) 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 are 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. This is marginally below the required 96sq.m, however, Staff consider the benefits of providing new housing to outweigh the shortfall of 5sq.m floorspace per dwelling. Subject to the development being acceptable in other respects, 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 to both plots would be towards the rear and measuring 145sq.m for Plot 1 and 140sq.m for Plot 2. The amenity area would be

screened by means of a 1.8m close boarded timber fence, avoiding any potential to overlook the amenity areas from a public point of view.

6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. The proposed amenity space would be consistent with the shape, size and location of amenity space at other dwellings in the vicinity. 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 areas of the new dwellings 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 35 units per hectare. This density would be at the bottom end of the recommended density range for this area and is considered acceptable.

6.3.5 In terms of the general site layout, each dwelling would be 1.2m from its side boundaries (to the east and west). The dwellings would follow the same building line as existing buildings on Aylsham Lane having a set-back of 6m from the edge of the footpath towards the front. Staff are of the opinion that the proposed layout would represent an acceptable appearance in the street scene. The development would leave sufficient spacing between the site boundaries and neighbouring dwellings and would not appear cramped or as an overdevelopment of the site. Amenity space can be provided at the rear with parking towards the front in a convenient location. 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 form part of the Aylsham Lane street scene being at the end of the terrace. Dwellings in the vicinity are mainly terrace developments with pitched roofs and gabled ends. The proposal has been designed at a similar height and would have matching bricks and tiles to blend in with other dwellings in the area. The dwellings will however have pitched roofs with hipped ends instead of fully gabled roofs. This design is considered to give the proposal a subservient appearance and mitigate any impact it would have on the street scene.

6.4.3 The development would replace the existing garages and hardstanding with dwellings which are considered to have an acceptable design, scale, bulk and appearance as seen in Aylsham Lane. 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.

6.5 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 proposal is for a pair of 2-storey semi-detached dwellings. The proposal would be in line with the front building line of buildings along Aylsham Lane. By not projecting forwards of these dwellings and maintaining a similar height, the proposal is not considered to have any impact on dwellings to the east in this respect.

6.5.3 Towards the rear, the proposal would project beyond the main rear building line of dwellings to the east by approximately 2m on ground and 1st floor level. In Staff's opinion, the proposal should be treated in a similar fashion as a 2-storey extension beyond the rear building line of neighbouring dwellings. According to the Residential Extensions and Alterations SPD, 2-storey rear extensions should be set in from the common boundary with any attached dwelling by not less than 2 metres, and should project no more than 3 metres. In exceptional local circumstances rear extensions of a greater depth up to a maximum of 4 metres may be acceptable where, for example, this would be sympathetic with the character of the local area and/or rear extensions of a similar depth already exist at neighbouring properties. An equivalent degree of amenity should be secured for the neighbouring dwelling on the non-attached boundary both in terms of the existing house and rear garden and in terms of the ability to build an extension in line with the SPD. For this reason two storey extensions built up to the property boundary of the non-attached dwelling will not normally be acceptable.

6.5.4 The proposal would be set in from the common boundary with No. 66 by 1.2m and from the flank wall of No. 66 by approximately 2.9m. The proposal would only project 2m beyond the rear wall of No. 66. In light of this, Staff are of the opinion that the proposal would be in accordance with the provisions of the Residential Extensions and Alterations SPD and would not be harmful to the amenities of No. 66 in terms of its visual appearance, bulk or overshadowing.

6.5.5 In terms of overlooking towards the east, the proposal would introduce windows in the flank wall on ground floor however, given the proximity to the eastern boundary fence and the height of windows on ground level, it is not considered that any potential for overlooking would occur. On first floor

level, the flank wall window would serve a landing area and this window can therefore be required to be fixed shut and obscure glazed by means of a condition.

- 6.5.6 Turning to the potential impact on properties to the west, the proposal's nearest flank wall would be approximately 16m from the main rear wall of dwellings to the west. This separation distance is considered acceptable to prevent the proposal from having a visually dominating impact as seen from the rear gardens of properties to the west. In addition, the roofs have been hipped away from these neighbours which would further reduce any visual impact. The proposal is east of these dwellings and would therefore not cause any unreasonable levels of overshadowing.
- 6.5.7 The proposal would, similar to the dwelling on Plot 2, have windows in its flank wall. On ground floor level, no overlooking would occur due to the proximity to the boundary fence. On first floor level, the flank wall window would serve a landing area and this window can therefore be required to be fixed shut and obscure glazed by means of a condition. No overlooking would therefore occur and the privacy of neighbouring properties would be protected.
- 6.5.8 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 2 x new family dwellings would not give rise to a significant rise in the level of vehicular activity over and above that which is currently experienced as a result of the garages.
- 6.5.9 In terms of general noise and disturbance, it is not considered that the addition of 2 x No. 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.
- 6.5.10 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 adjacent dwellings, 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 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 4 x No. parking spaces to the eastern side of the dwellings, providing 2 spaces per dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.
- 6.6.2 According to information provided by the applicant, of the 11 garages, 7 are in use and the remaining 4 void. No alternative sites are proposed for displacements. 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. 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 proposals would have a similar arrangement as those existing dwellings along Aylsham Lane with direct access to the new dwellings available from the highway.
- 6.7.2 The application will involve the removal of a street tree at the front of the site. No objections are raised in principle to the loss of the tree but replacement planting should be sought through the proposed landscaping condition to ensure the development maintains an acceptable visual impact in the streetscene.
- 6.7.3 No concerns are raised in terms of fire brigade access.

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. Whilst no provision is made for displacement garages elsewhere, Staff consider the benefits of new family housing to outweigh the provision of 7 of the garages which is still in use elsewhere. The vehicles currently parked in these garages can comfortably be accommodated on the adjoining roads. Members are invited to apply their judgement in this respect. 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 19th October 2011.



**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:

**P1593.11 – Garage court to the rear of
106 Whitchurch Road, Romford**

**Erection of 3 dwellings with associated
car parking**

**(Application received 19th October
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 construction of 3 x 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) 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) Materials: The materials used in the construction of the development hereby permitted shall be Hanson Harborough Buff Multi Brick for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details

supplied on Drawing No. 8430-95-1001 (received 19th October 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 eastern and western elevations serving the landing area of each dwelling 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. 8430-95-1000, received 19th October 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.

17) Lighting to Access: Prior to the commencement of the development hereby approved, details of a lighting scheme for the access road shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operational prior to the first occupation of the development and shall be permanently retained thereafter.

Reason:

In the interests of community safety and residential amenity and to accord with Policies DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

18) Contaminated Land: 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 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.

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 north of Whitchurch Road and surrounded by 2-storey residential development. The site is currently vacant with no structures and is overgrown by vegetation. Ground levels are generally flat. The site has an overall area of approximately 0.1ha.

- 1.2 Development in the vicinity is characterised by 2-storey residential dwellings. There is no characteristic built form and dwellings are mainly constructed from red brick and red / orange pantiles. Opposite the entrance to the site is a recently constructed housing scheme which has a mixture of 2, 3 and 3 and a half storey dwellings.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 3 No. terrace dwellings with associated parking and amenity.
- 2.2 The dwellings would be to the rear of properties along Whitchurch Road, Tees Drive and Woodbridge Lane. Each dwelling would have a width of 5.8m resulting in an overall width of 17.4m. Each dwelling would have a depth of 9.2m with a height of 8.5m to the top of the ridge and 5m to the eaves. The development would have a set-back of 1m from the side boundaries at its pinch point.
- 2.3 The proposal would have a pitched roof with hipped ends. Windows and doors would generally be arranged to the front and rear, although some flank wall windows are proposed.
- 2.4 On ground floor level, each dwelling would have a living / dining room, a w.c. and a kitchen. On first floor level would be 3 bedrooms with a bathroom.
- 2.5 Access would be from Whitchurch Road between Nos. 102 and 104 Whitchurch Road, providing direct access to off-street parking. There would be 6 parking spaces in total, 2 per dwelling.
- 2.6 Amenity space would be towards the rear and side of each dwelling, measuring 126sq.m for Plot 1, 98sq.m for Plot 2 and 140sq.m for Plot 3.
- 2.7 Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 64 neighbouring properties with two letters of representation being received objecting to the proposal on the following grounds:
- not appropriate location for this development
 - overlooking
 - spoils views
 - blocks sunlight

- access will not be given to site, has squatters rights
- access road is not wide enough
- will cause noise disturbance, affecting disabled sons
- residents not given opportunity to buy the site

4.2 Environmental Health have recommended a condition relating to land contamination if permission is granted.

4.3 The Borough Crime Prevention Design Advisor has recommended a Secure by Design condition if permission is granted.

5. Relevant Policies

5.1 Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) 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. This is marginally below the required 96sq.m, however, Staff consider the benefits of providing new housing to outweigh the shortfall of 5sq.m floorspace per dwelling. Subject to the development being acceptable in other respects, 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 to both plots would be towards the rear and measuring 126sq.m for Plot 1, 98sq.m for Plot 2 and 140sq.m for Plot 3. The amenity area would be screened by means of a 1.8m close boarded timber fence, avoiding any potential to overlook the amenity areas from a public point of view.

6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. The proposed amenity space would be consistent with the shape, size and location of amenity space at other dwellings in the vicinity. 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 areas of the new dwellings 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 28 units per hectare. Although slightly below the recommended density range, given the site constraints it is not considered in this instance that the proposal represents an underdevelopment of the site.

6.3.5 In terms of the general site layout, the proposed dwellings would have sufficient spacing from surrounding properties. At its pinch point, the two end-terrace dwellings would have a set-back of 1m from the site's side boundaries. Gardens in the vicinity are however spacious and long and the dwellings would therefore not appear cramped on the application site or too close to neighbouring dwellings. Amenity space can be provided at the rear with parking towards the front in a convenient location. It is acknowledged that the layout of the proposals will involve a significant hard surfaced section to accommodate the parking in front of the houses. However, it is considered the impact of this is acceptably tempered by the proposed soft landscaping to the front gardens. The hard surfacing will not be particularly visible within the streetscene and the proposal is therefore, on balance, considered acceptable in this respect.

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 rear of No. 102 Whitchurch Road, approximately 55m from the edge of the highway. The development would therefore not form part of the Whitchurch Road 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. 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 overgrown vacant site with three new family dwellings which are not considered to be visually dominant or intrusive. 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.

6.5 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 proposal would be 21m from the nearest neighbouring dwelling which is towards the west along Woodbridge Lane. In terms of its visual impact, it is considered that the separation distance is sufficient and in addition, the roofs have been designed to hip away from neighbouring properties, minimising any impact. It is therefore not considered that the proposal would appear visually dominant or intrusive as seen from the neighbours to the west. Similarly to the east, the proposal would be 35m from the rear of these neighbouring buildings and is therefore considered to have an acceptable relationship without resulting in any harm.
- 6.5.3 The proposal is far enough removed from any neighbouring dwellings to not result in any overshadowing. Any potential for overshadowing would further be mitigated by the hipped roof design and the orientation of the proposal east and west of dwellings along Woodbridge Lane and Tees Drive.
- 6.5.4 The only flank wall windows proposed would serve a landing area. An appropriate planning condition can be attached to require these windows to remain fixed shut and obscure glazed to prevent any potential for overlooking. No overlooking is considered to occur as a result of windows on ground floor level due to their proximity to the site boundaries.
- 6.5.5 There is also neighbouring dwellings towards the south. The proposal would however be approximately 30m north of the closest dwelling, No. 102 Whitchurch Road. Although there would be bedroom windows in the front elevation of the proposed dwellings, the separation distance of 30m is considered sufficient to prevent any potential for overlooking. The separation distance is also considered sufficient to prevent any overshadowing from occurring.
- 6.5.6 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 3 x new family dwellings would not give rise to a significant rise in the level of vehicular activity.
- 6.5.7 In terms of general noise and disturbance, it is not considered that the addition of 3 x No. 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.
- 6.5.8 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.

6.5.9 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 6 x No. parking spaces to the front (south) of the dwellings, providing 2 spaces per dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.

6.6.2 The site is currently vacant and no displacement garages are therefore required in this instance.

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 proposal provides a bin collection point along the access road, approximately 44m from the front of the dwelling and 7m 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. The collection point is however further than the 30m as recommended by Building Regulations. This is however not a planning consideration and rather an issue for the developer to resolve with Building Control upon implementation of the scheme.

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.

6.7.3 Issues raised in representations regarding lack of opportunity to purchase the site and squatters rights would not be material planning considerations in this case.

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 19th October 2011.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:

**P1594.11 – Garage court to the rear of
69 Wigton Road, Romford**

**Demolition of 16 garages for erection
of 2 No. dwellings with associated car
parking**

**(Application received 19th October
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 demolition of the existing 16 garages and the erection of 2 x 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 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) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 4 x No. off-street car parking spaces for use by Plot 1 and Plot 2 and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4) Materials: The materials used in the construction of the development hereby permitted shall be Hanson Becton Yellow Multi bricks for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing No. 8430-91A-1001 (received 19th October 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 western and eastern elevations serving the landings of each dwelling 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. 8430-91A-1000, received 19th October 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.

17) Lighting to Access: Prior to the commencement of the development hereby approved, details of a lighting scheme for the access road shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and operational prior to the first occupation of the development and shall be permanently retained thereafter.

Reason:

In the interests of community safety and residential amenity and to accord with Policies DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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 east of Wigton Road with access to the site directly south of No. 69 Wigton Road. The site is surrounded by 2-storey residential dwellings. The site has 16 garages with 5 currently let and the others empty. Ground levels rise steeply from west to east. The site has an overall area of approximately 538sq.m.
- 1.2 Development in the vicinity is characterised by 2-storey residential dwellings. There is no characteristic built form and dwellings are mainly constructed from red brick and black / grey pantiles.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 2 No. semi-detached dwellings with associated parking and amenity.
- 2.2 The proposal would be for 2 no. semi-detached, 2-storey dwellings which will replace the existing garages and hardstanding. The dwellings would be to the rear boundaries of properties along Wigton Road, Broseley Road, Wigton Way and Whitchurch Road. Each dwelling would have a width of 5.8m resulting in an overall width of 11.6m. Each dwelling would have a depth of 9.3m with a height of 8.5m to the top of the ridge and 5m to the eaves. The proposals would be approximately 3m from its closest side boundary to the north-west.
- 2.3 The proposal would have a pitched roof with hipped ends. Windows and doors would generally be arranged to the front and rear, although some flank wall windows are proposed.
- 2.4 On ground floor level, each dwelling would have a living / dining room, a kitchen and a w.c. On first floor level would be 3 bedrooms with a bathroom.
- 2.5 Access would be from Wigton Road providing direct access to off-street parking. There would be 4 parking spaces in total, 2 per dwelling.
- 2.6 Amenity space would be towards the rear of each dwelling, measuring 93sq.m for Plot 1 and 73sq.m for Plot 2 .
- 2.7 Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 29 neighbouring properties with no letters of representation received. At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received.

5. Relevant Policies

- 5.1 Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) 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 are 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. This

is marginally below the required 96sq.m, however, Staff consider the benefits of providing new housing to outweigh the shortfall of 5sq.m floorspace per dwelling. Subject to the development being acceptable in other respects, 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 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 to both plots would be towards the rear and measuring 93sq.m for Plot 1 and 73sq.m for Plot 2. The amenity area would be screened by means of a 1.8m close boarded timber fence, avoiding any potential to overlook the amenity areas from a public point of view.

6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. The proposed amenity space would be consistent with the shape, size and location of amenity space at other dwellings in the vicinity. 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 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 37 units per hectare. This density would be at the bottom end of the recommended density range for this area and is considered acceptable.

6.3.5 In terms of the general site layout, at its pinch point, the proposal would be approximately 1.8m from the western side boundary of the site. Overall, Staff are of the opinion that the proposed layout would represent an acceptable level of spacing between the proposed building and site boundaries and also a sufficient spacing between buildings and would not

appear cramped or as an overdevelopment of the site. Amenity space can be provided at the rear with parking towards the front in a convenient location. 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 rear of properties along Wigton Road, Broseley Road, Wigton Way and Whitchurch Road. The development would therefore not form part of the Wigton Road 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. 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. It was noted upon site inspection that ground levels rise significantly from south-west to north-east. The proposal would therefore be higher compared to dwellings along Wigton Road. Notwithstanding, the proposal is modest in terms of its size and height. The roofs have been designed to be hipped away from the neighbouring properties, reducing any visual impact and further minimizing the size and appearance of the building. 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. The development would further introduce soft and hard landscaping. In terms of its visual appearance, the proposal is considered to be an improvement of the current situation on the site and would not detract from the surrounding environment.

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 proposal is for a pair of 2-storey semi-detached dwellings. The nearest neighbouring dwellings would be those towards the north-west of the proposed dwellings along Wigton Way (Nos. 2 and 4). At its pinch point, the

proposal's flank wall would be 14.1m from the main rear elevation of these neighbouring dwellings. This distance in combination with the 3m set-back from the common boundary, the hipped roof design of the dwellings and the drop in levels between Wigton Way and the site, is considered sufficient in order for the proposal not to appear overly bulky or visually intrusive as seen from these neighbouring properties. For the same reasons, the proposal is not considered to result in any harmful levels of overshadowing to the north-west.

- 6.5.3 The separation distances between the proposed dwellings and other neighbouring dwellings are considered sufficient and would not result in any potential for overshadowing, nor would the proposal appear visually intrusive or bulky.
- 6.5.4 In respect of overlooking, the neighbours most likely to be affected are those along Wigton Road and Whitchurch Road. At its pinch point, the proposal would be 22.5m from the rear wall of the dwelling at No. 67 Wigton Road. The dwelling on Plot 1 would be set-back from this common boundary by 5.5m. As mentioned earlier in the report, properties along Wigton Road are at a lower ground level compared to the application site. Notwithstanding, Staff are of the opinion that the set-back from the common boundary and the separation distance between dwellings would be sufficient to prevent any harmful levels of overlooking into habitable rooms. Whilst it is acknowledged that a degree of overlooking may occur to the garden of Nos. 67 and 69, it is considered that with appropriate boundary fencing harmful levels of overlooking can be reduced. Staff are however of the opinion that the relationship as proposed would be acceptable.
- 6.5.5 Windows in the flank elevations on first floor level would serve the landing areas and an appropriate planning condition can therefore require these windows to be fixed shut and obscure glazed. No overlooking is considered to occur to the dwellings along Wigton Way. Windows within the flank elevations on ground floor level would have an outlook towards the boundary fence and would not result in any overlooking.
- 6.5.6 The proposal would be separated from dwellings towards the north-east (along Whitchurch Road) by approximately 26m at pinch point on 1st floor level. This separation distance is considered sufficient to prevent any harmful levels of overlooking to occur and the set-back of 7.4m from the common boundary with these neighbouring properties would further safeguard any potential for overlooking.
- 6.5.7 A certain degree of overlooking may occur from the bedrooms of 1st floor level towards the south along Broseley Road. These windows would however be at oblique angles in relation to these neighbouring dwellings at Nos. 37a to 39 Broseley Road. Given the orientation of the proposal in relation to these properties, it is not considered that any harmful levels of overlooking would occur.

- 6.5.8 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 2 x new family dwellings would not give rise to a significant rise in the level of vehicular activity over and above that which is currently experienced as a result of the garages.
- 6.5.9 In terms of general noise and disturbance, it is not considered that the addition of 2 x No. 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.
- 6.5.10 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 a total of 4 no. parking spaces to the eastern side of the dwellings, providing 2 spaces per dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.
- 6.6.2 According to information provided by the applicant, of the 16 garages, 5 are in use and the remaining 11 void. No alternative sites are proposed for displacements. 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. 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 proposal provides a bin collection point along the access road, approximately 33m from the front of the dwelling and 7m 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. The collection point is however further than the 30m as recommended by Building Regulations. This is however not a planning consideration and rather an issue for the developer to resolve with Building Control upon implementation of the scheme.

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. The vehicles currently parked in these garages can comfortably be accommodated on the adjoining roads. Members are invited to apply their judgement in this respect. 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 19th October 2011.

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REGULATORY SERVICES COMMITTEE

REPORT

1 December 2011

Subject Heading:

P1401.11 – Former Ruskins Site, St. Mary’s Lane, Upminster

Demolition of existing class B8 warehouse and associated hard surfaces and erection of three detached dwellings with detached garages and landscaping (application received 13/09/2011).

Report Author and contact details:

**Helen Oakerbee, 01708 432 800
helen.oakerbee@havering.gov.uk**

Policy context:

Local development Framework

Financial summary:

None

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

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

SUMMARY

This proposal is put forward before the committee due to the development requiring a legal agreement to revoke a previous planning permission on the site. Allowing for margins of judgement, Staff consider the proposals to be acceptable, subject to a legal agreement to revoke a previous planning permission. It is therefore recommended that planning permission be 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 revocation of planning permission P1810.10 to include the removal of the existing barn, the removal of the ancillary hard standing and the placement of restrictions on the future use of the site.
- Agreement that no compensation shall be sought by the developer in respect of the revocation of planning permission P1810.10 to include the removal of the existing barn, the removal of the ancillary hard standing and the placement of restrictions on the future use of the site.
- Agreement that part of the site reverts to its prior authorised use as an area of open Green Belt to be used for agricultural purposes.

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

Reason:-

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be

acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

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

Reason:

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

Reason:-

To provide satisfactory off-street parking at the site, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

5. 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.

6. 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. The proposed following windows 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.

- 1) First floor flank windows to en-suite bathroom on Plot 1.
- 2) First floor flank windows serving we-rooms to Plots 2 and 3.

Reason:-

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

8. 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, E or F no extensions, roof extensions or roof alterations or hardstanding 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. 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 Development Control Policies Development Plan Document Policy DC61.

10. 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. 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.

12. 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, Policy 4B.6 of the London Plan, and Policies CP17 and DC63 of the Development Control Policies Development Plan Document Policy DC61.

13. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason:-

The development of this site may affect archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design for the archaeological evaluation of the site. This design should be in accordance with the appropriate English Heritage guidelines.

14. The roof lights permitted shall be in a conservation style, fitting as flush to the plane of the roof as possible. Details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason:-

To preserve the character and appearance of the Cranham Conservation Area.

15. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority samples of hard surfacing to be used in the driveways and pathways for Plots 1,2 and 3.

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.

16. Before any of the development hereby permitted is commenced, detailed drawings or samples as appropriate, in respect of the following shall be submitted to, and approved by the Local Planning Authority and thereafter the development shall be constructed with the approved materials and details.

- a) roof tiles
- b) windows and doors
- c) rainwater goods
- d) render and weatherboarding
- e) bricks

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.

17. 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 for Plot 1, 2 and 3, 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.

19. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping for the open area of Green Belt 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.

18. The existing barn building shall be demolished and the existing hard surfacing taken up in its entirety and the materials arising there from fully removed from the site prior to the commencement of the development hereby approved.

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.

INFORMATIVES

INFORMATIVE:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC33, DC36, DC45, DC61, DC63, DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

2. 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.

3. The applicant is advised that the London Fire Brigade require the developer shall install a private fire hydrant within the site, to the front of Plot 1. This hydrant is to be numbered P112058 and will conform to BS750: 1984 and be indicated with a hydrant indicator plate conforming to BS3251:1976. Upon completion of works, this fire hydrant the surrounding areas should meet flush with the hydrant's frame and cover and the pit should be clear of any debris.
4. In aiming to satisfy condition 12 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)

REPORT DETAIL

1. Site Description

- 1.1 The site lies to the south of St. Mary's Lane and is bordered by 'The Chase' to the east and a school to the west. North of the site are residential two storey dwellings, and south to the site is open Green Belt Land. The entire

site is designated as part of the Metropolitan Green Belt and also part of the Cranham Conservation Area.

- 1.2 The site has gated access from St. Mary's Lane and comprises a detached rectangular shaped building measuring 11.6m deep by 41m wide and finished in green corrugated metal with pitched roof; it is set relatively centrally within the site and borders a car park with access road onto the public highway located on the western edge of the site. There is an additional vehicular access onto the site which is not in use. The site is generally flat, although the building lies directly adjacent to a ditch and there are grassed mounds set to the west of the site which partially screen the building when viewed from the west.

2. Description of proposal

- 2.1 Planning permission is sought for the demolition of the existing barn structure, removal of existing hard surfacing and the construction of three detached dwellings.
- 2.2 Plot 1 is accessed from The Chase. This is arranged at ground floor with kitchen, lounge, dining room and study. At first floor there are 4 bedrooms, 3 bathrooms. Within the roof space there is a fifth bedroom and bathroom/dressing room. This dwelling measures a maximum of 15.7m wide, 10.46m deep and 8.7m high.
- 2.3 Plots 2 and 3 are identical with plot 2 accessed from The Chase and Plot 3 accessed from St. Marys Lane. These are arranged at ground floor with kitchen, dining room, lounge and study. At first floor there are 4 bedrooms, 3 bathrooms, storage room and within the roof space there is further bedroom. These measure a maximum of 13.5m wide, 11.4m deep and 9m high. Each dwelling has a defined residential curtilage.
- 2.4 Each dwelling is proposed to have a detached garage, measuring 5m deep, 5m wide and 5.3m high to a fully pitched roof. The garage is arranged as a single room structure with double entrance door and single door on the flank elevation and window to the other.
- 2.5 The existing vehicular entrance, gates and associated signage from St. Marys Lane into the site and the associated hard standing removed.
- 2.6 The remainder of the site would be returned to open Green Belt and landscaped with native trees. This is labelled as a meadow land on the submitted plans.
- 2.7 This application runs alongside C0003.11 which seeks Conservation Area Consent for the demolition of the existing barn.

3. Relevant History

3.1 C0003.11 - Conservation Area Consent for demolition of existing Barn - currently under consideration

P1810.10 - Retention of exiting fire damaged barn - approved

P1002.06 - Multi purposes driving test centre - refused

P0778.06 - Multi purpose driving test centre - withdrawn

4. Consultations/Representations

4.1 Neighbour notification letters were sent to 31 properties. 2 representations were received in support of the application.

4.2 A site notice was displayed advertising a development within the Green Belt and Cranham Conservation Area.

4.3 The Council's Heritage Officer recommends approval of the application.

4.4 English Heritage request archaeological investigation conditions.

4.5 The Highways Authority have no objections.

4.6 The London Fire Brigade require the installation of a private fire hydrant.

4.7 Environmental Health require the submission of a land contamination report.

5. Relevant Policies

5.1 Planning Policy Guidance Note 2 (Green Belts), PPG3 (Housing), PPS5 (Planning for the Historic Environment) and Policies DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC33 (Car Parking), DC36 (Servicing), DC45 (Appropriate Development in the Green Belt), DC61 (Urban Design) and DC68 (Conservation Areas) of the LDF Core Strategy and Development Control Policies DPD are considered relevant.

5.2 The Adopted Residential Design SPD and Heritage SPD is also relevant.

5.3 Policies 3.3 (increasing housing supply), 3.8 (housing choice), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.16 (green belt) of the 2011 London Plan are also relevant.

6. Staff Comments

6.1 This proposal is put forward before the committee due to the requirement of a legal agreement, revoking a previous planning permission and nullifying the use of the land on the site. The issues for Members to consider are the impact that the demolition of the existing building and removal of associated hardstanding and construction of three dwellings and creation of open

Green Belt land has upon its Green Belt and Conservation Area setting, amenity and highway implications.

6.2 Principle of Development

6.2.1 The site is situated within the Metropolitan Green Belt where development is restricted in order to restrict the sprawl of urban settlements, safeguard the countryside from encroachment and preserve the setting and character of historic towns.

6.2.2 PPG2 and Policy DC45 state that planning permission will not be granted for development which has an impact on the openness or character of the Green Belt. Where development is contrary to the provisions of PPG2 and DC45, or where development is judged to be harmful to the character of the Green Belt, the applicant should provide very special circumstances to justify the proposal.

6.2.3 The application site also forms part of Cranham Conservation Area, a historic rural hamlet. PPS5 recognises the value of heritage assets and the wider historic environment and states in paragraph HE7.2 that Local Planning Authorities should take into account and consider the impact of a proposal on the nature and significance of the heritage asset i.e. the Conservation Area. Development should therefore be sympathetic and consider its particular context. LDF Policy DC68 also states that development will only be granted where it preserves it makes a positive contribution to the Conservation Area.

6.2.4 Paragraph 3.2 of PPG2 states that inappropriate development, by definition, is harmful to the character of the Green Belt. New dwellings are not included within the appropriate uses in the Green Belt and are therefore inappropriate in principle. Paragraph 3.15 of PPG2 further states that visual amenities of the Green Belt should not be injured by proposals and care should be taken to minimise the impact of development.

6.2.5 Where proposals include inappropriate development, the demonstration of very special circumstances is required in order to justify the proposals.

6.2.6 The existing barn has been approved under application reference P1810.10. The proposal here is for the demolition of this barn and for the construction of three detached dwellings with associated garages and landscaping. There is a corresponding Conservation Area application for the demolition of this structure (reference C0003.11).

6.2.7 The proposals constitute inappropriate development. Prior to the appraising of the very special circumstances which are being promoted in this case, the impacts of the scheme must be assessed.

6.3 Green Belt Implications

- 6.3.1 The barn is located centrally within the site and is highly visible in the St. Mary's Lane streetscene, where there is little boundary treatment, except for some shrubs and broken sections of fencing. When viewed from The Chase to the east the barn is not visible due to the thick boundary treatment and adjacent property Lodge Cottage. The barn is visible from the agricultural fields to the rear of the site, where there are large gaps in the boundary screening.
- 6.3.2 The barn is clad in green metal sheeting and is well set back from St. Mary's Lane and therefore is not considered to be intrusive in the streetscene but its sheer size creates a dominance within the site and represents a break in character from the residential and open Green Belt surroundings and creates a commercial character which is out of keeping with the rural locality.
- 6.3.3 In Green Belt terms, although directly to the south of the site is open agricultural land with clear views; St. Mary's Lane is more developed in character, characterised by a mixture of tightly positioned dwellings. The Chase is rural in character but has cleared defined residential plots to the east towards All Saints Church. Similar, the adjacent school to the west is highly visible and does not form part of the established open character of the Green Belt. The proposals include landscaping to all proposed residential boundaries and frontages and landscaping of the proposed meadow.
- 6.3.4 The dwellings would be visible from both St. Marys Lane and The Chase however; Staff consider that for the reasons given below, they would be acceptable and result in an improvement to the openness of the Green belt.
- 6.3.5 Permission was given for the retention of the existing barn under application P1810.10 with the completion of a S106 agreement to revoke a previous planning permission on the site (P1308.04) for the construction of another barn. The proposals here include the demolition of the approved barn and erection of three residential dwellings with a large open area of Green Belt land. Staff consider that given the size of the site and the potential for conflicting uses it is considered that to justify the residential dwellings and formally remove all commercial activity from the land a legal agreement is necessary which revokes P1810.10 without compensation, and nullifies the use of the open area of Green Belt to be created so that it returns to agricultural land.

6.4 Conservation Area Implications

- 6.4.1 The site forms part of the Cranham Conservation Area. This is notable for its open views across the Green belt and its tightly knit group of buildings, including a central group of listed buildings that stem from The Chase. These are All Saints Church (Grade II), railed tomb to the west of the church (Grade II), Cranham Hall (Grade II) and Cranham Hall garden walls (Grade II). Cranham Hall Farm is additionally locally listed.

- 6.4.2 The existing barn is located at the northern most point of the Conservation Area and marks its entrance from St. Marys Lane. The Cranham Conservation Area Character Appraisal recognises that the entrance to the Conservation Area is in need of improvement.
- 6.4.3 Plot 1 is accessed from The Chase. This dwelling is arranged with a central entrance enclosed by an open porch with pitched roof. There is a two storey gable projection finished with rendered panels and timber detailing to the first floor. A bay window to the other side of the entrance has a jettied gable first floor; this is also finished in rendered panels with timber detailing. A central dormer set at eaves level sits above the entrance. The main roof is fully hipped and would be finished in hand made clay tiles. Aside from the timber projections the main dwelling is proposed to be finished in red hand made bricks. The rear elevation has a single two storey projection finished with a hipped roof. The first floor has applied timber detailing, similar to the front elevation. Windows are varied in size and set at different levels to create an element of interest on the property.
- 6.4.5 Plot 2 and 3 are of an identical design with Plot 2 located from The Chase and plot 3, located from St. Mary's Lane. These dwellings are arranged with an open porch entrance flanked by a two storey hipped roof projection, again finished with timber and white render panels. The front elevation differs in that there are two front dormer windows set on a hipped roof. The rear elevation is flat with a single storey projection finished with a hipped roof. These dwellings would be finished in the same pallet of materials as Plot 1 and are considered acceptable subject to the submission of samples, which are requested via condition.
- 6.4.6 In terms of visual amenity, The Chase streetscene is dominated by a heavy line of trees. The western boundary of the application site which fronts onto The Chase is screened by large trees and overgrown vegetation. These in one sense complement the rural character of the Conservation Area, but also appear untidy. The severe lean of the trees into the highway also raises safety issues.
- 6.4.7 The existing barn creates a commercial character, which although has been accepted, creates a break in character from the rural collection of farm buildings and detached dwellings that create The Chase. Staff consider that the removal of the barn is acceptable as it is no architectural or historical merit. The proposed three dwellings are of an acceptable scale and bulk and would be finished in materials appropriate to the Conservation Area. The removal of commercial traffic and commercial use from the site and introduction of residential dwellings is considered to improve the character of the Conservation Area.
- 6.4.8 The dwellings represent a reduction in volume over the existing barn. However, in terms of massing the articulated design of the dwellings is considered to reduce their overall impact in their setting.

6.5 Impact on Amenity

- 6.5.1 The Residential Design SPD gives guidance for residential garden layouts. It does not prescribe fixed space standards however; it does state that gardens should be provided in single, enclosed blocks which benefit from both natural sunlight and shade. Each garden is provided to the rear of the properties and extends down the flank elevations. Staff consider they are of a practical arrangement which meets the requirements of the SPD.
- 6.5.2 Each dwelling has an orientation with views facing over their respective highway, St. Mary's Lane and The Chase, with rear windows overlooking their gardens. Given the spacing between each dwelling and the inclusion of new boundary screening it is considered that there would be no possibilities for overlooking. First floor windows are proposed to each property. Plot 1 would have a secondary flank window to a bedroom and flank windows to a storage room and bathroom. The bedroom window would overlook the side garden and adjacent agricultural fields to the south. This raises no amenity concerns. The bathrooms windows are conditioned so that they are obscure glazed and non-opening with the exception of a top hung fan light.
- 6.5.3 Plot 2 has a secondary window serving a bedroom and storage room facing north towards Lodge Cottage; given the distance between these properties it is not considered that there would be any invasive overlooking or loss of amenity. The window facing Plot 1 to the south is conditioned as per Plot 1.
- 6.5.4 Plot 3 is identical to Plot 2 with the secondary bedroom window facing over the proposed open Green Belt. This raises no objection. The bathroom window facing east is conditioned as per Plot 1 and 2.
- 6.5.5 The supporting statement submitted with the application states that the dwellings will be built to at least Level 3 for the Code for Sustainable Homes.
- 6.5.6 The nearest property Lodge Cottage is located 47m east of Plot 3 and 43m north of Plot 2. The site is divided by a boundary wall and mature hedging. This dwelling is located in the far right corner of the site and it is considered that these properties would have no adverse impact to the residential amenity of these occupiers.
- 6.5.7 Staff recommend that permitted development rights are removed from all three properties (classes A-F) in order that Staff can control any future changes on the site. This will be secured via condition. The Cranham Conservation Area has an Article 4 direction which restricts the installation of fencing or boundary enclosure. Any future proposals for fencing or enclosures would require planning permission.
- 6.5.8 Representations received from the Crime Prevention Design Advisor state that the garages are not within natural surveillance of the dwellings. The garages are set within the rear gardens and would be visible from the rear windows of the property. This is considered acceptable. Staff are also aware that a relocation of the garages forward into the site would not be

acceptable in streetscene terms where the garages are currently subservient structures. A Secured by design condition has been attached accordingly as requested by the CPDA.

6.6 Highway/Parking

6.6.1 The site has independent access from St. Mary's Lane with an open forecourt south of the building with space for several vehicles. This existing access on the western corner of the site is proposed to be removed and all existing hard-standing taken away from the site.

6.6.2 Plots 1 and 2 would be accessed from The Chase via individual crossovers which would need to be constructed. There is no objection to this.

6.6.3 The existing, unused access on St. Mary's Lane would be utilised to form the vehicular entrance for Plot 3. This is considered acceptable and raises no concerns from Staff.

6.6.4 The site has an existing, authorised B8 use (storage and distribution) and whilst conditions imposed upon planning application P1810.10 restrict the number of heavy goods vehicles, there is an element of commercial traffic which arises from the use of the site. Staff consider that the removal of commercial traffic from the site to be desirable.

6.7 Trees

6.7.1 The site is screened by a heavy line of trees on the eastern boundary. These were originally covered by a group Tree Preservation Order (ref 11/82). The Council's Tree Officer has stated that the site no longer contains any trees which are listed under original TPO. The young Willows which currently exist are also too small to fall under Conservation Area protection. In any event, there is no objection raised with the removal of these trees as they currently overhang the public highway and will eventually outgrow their current location. The proposals to remove these trees and replace them with native trees and hedging is considered acceptable, as this would open up the highway, whilst retaining the landscaped rural character. A landscape plan will be required to be submitted via condition, to give details of all hard surfacing and soft landscaping including details of all tree species firstly for the residential plots and as a second condition a landscaping scheme for the open area of Green Belt.

6.8 Very Special Circumstances

6.8.1 The applicant has submitted a very special circumstances case in order to justify the proposals. This consists of the following points 1) removal of the commercial barn and hard standing 2) creation of large area of open Green Belt which would be landscaped and 3) three detached dwellings designed to improve the character of the Conservation Area which are of a reduced volume and footprint over the existing barn. These issues will be discussed in turn.

Removal of commercial barn and hard standing

- 6.8.2 The existing barn has authorised B8 (storage and distribution) use. Conditions imposed upon P1810.10 restrict the use of large vehicles on site. However, there is still an element of commercial traffic on site. The use, although established, is out of keeping with the surrounding residential and rural locality. The removal of commercial activity from this site is welcomed in this instance, where Staff recognise that a proposed redevelopment would have an improvement in terms of openness where buildings on the site can be positioned away from the centre of the site. The removal of this commercial use is to be secured by way of a legal agreement. Staff also require that the building and all hard standing is removed from site prior to the commencement of construction of the dwellings.
- 6.8.3 The residential hard surfacing has been kept to a minimum with each dwelling having a driveway leading to the garage and pathway leading to the front door. Details of this hard surfacing are required to be submitted via condition. The existing hard surfacing is poured concrete which has a harmful impact upon the setting of the Green Belt. The proposed hard-surface is much smaller in area and would be screened along with the dwellings by surrounding planting. The existing hard surfacing measures 2893 square metres. The proposed areas of hard surfacing for all three plots in terms of driveways measures 255 square metres, a reduction of 2638 square metres.

Reduction in footprint and volume

- 6.8.4 The proposed residential curtilages are located around the existing location of the barn and against the edges of the site where Lodge Cottage is located. The existing barn has a footprint of 476 square metres. The three dwellings total a footprint of 447 square metres (including the detached garages), giving a reduction in built footprint of 29 square metres.
- 6.8.5 In terms of volume, the existing barn has a cubic capacity of 3041 cubic metres. The three dwellings have a combined volume (including the detached garages) of 2763 cubic metres. Individually Plot 1 measures 848 cubic metres with Plots 2 and 3 measuring 827 cubic metres. This represents a reduction in volume of 278 cubic metres.
- 6.8.6 Staff also need to consider the area of each proposed residential curtilage, as these will be visible in the streetscene and form part of the loose rural character of The Chase.
- 6.8.7 Plot 1 covers an area of 1190 square metres and is located off The Chase and the dwelling is set back 11.4m from the highway. Plot 2 covers an area of 1155 square metres is also accessed from The Chase, the dwelling here is set back 21.8m from the highway. Plot 3 covers an area of 1107 square metres and is located from St. Marys Lane and would reinstate the existing unused access. The dwelling here is set back from the highway by 16.8m. All three plots are rectangular in shape. Each dwelling is arranged with large

front gardens, each would be landscaped with hedgerows and other trees. This over time, once the landscaping matures will soften the impact of the dwellings.

- 6.8.8 Each dwelling is inset from the their respective boundaries and would be surrounded by open landscaped gardens. Each boundary is enclosed by hedging. This is a soft enclosure which is typical of the Cranham Conservation Area. As the hedge matures additionally, it will soften the impact of the dwellings.
- 6.8.9 Residential curtilages are typically very large along The Chase. Lodge Cottage for example is located directly adjacent to the site; this has a residential curtilage covering 2001 square metres for example. The proposals here are for smaller curtilages; however, this is in order to allow for a larger area of open Green Belt land to be retained. The dwellings are located centrally in their plots with spacing to the boundaries. Staff are of the opinion that the size of the curtilages is acceptable and in keeping with the general spacious character and layout of dwellings in The Chase.
- 6.8.10 Directly opposite in St. Marys Lane dwellings are markedly different in character, typified by bungalows and two storey dwellings in an established suburban layout. These dwellings are located outside of the Conservation Area and Green Belt.

Creation of open Green Belt land

- 6.8.11 This site marks the beginning of the Green Belt and Cranham Conservation Area and represents the significant change in character from the built up suburban core of Upminster to the rural farmland of Cranham. The site is therefore highly significant in creating the change in character.
- 6.8.12 The site has an area of approximately 15500 square metres or 1.5 hectares. An area of 11500 square metres would be set aside to create an open area of Green Belt. This would be arranged in a single land parcel.
- 6.8.13 The three dwellings would be positioned to the sites boundaries on the eastern edge of the site, adjacent to Lodge Cottage and up against the highway. The existing site is dominated by the centrally located barn structure and the ancillary hand-standing. The area of vegetation and grassland are in poor condition and overgrown. The overall site therefore is not considered to positively contribute to the open character of the Green Belt or Conservation Area.
- 6.8.14 The proposed open area would cover the majority of the site and dominate the view when approached from Upminster town centre to the west and when viewed from the agricultural open fields to the south. When approached from the east the adjacent property Lodge Cottage and overhead railway bridge dominate the view, however once past this the poor quality of the existing landscaping detracts from the locality. The landscaped and tidied up open area would significantly improve the appearance of the

locality and reinforce the divide between the suburban core of Upminster and the rural nature of Cranham.

6.8.15 The area of retained open Green Belt would measure approximately 11500 square metres with the residential plots measuring a combined 3452 square metres. This open area of Green Belt would be the dominant feature on the site and landscaped to ensure that it enhances the rural character of the Conservation Area.

6.8.16 In conclusion of the very special circumstances submitted, Staff consider that the proposals would have a significant improvement in terms of openness which in turn would improve the character of this part of the Green Belt. There would be a reduction in existing volume and hardstanding over the existing structure and the gain of a large area of landscaped Green Belt land.

6.9 Conclusions

6.9.1 Staff consider that the very special circumstances case submitted is acceptable. There would be a removal of commercial activity from site and a gain in open Green Belt land which would be landscaped with native tree species. The proposed three dwellings are of an acceptable design which is considered to preserve and enhance the quality and character of the Cranham Conservation Area. In terms of openness the built form is located to the peripheries of the site with a combined reduction in footprint and volume over the existing barn.

6.9.2 The site would remain sufficiently screened by vegetation which reinforces the rural character of The Chase. There are not considered to be any adverse highway or amenity implications arising from the three dwellings. In view of the above factors, staff consider that the proposal accords with the provisions of LDF Policy DC45, DC61 and DC68 and PPG2 and may be granted permission subject to conditions and the completion of a legal agreement to revoke a previous planning permission.

IMPLICATIONS AND RISKS

Financial implications and risks: Planning and other agreements will need to be prepared.

Legal implications and risks: None

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to Equalities and Diversity. The proposals would result in visual improvement in terms of enhancing the character of the Cranham

Conservation Area and remove existing commercial activity in a residential location and the Green Belt. The proposals would contribute towards providing housing in the locality.

BACKGROUND PAPERS

Application forms, site plan, received 13th September 2011

**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:

**P1317.11 - King George’s Playing Field,
Eastern Avenue West, Romford**

Report Author and contact details:

**New proposed all-weather football facility, including new artificial turf pitches, fencing, floodlights, clubhouse with terrace. Widening of site access and laying out of parking. Relocation of existing skateboard park and games area and modification of existing play park (Application received 2nd September 2011)
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 | <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 checked="" type="checkbox"/> |
| Value and enhance the life of our residents | <input checked="" type="checkbox"/> |
| Delivering high customer satisfaction and a stable council tax | <input type="checkbox"/> |

SUMMARY

The application is for provision of an all-weather football facility within King George's Playing Fields. The application includes the laying out of a number of artificial turf pitches, with floodlighting, fencing and a clubhouse. Alterations will be made to the existing site access and additional parking created, as well as some relocation of existing play facilities within the park. The proposal is considered acceptable in all material respects, including the location of the development, its design and visual impact, the impact on residential amenity, parking and highway implications and environmental impact. Subject to resolving outstanding objections from Sport England the proposal is judged to be acceptable, subject to conditions and it is recommended that planning permission is granted.

RECOMMENDATIONS

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

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

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

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

3. Car parking - Before the building(s) and/or development hereby permitted is first occupied / brought into use, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority in accordance with the approved plans. 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) and/or development hereby permitted is first occupied / brought into use provision shall be made within the site for 5 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. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the clubhouse building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

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

6. Security Measures: Clubhouse – Prior to the commencement of the construction of the clubhouse building, details of measures to be used to maintain the security of the building, including details of the proposed windows and doors and measures to prevent graffiti, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved measures, which shall be retained permanently thereafter.

Reason: In order to ensure the development has an acceptable appearance and to minimise the risk of crime and to accord with Policy DC63 of the LDF Core Strategy and Development Control Policies DPD and Policy 7.3 of the London Plan.

7. Installation of CCTV – Prior to the commencement of the development hereby approved, details of a CCTV system to be installed and operated within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the CCTV is operational in accordance with the approved details. The CCTV system shall remain in operation thereafter in accordance with the approved details.

Reason: In order to minimise the risk of crime and to accord with Policy DC63 of the LDF Core Strategy and Development Control Policies DPD and Policy 7.3 of the London Plan

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. 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. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

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

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the Policy DC36 of the LDF Development Control Policies Development Plan Document and Policy 6.9 of the London Plan.

11. 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.

12. External lighting - Prior to the commencement of the development a scheme for the lighting of the external areas of the development, including the car park, 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, amenity, community safety and to prevent any adverse ecological impact. Also in order that the development accords with Policies DC32, DC58, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

13. 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 Ecological Survey Report dated June 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.

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

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

15. 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.

16. 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.

17. Access Widening – Prior to the commencement of the development hereby approved detailed design drawings showing the works to widen the existing access from Eastern Avenue West shall be submitted to and approved in writing by the Local Planning Authority. The submitted drawings shall also demonstrate that it is possible for all vehicles to both enter and leave the site in forward gear. The development shall then be carried out in accordance with the approved details prior to the development being brought into use and retained thereafter.

Reason: In the interests of highway safety and to accord with Policies DC32 and DC36 of the LDF Development Control Policies Development Plan Document.

18. Travel Plan/Delivery and Servicing Plan – Prior to the commencement of the development hereby approved a Travel Plan (TP) and a Delivery and Servicing Plan (DSP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. They shall include measures to encourage modal shift, reduction in car use and means to stagger arrivals and departures from the site, so as to reduce the impact of the development on the A12, and measures for monitoring and

review. The development shall be carried out in accordance with the approved details.

Reason: In order to encourage more sustainable modes of transport and to reduce the impact of the development on the road network and to comply with Policies DC32 and DC36 of the LDF Development Control Policies Development Plan Document and Policies 6.1 and 6.3 of the London Plan.

19. Construction Logistics Plan - Prior to the commencement of development a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems, consolidated or re-timed trips and provision for secure off street loading and drop off facilities. The development shall then be carried out in accordance with the agreed details.

Reason: In order to ensure the construction of the development does not have an adverse impact on the environment or road network and to accord with Policy 6.14 of the London Plan and Policy DC32 of the LDF Development Control Policies Development Plan Document

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:

- 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. Hours of Use – Pitches - The football pitches hereby approved shall not be used for the purposes hereby permitted other than between the hours of 08.00 and 22.30 hours on 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.

22. Hours of Use – Clubhouse - The clubhouse shall not be used for the purposes hereby permitted other than between the hours of 08.00 and 23.00 hours on Monday to Thursday, 08.00 and midnight on Friday and Saturday and 08.00 to 23.00 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.

23. Hours of Use – Floodlights - The floodlights hereby approved shall not be used for the purposes hereby permitted other than between the hours of 08.00 and 22.30 hours on 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.

24. Floodlighting Design – The floodlighting hereby approved shall not be erected at the site until details of measures to control glare and light spill from the proposed floodlighting have been submitted to and approved in

writing by the Local Planning Authority, in consultation with Transport for London. This shall include provision for monitoring and review of the impact of the lighting on the A12. The development shall then be carried out in accordance with the agreed measures, as well as conforming to the approved plans and floodlighting report forming part of this application.

Reason: In the interests of amenity, ecology and highway safety and to accord with Policies DC61, DC56, DC58 and DC32 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policy 6.1 of the London Plan.

25. Amplified Music – There shall be no amplified music or external speaker system used on the site, including the clubhouse, at any time, without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of local residential amenity and to accord with Policies DC55 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

26. Fencing and Netting – Prior to the commencement of the development, details of the netting to be provided across the top of the large pitch to the south side of the development shall be submitted to and agreed in writing by the Local Planning Authority. All fencing and netting installed on the site including the fencing around the football pitches, as shown on the approved plans, shall be installed before the site is brought into use and shall be retained permanently thereafter in accordance with the approved plans and to the satisfaction of the Local Planning Authority.

Reason: In order to maintain security and protect neighbouring residential amenity and to prevent any adverse impact on the road network, to comply with Policies DC61, DC63 and DC32 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policy 6.1 of the London Plan.

27. Acoustic Fencing – Prior to commencement of the development hereby approved, details of the proposed acoustic fencing, to include the design of the fencing, details of materials, the extent of a defensive planting zone in front of the fencing and specification of the landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority. The acoustic fencing shall be of a 'living wall' design unless otherwise specifically agreed with the Local Planning Authority. The acoustic fencing shall be provided on site in accordance with the approved details before the development is commenced with the approved defensive planting scheme implemented within one month of the erection of the fencing. The fencing and planting shall be retained thereafter in accordance with the approved details.

Reason: To ensure the development provides adequate noise protection to maintain the amenity of local residents and to ensure the fencing has an acceptable appearance and to accord with Policies DC61 and DC63 of the

LDF Core Strategy and Development Control Policies Development Plan Document.

28. Boundary Treatment – Prior to the commencement of development details of the proposed boundary enclosure between the western end of the proposed pitches and the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Parks Manager. The boundary enclosures shall be erected before the development is first brought into use and retained thereafter in accordance with the approved plans.

Reason: To ensure the continued security of the park and the proposed facility and in the interests of neighbouring amenity and to comply with Policies DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

27. Contamination - Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- 1) A site investigation scheme (a Preliminary Risk Assessment having already been carried out and submitted), based on the previously submitted PRA to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The site is located on a Secondary A Aquifer which is likely to provide flow to the adjacent River Rom. The whole of the site is classified as being a former landfill and there is potential for contamination to be present. Part 1 of this condition has been completed. We would now expect an intrusive site investigation to be carried out.

28. Remediation Works - Prior to commencement of proposed building works, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried

out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that the site no longer poses a risk to controlled waters.

29. Remediation for Further Contamination - If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with 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 that the site no longer poses a risk to controlled waters.

30. Surface Water - No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site is located on a Secondary A Aquifer which is likely to provide flow to the adjacent River Rom. The whole of the site is classified as being a former landfill and there is potential for contamination to be present. Infiltration of surface water would provide a potential pathway to enable to migration of contamination in the soil to migrate into the underlying aquifer.

31. Surface Water Drainage - Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the surface water discharge rate will be restricted to the calculated greenfield runoff rate of 15.2 litres per second (section 8.1, page 19).

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

32. Site Waste Management Plan – No development shall be commenced until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall include details relating to the amount of spoil predicted to be removed from

the site, measured in cubic metres, and measures for the removal and disposal of spoil. Any increase in the amount of spoil to be removed by more than 10% over the predicted amounts shall require the further agreement of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not adversely affect local character or amenity.

33. Imported Material & Storage - The development shall not be commence until:

- i) details of the location and total heights of temporary mounds have been submitted to and approved in writing by the Local Planning Authority.
- ii) certification of the origin of any material brought onto the site and verification of the amount of soil to be brought onto the site has been submitted to and approved in writing by the Local Planning Authority.

The development shall then be carried out in accordance with the approved details.

Reason: To ensure the development does not adversely affect local character or amenity.

Informatives:

1. The applicant is advised that one additional fire hydrant will be required within the development. Additionally an existing hydrant (29183) may be affected by the development and require locating.
2. Thames Water advise there are public sewers crossing or close to the development. Works within 3m of a public sewer are not normally permitted but the applicant should contact Thames Water on 0845 850 2777 to discuss. The developer is also responsible for ensuring adequate provision for surface water drainage.
3. Essex & Suffolk Water advise that there are mains in the vicinity of the development and new development, landscaping or changes in levels will not be accepted within 3m of the easement. They can be contacted on 01268 664921 for copies of record drawings.
4. In aiming to satisfy conditions 6, 7, 11 & 12 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.
5. In aiming to satisfy condition 27 above (acoustic fencing) the applicant is advised that a simple close boarded fence is unlikely to be acceptable and that the use of a 'living wall' type of acoustic fence should be proposed.

6. Advice from Environment Agency relating to condition 31:

According to the London Borough of Havering Strategic Flood Risk Assessment (SFRA) this site is shown to lie within the functional floodplain of the River Rom. However, since the SFRA was compiled we have carried out additional detailed fluvial modelling in this area which indicates that this site is located in Flood Zone 1. This is why we have not objected to this application and have recommended this condition.

In order to discharge this condition the following information should be provided:

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

Confirmation of the critical storm duration.

Where infiltration forms part of the proposed storm water system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

Where on site attenuation is achieved through attenuation features, calculations showing the volume of these are also required.

Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.

Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should scheme proposed should provide a sustainable drainage strategy to include SUDS elements with attenuation, storage and treatment capacities

incorporated as detailed in the CIRIA SUDS Manual (C697). Further information on SUDS can be found in: PPS25 Annex F, PPS25 Practice Guide, CIRIA C522 document Sustainable Drainage Systems-design manual for England and Wales, CIRIA C697 document SUDS manual, and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS.

Advice to applicant The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan', and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays. We recommend that developers refer to:

Our position statement on the Definition of Waste: Development Industry Code of Practice

Duty of Care Regulations 1991

Hazardous Waste (England and Wales) Regulations 2005

Environmental Permitting (England and Wales) Regulations 2010

The Waste (England and Wales) Regulations 2011

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at www.environment-agency.gov.uk for more information.

7. Reason for Approval

The proposal is considered to accord with Policies CP5, CP7, CP9, CP10, CP15, CP16, CP17, DC18, DC20, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC53, DC55, DC56, DC58, DC59, DC60, DC61, DC62 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. In addition it is considered to comply with the Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD and the Landscaping SPD.

It is also considered to comply with Policies 2.18, 3.6, 3.16, 3.19, 4.1, 4.6, 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, 7.15, and 7.19 of the London Plan as well as PPS1, PPS4, PPS9, PPS10, PPG13, PPG17, PPS22, PPS23, PPG24 and PPS25.

REPORT DETAIL

1. Site Description

- 1.1 The application site is the King George's Playing Fields, which are located to the northern side of Eastern Avenue, just east of the junction with Mawney Road. The application specifically relates to the south-eastern end of the playing fields. The site is generally level.
- 1.2 The area included within the application site boundaries includes the existing single lane vehicular access from Eastern Avenue, the existing parking area, park café and bowling green. The site also currently incorporates a skate park/multi use games area (MUGA) and children's play facility, as well as part of the grassed surface which is currently marked out as football pitches. All of these facilities are currently set back from the boundary of the site with the Eastern Avenue, behind a footpath and trees and other soft landscaping.
- 1.3 The western boundary of the playing fields is adjoined by the rear gardens of residential properties in Mawney Road and residential cul-de-sacs leading off Mawney Road, of which Blenheim Close is the nearest. To the east of the site lies the River Rom, beyond which there are commercial buildings forming part of the King George Industrial Estate. To the south of the site, on the opposite side of Eastern Avenue, is the Eastern Avenue retail park.

2. Description of Development

- 2.1 The application is for the development of part of the southern end of King George's Playing Fields to create an all-weather football facility. The facility will include the provision of 7 no. 5-a-side and 2 no. 7-a-side artificial turf pitches. These will be located to the western side of the existing bowling green. The pitches are proposed to be floodlit by 27 no. 8m high lighting columns, to enable year-round use, and would be enclosed by fencing of differing types ranging from 1.8m to 5m in height.
- 2.2 The proposal would include the construction of a clubhouse facility to the immediate west of the bowling green. This measures 22m wide by 12.3m deep and has a mono-pitch roof 3.7m high to the front rising to 5.1m high at the rear. Externally the building will be finished in buff facing brick and cladding panels, principally in black, with a dark grey profiled metal clad roof. The clubhouse would provide a bar area and changing room facilities. An outdoor terrace is proposed to the northern side of the clubhouse.
- 2.3 The existing vehicular access from Eastern Avenue would be retained but widened to 5m to enable two-way traffic in and out of the site. This would entail the loss of a tree by the entrance. The existing car parking areas would be retained with marginal alterations. The parking areas are currently informally arranged and the proposal would introduce marked bays within the parking area to provide a total of 115 parking spaces. The proposal

would entail the relocation of the existing skateboard park and MUGA further to the eastern side of the playing fields and there would be some modification to the layout of the existing play area. The application proposes the creation of a picnic area within the park. Additional landscaping is proposed as part of the development.

- 2.4 The facility is proposed to operate between 08.00 and 22.30 seven days a week, with the clubhouse open from 08.00 until 23.00 hours Monday to Friday, midnight on Saturdays and 23.00 on Sundays. Whilst the principal use of the facility will be for public football leagues, there will be opportunity for local schools and community groups to make use of the facilities.

3. Relevant History

- 3.1 Z0005.11 Screening opinion for Play Football development - EIA not required.

4. Consultations/Representations

- 4.1 Prior to submission of the application, the applicants undertook a community consultation event at a local church and at the café in the park, which was attended by approximately 85 people. Following receipt of the application, the proposal has been advertised on site and in the local press as a major development and neighbour notification letters have been sent to 69 local addresses. 9 letters of objection have been received, and 3 letters of support, including one from the Friends of King George's Playing Field. In addition, 141 pro-forma letters of support for the development have been received.

- 4.2 Objection to the proposal is on the following grounds:

- should site this on the other side of the park
- noise and disturbance
- impact of floodlights
- can it be ensured the floodlights are turned off at 10pm
- increase in traffic on congested roads
- traffic will start to park in side roads
- should keep the park as green fields
- will force neighbours to maintain a high hedgerow, causing loss of light to property
- will affect great crested newts in adjacent rear garden
- similar facilities in East London are not near to residential properties
- do not want to hear foul language in gardens
- cars will do illegal u-turns on A12
- if crossing is removed will be a waste of tax payers money

- 4.3 Support for the proposal, including the pro-forma letters, is on the following grounds:

- proposal will transform and improve the park

- creates employment opportunities
 - asset to the community, including local schools
 - promotes healthy lifestyle
 - upgrades car park and park entrance
 - will assist the Romford Flyers football club, which is based in the park
- 4.4 Transport for London advise that they provided pre-application advice to the developer. In respect of the issues raised at that time they are satisfied with information provided in respect of vehicular activity and parking provision. TfL would accept a condition requiring provision for all vehicles to enter and leave the site in forward gear. Confirmation is requested, through appropriate planning conditions, that there will be no lighting glare or overspill on to the A12. A travel plan and a delivery and servicing plan, as well as a construction logistics plan, is required but can be secured through condition. There is a standard for cycle parking and the provision of electric charging points would be welcomed.
- 4.5 The Environment Agency has concerns regarding the proximity of the development to the watercourse. However, a scheme of betterment has been provisionally agreed between the Environment Agency and the applicants. Subject to conditions the Environment Agency does not now object to the development.
- 4.6 At the time of writing this report Sport England has raised objection to the development on the grounds that the proposal may result in the loss of grass pitches and the displacement of existing football teams. Staff are continuing to liaise with Sport England in respect of their objections and Members will be updated at the meeting in respect of these issues.
- 4.7 English Heritage (archaeology) advises that the site is a former landfill site and no archaeological works will be required.
- 4.8 The Fire Brigade (water) advise one additional fire hydrant will be required.
- 4.9 The Fire Brigade (access) require further information to assess the fire fighting access arrangements.
- 4.10 Thames Water advise there are public sewers crossing or close to the development. The applicant should contact Thames Water to discuss. Provision will need to be made for surface water drainage.
- 4.11 Essex and Suffolk Water advise they have mains within the vicinity of the development. Development within 3m of an easement will not be accepted.
- 4.12 The Borough Crime Prevention Design Advisor has met with the applicants to discuss potential concerns relating to lighting of the car park and footways, relocation of the pedestrian footway, protection of acoustic fencing from damage, especially arson, clubhouse protection, safe cycle storage, relocation of the picnic area and installation of CCTV. There has been agreement in principle by the developers to resolving a number of these

issues. The CPDA does not object to the proposal subject to community safety related conditions.

5. Relevant Policies

5.1 National Planning Policy

PPS1 (Delivery Sustainable Development), Planning and climate Change (Supplement to PPS1), PPS4 (Planning for Sustainable Economic Growth), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPG13 (Transport), PPG17 (Planning for Open Space, Sport and Recreation), 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

The London Plan (July 2011) is the strategic plan for London and the following policies are considered to be relevant: Policy 2.18 (green infrastructure: the network of open and green spaces), Policy 3.6 (children and young people's play and informal recreation facilities), Policy 3.16 (protection and enhancement of social infrastructure), Policy 3.19 (sports facilities), Policy 4.1 (developing London's economy), Policy 4.6 (support for and enhancement of arts, culture, sport and entertainment provision), 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), 7.15 (reducing noise and enhancing soundscapes) and 7.19 (biodiversity and access to nature).

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

5.3 Local Planning Policy

Policies CP5, CP7, CP9, CP10, CP15, CP16, CP17, DC18, DC20, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC53, DC55, DC56, DC58, DC59, DC60, DC61, DC62 and DC63 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

In addition, Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD, Sustainable Design and Construction SPD and the Landscaping SPD are material considerations.

6. Staff Comments

- 6.1 The issues arising from this application are the principle of the development, including community benefit, design and visual impact, the impact on amenity, community safety, parking and highway issues and environmental impact.
- 6.2 Principle of Development
- 6.2.1 In July 2009 a report was presented to Cabinet by Cultural and Leisure Services in respect of the objective of bringing a purpose built 5-a-side football centre to the Borough. The report referred to data indicating a lower level of participation in physical activity across the Borough than in other parts of the country. The report considered that the provision of a 5-a-side centre in the Borough, which would be accessible to the whole community, would provide sporting opportunities for Havering residents, as well as jobs, education and social cohesion and leisure facilities, particularly for young people. The application site is that identified by Cultural and Leisure Services as most appropriate for the proposed facility and it is intended by that Service to enter into a lease agreement to secure the provision of the facilities, subject to all necessary approvals, including planning consent.
- 6.2.2 These wider Council objectives also form part of the Core Strategy Development Plan Document, which identifies Culture (which includes indoor and outdoor sports and leisure facilities) as one of its key issues and points to an identified need within the Borough for additional sports pitches. A key issue for the Core Strategy is to ensure that residents have convenient access to open spaces in line with the open space hierarchy and adequate access to sports facilities.
- 6.2.3 Policy CP5 relates to the general principle of encouraging cultural uses within the Borough. Policy CP7 states that the Council will, in partnership with other bodies, seek to retain and increase access to leisure opportunities by, amongst other things, addressing deficiencies in open space and recreation facilities and improving opportunities for creative play and physical activity in parks and open spaces. It is considered that the Council has specifically identified the need for such a facility within the Borough to meet objectives relating to health and wellbeing, access to leisure facilities and meeting the needs of the community. Staff therefore consider the proposal would be consistent with the objectives of the Core Strategy and Policies CP5 and CP7.
- 6.2.4 Policy DC18 of the LDF refers to the Council's aim of retaining and enhancing all public open space and recreation, sports and leisure facilities, whether in public or private ownership. Where alternative uses are demonstrated to be justified, in accordance with Policy DC20, priority will be given to other recreation/leisure uses, such as sports pitches, where there is an identified need for such a use. Staff consider that this part of the Borough has acceptable access to open space and note that there is an identified shortage of sports pitches within the Borough. In line with Policy

DC18 the proposal, which will provide new football pitches for both private and community use and meet an identified deficiency within the Borough, would be an appropriate use of the land.

- 6.2.5 In terms of national planning objectives, Policy 2.18 of the London Plan seeks to protect, promote and expand London's network of green infrastructure. There is no conflict with this policy. Policy 3.6 seeks to improve access for children and young people to play and informal recreation facilities. The proposal is considered to meet this objective, in particular as the facility will be made available to community groups, e.g. local schoolchildren, disadvantaged groups etc. through the terms of the lease agreement between the Council and the developers. This would however be secured outside of the planning application process.
- 6.2.6 Policy 3.16 of the London Plan seeks protection and enhancement of social infrastructure, which can include cultural, play, recreation and sport facilities and the proposal is considered to comply with this in principle. Policy 3.19 of the London Plan supports proposals which increase or enhance the provision of sports and recreation facilities, and encourages the provision of multi-use sports facilities and floodlighting in areas where this is an identified need for sports facilities unless there is demonstrable harm to local community or bio-diversity. The Policy does indicate that proposals on existing open space must be carefully considered, as set out in chapter 7 of the London Plan. However, Staff are satisfied that there is an identified need for the facility proposed, which would meet the objectives of the London Plan without unacceptably compromising the overall quality or the open space benefits offered by King George's playing fields.
- 6.2.7 Policy 4.6 of the London Plan indicates support for culture and sport provision. Staff have considered whether a sequential test is required for this type of development and note that in accordance with PPS4 the need for sequential testing applies to main town centre uses, which are leisure, entertainment facilities, and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls). It is considered that the proposal does not constitute a main town centre use and that accordingly the sequential test is not necessary.
- 6.2.8 PPG17 is relevant to proposals relating to open space, sport and recreation. PPG17 seeks to provide protection for such facilities and enhancement where appropriate. It acknowledges however that development of open space, sports and recreation facilities can be accepted where it provides the opportunity for Local Authorities to remedy deficiencies in provision. This is considered to be relevant to the proposals. The application will involve development on some land which is currently marked out as a football pitch, so could be considered as resulting in the loss of a playing field. Loss of playing fields will only be acceptable under the provisions of PPG17 where it meets one of the specified criteria. One of these is where the proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh the loss of playing fields.

6.2.9 At the time of writing this report Sport England has raised objection to the proposals in respect of the loss of grassed pitches and displacement of existing football teams. The Council has since confirmed to Sport England that the playing fields currently provide 4 no. mini-pitches, 1 no. 7-a-side and 2 no. 9-a-side grass pitches. The size and number of pitches is directly in response to local demand and none of these pitches will be lost as a result of the development and no local teams will be displaced. Staff therefore consider that the development results in no material adverse impact on the provision of grass football pitches within the Borough. However, Members will be updated on the outcome of continuing discussions with Sport England.

6.2.10 Additionally, the proposal is considered to give rise to a range of local environmental and community benefits. The facilities will be made available to wide-ranging sectors of the community and to local schools, through the terms of the Council's leasing agreement with the applicants. Furthermore, in terms of the quality of environment and facilities within King George's playing fields, the proposal includes the relocation of the existing skateboard park and MUGA, which will potentially reduce anti-social behaviour by positioning it in a more exposed location within the park and improve residential amenity by relocating it much further from the boundary with neighbouring residential properties. The proposal also includes a new picnic area, to be located within the vicinity of the existing play park and a new footpath link, running in an east-west direction from the car park to link up with the existing footpath on the western side of the site.

6.2.11 Having regard to the overall benefits to sport and recreation within the Borough resulting from the proposals, it is considered that the principle of development is acceptable and would comply with all relevant local and national planning policies.

6.3 Impact on Amenity

6.3.1 In terms of the impact on amenity, the closest residential properties to the proposed development are those to the west of the playing fields in Mawney Road and the residential side roads leading off from Mawney Road, in particular Blenheim Close. There is the Eastern Avenue retail park directly opposite the site, on the other side of the dual carriageway and an industrial estate to the east of the site. Neither of these are considered to be materially affected by the development given their commercial nature.

6.3.2 The nearest pitch within the proposed development will be located in excess of 40m from the boundary of rear gardens of dwellings in Mawney Road. The distance from the rear boundary of the nearest house in Blenheim Gardens is some 43m.

6.3.3 Staff acknowledge that the nature of the proposed facility is such that it does create a particular type of noise, primarily from footballs hitting against kickboards and shouting from users of the pitch. However, a noise

assessment submitted with the application indicates that the proposals would not be anticipated to give rise to unacceptable noise levels at the nearby residential properties. Notwithstanding this, the report suggests noise mitigation measures, such as the use of acoustic fencing and use of a netting rather than chain link material above the rebound boards. Such measures are included in the application and Environmental Health raise no issues on noise grounds subject to the inclusion of the proposed acoustic fencing.

- 6.3.4 The proposed facility would be open for use seven days a week, with pitches available from 8am until 10pm. The pitches would have floodlighting. However, the floodlighting is designed to have a restricted degree of tilt. Staff, in consultation with colleagues in Streetcare, are satisfied that the floodlighting would not adversely affect neighbouring residential amenity subject to conditions controlling the design of the lights and the time they are turned off. It is considered that care would nonetheless need to be taken with the design of the lighting, including exploring the possible use of factory fitted glare shields, both to ensure the protection of neighbouring amenity and also at the request of TfL to ensure that driving conditions on the adjacent A12 are not affected by glare. A condition is therefore suggested in respect of this issue.
- 6.3.5 Although the proposal includes a clubhouse facility, with external terrace, which would be open until 11pm and midnight on Sundays, Staff do not consider this would give rise to material harm to neighbouring residential amenity. This is due to the distance of the clubhouse some 130m from the boundaries of the park, as well as the noise reducing properties of the proposed fencing within the development. Similarly, the use of the access road and car park is not considered materially harmful to neighbouring amenity owing to its location on the far eastern side of the site. It is considered that the majority of users of the facility, particularly during the evening, would be likely to park within the site, and a significant increase in levels of parking in residential side roads in the evening and late at night would be unlikely to occur.
- 6.3.6 Whether the proposed development would have an acceptable impact on residential amenity is a matter of judgement for Members. However, Staff have weighed the potential for noise impact and disturbance against factors including the conclusions of the acoustic report, the distance of the pitches from the neighbouring houses and the proposed noise mitigation measures e.g. acoustic fencing. Staff also consider that the proposal has the potential to reduce anti-social behaviour by creating a degree of activity within the park area during the evening and enabling the relocation of the existing skate park/MUGA further away from residents boundaries. Combined with the community benefits arising from the proposals, Members may agree that, subject to conditions to ensure noise mitigation measures are put in place and to control hours of opening, that the proposal is acceptable in this respect.

6.4 Design and Visual Impact

- 6.4.1 The proposed development is situated entirely within the playing fields and, to a large extent, this would serve to restrict public views of the development from outside the site. The development does however include fencing and mesh enclosures of a substantial height around the proposed pitches, as well as floodlighting and a new single storey clubhouse building, and these elements of the development will create a visual impact from the site frontage as well as affecting wider views within the park.
- 6.4.2 The proposed fencing and netting around the pitches varies in height. The pitches will have a 5m high enclosure (including to the Eastern Avenue frontage) comprising a rebound board with green mesh fencing and netting above; enclosures between the pitches will be 5m high comprising a rebound board and green mesh. There will also be acoustic fencing at the western end of the pitches and along part of the northern boundary of the site. The development proposes a number of floodlights on 8m high columns.
- 6.4.3 Whilst this aspect of the development will alter the current physical appearance of the playing fields, staff are of the opinion that the floodlighting and type of fencing proposed is not uncommon within park environments. The proposed acoustic fencing does potentially have a detrimental visual impact when viewed from across the park. However, Staff are satisfied from discussions with Environmental Health, that acoustic fencing is necessary. Following discussions with the applicants, the extent of the fencing has been significantly reduced to the minimum necessary to achieve the necessary noise attenuation. Staff consider that the detailed design of the fencing could be improved to that currently proposed, possibly by use of a 'living fence', which would have a softer, landscaped visual appearance. Staff suggest that this issue be controlled through condition so that alternative forms of acoustic fencing can be explored.
- 6.4.4 With regard to the other fencing proposed, this has been specifically designed to blend in as well as possible with the park environment in terms of colour and the use of mesh and netting to improve the transparency of the fencing, and is not dissimilar to that already used to the perimeter of the bowls club. There is a genuine need for the development to be secured against vandalism and break ins and Staff are satisfied that the design of the fencing, combined with the screening impact of existing and proposed landscaping, will have an acceptable visual impact.
- 6.4.5 The proposed clubhouse is located within the centre of the site towards its southern boundary. The clubhouse would have restricted visibility from outside the site owing to its single storey nature and existing tree screening within the site. Staff consider the scale, design and external appearance of the proposed clubhouse to be appropriate to its setting and that no material harm to visual amenity or local character will result. The monopitch roof design is intended to reduce vandalism of the building and the proposed metal sheet cladding, brickwork and grey aluminium doors and windows are considered to be appropriate. The building will require protection from

vandalism and break ins but details of such measures can be required by condition.

6.4.6 The remainder of the works proposed within the site are to the existing car park. This will include formally marking out parking bays within the existing parking areas and the provision of lighting and fencing. These elements of the proposal are not considered to result in material harm to the character and appearance of the locality.

6.5 Community Safety

6.5.1 The proposed development is situated within existing playing fields and community safety and designing out crime issues are a material consideration. The layout of the development and boundary treatment has been designed so that the park can still be locked whilst the football facility is in use.

6.5.2 Detailed consideration has been given to the layout of the development and measures to deter crime and the proposals have been discussed with the Borough's Crime Prevention Design Advisor (CPDA).

6.5.3 The application proposes secure fencing to all boundaries of the site. The detailed design of these has been amended following concerns raised by the CPDA. This has included revising the location of closeboarded acoustic fencing and the inclusion of defensive landscaping measures to prevent vandalism of the fence, details of which will be required by condition. The proposal includes measures for maintaining the security of the proposed clubhouse building, and will also include the installation of CCTV cameras and lighting to the car parking areas. The proposal is considered to undertake all reasonable measures to ensure the development remains as secure as possible and to deter anti-social behaviour. Subject to conditions in respect of security measures, including CCTV and lighting, the proposal is considered acceptable and to comply with Policy DC63 of the LDF, Policy 7.3 of the London Plan and the Designing Safer Places SPD.

6.6 Environmental Impact

6.6.1 The proposed development lies to the west of the River Rom. The Environment Agency has advised that, in principle, there is no objection to the development. However, as the development encroaches towards the watercourse a scheme of betterment would be required to justify the development. At the time of writing this report negotiations with the Environment Agency were still continuing and Members will be advised of further progress in this respect. If this issue is resolved, the Environment Agency would also require further conditions relating to contamination and remediation and to surface water drainage.

6.6.2 An ecological report has been submitted with the application. This indicates that the development would not have a significant ecological impact, although there is potential for impacts on nesting birds depending on when

the works are undertaken. Staff do not consider there is any in principle ecological harm arising from the development but it is recommended that a condition be imposed to ensure the recommendations of the submitted ecological survey are carried out.

6.6.3 The proposal will have some impact on landscaping within the site, principally the removal of a tree near the site entrance to enable the widened access to be constructed. The proposal does however make acceptable provision for replacement and additional soft landscaping within the site, which the Parks Manager has agreed to in principle. It is recommended that further details of proposed landscaping be required by condition.

6.6.4 It is acknowledged that the proposal may potentially require the removal of substantial amounts of spoil from the site. There may also be a need to stockpile any spoil that is to be re-used or possible to import material into the site. Details in this respect are not currently available with the application and Staff therefore recommend that this be dealt with by condition to ensure that there is no material harm to local character and amenity and that any spoil, particularly as it may be contaminated, is removed from the site safely.

6.7 Parking and Highways

6.7.1 The application site has access directly to and from the A12 Eastern Avenue West, for which Transport for London (TfL) is the responsible Highway Authority.

6.7.2 The application proposes using the existing vehicular access and egress on to the A12 for the development. It is however intended to widen the existing access to enable two way traffic ingress/egress rather than the single lane entry which exists at present. The existing deceleration/acceleration lanes on the A12 will be unchanged and so all works to alter the access will take place within the site.

6.7.3 The proposed changes to the access arrangements and the location of the site access is acceptable in principle. The proposal will create much safer access arrangements compared to the existing situation by removing conflict between incoming and outgoing vehicles. The widened access will involve the loss of one tree but this is acceptable in principle given replacement landscaping proposals.

6.7.4 The proposal does not make provision for coach parking or larger vehicles per se. However, it is considered that these would tend to visit the site during off-peak times when parking for larger vehicles would be easier to achieve. TfL have sought confirmation that there is sufficient turning spaces within the site and requests a condition that all vehicles shall enter and leave the site in forward gear.

- 6.7.5 In terms of trip generation, TfL has confirmed that it is satisfied with the information provided in this respect and raises no objection to the proposals in terms of road safety or congestion. TfL is also satisfied with the information provided in respect of likely demand for car parking and the layout of the parking area.
- 6.7.6 In respect of car parking, the site currently includes an unmarked parking area, which holds in the region of 80 cars. The application proposes minor modifications to the area of the car park and to formally mark out the parking bays, creating a total of 115 parking spaces.
- 6.7.7 Staff have considered whether the development makes adequate provision for car parking within the site. There are no specific parking standards for this type of development within the LDF or the London Plan and therefore the proposal must be judged on its individual merits. A transport assessment has been submitted with the application, which contains predicted levels of parking demand. The applicant is an experienced operator of such facilities and much of the data is based on surveys of other facilities run by the applicant. The transport survey indicates that at times of peak usage there would be an accumulation of around 70 vehicles (18.00 to 19.00 and 19.00 to 20.00 hours weekdays).
- 6.7.8 Whilst Staff acknowledge that there is presently a high level of use of the existing car park, based on the experience of Council parks staff, this is generally during the working day, when the car park is heavily used by employees in the adjacent industrial estate and on Saturday and Sunday mornings when club football takes place in the park. Staff do not dispute the traffic data submitted with the application, which indicates that peak times of use of the proposed football facility is mid-week during the evening. This is outside the times when the car park is currently most heavily used, suggesting that the car park would provide sufficient capacity. Having regard to all the information provided Staff are satisfied that the provision of 115 parking spaces would be sufficient to meet the demands of the proposed development, even when taken cumulatively with parking demand from other users of the park.
- 6.7.9 Staff have noted concerns from local residents that parking would be more likely to take place in side roads off Mawney Road. Staff consider that there will be sufficient parking within the site and that the lack of direct access to the park from any of these side roads would be likely to deter users of the football centre from parking here. Some representations state that parking occurs in side roads during some weekend football matches. It is considered that this could potentially be alleviated as the proposal will provide more parking within the site than currently exists and, as weekend mornings are not peak times for the football centre, the increased parking capacity would provide a benefit for local football teams and reduce demand for on street parking locally.
- 6.7.10 Staff acknowledge that the location of the site and the nature of the proposed use makes it more likely that visitors will come to the site by car.

However, to comply with the LDF and the London Plan provision should be made within the site for cycle storage. Furthermore measures to encourage mode shift, car sharing and to stagger arrivals and departures should be sought. Therefore to accord with the London Plan and Policy DC33 of the LDF a Travel Plan and Delivery and Servicing Plan should be submitted. This can be required by condition.

6.7.11 The proposed construction of the development will potentially have implications for the operation of the local road network. In addition to a construction methodology plan, which will be required by condition, a Construction Logistics Plan is required by TfL. This will also be required by condition.

6.7.12 TfL have raised concerns about the impact of the proposed floodlights on the A12 and have sought assurance that there will be no glare or overspill lighting impact. It has been agreed with TfL however that this matter can be dealt with by condition.

6.7.13 In conclusion however Staff are satisfied that the proposed access road will be acceptable. The increased number of parking spaces within the site is considered to meet the likely demand for car parking arising from the development as well as other users of the site and no material harm to the highway or local road network is considered to occur. Subject to conditions, including the requirement for a Travel Plan, Delivery and Servicing Plan and a Construction Logistics Plan, Staff consider the proposal to be acceptable in terms of highway and parking implications.

7. Conclusion

7.1 The proposed football facility will meet an identified deficiency in sports provision within the Borough and opportunity for enhancement for cultural facilities. This complies with Policies CP5 and CP7 of the LDF, as well as the provisions of Policy 3.6 of the London Plan. The location of the proposed new facility is considered to be acceptable in principle and compliant with LDF Policies DC18 and DC20, as well as Policies 3.16, 3.19 and 4.6 of the London Plan. The proposal is considered to improve the sports facilities within the Borough to a degree that satisfies the provisions of PPG17.

7.2 The proposal is considered to be of acceptable design and external appearance. The detailed design of the proposal is considered to satisfactorily address issues of noise and disturbance and community safety, thereby complying with Policies DC61 and DC63 of the LDF. The detailed design of the floodlights, subject to conditions, will ensure that an acceptable degree of amenity for nearby residents is maintained. The proposal is considered to have an acceptable ecological impact. Staff are still negotiating with the Environment Agency regarding the acceptability of the development but note that the development may be acceptable in principle subject to betterment proposals. Transport for London has confirmed that there are no objections in principle to the proposal subject to

conditions. These conditions can be imposed on any permission given and Staff are satisfied that, subject to this, the development would not have an unacceptable impact on the highway. It is considered that the construction impacts of development can be adequately controlled through planning conditions.

- 7.3 The proposal is therefore considered acceptable in all material respects and it is therefore recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Council will be entering into a contract with the operators of the football centre in respect of the leasing of the land.

Legal implications and risks:

None arising from this development.

Human Resources implications and risks:

None arising from this development.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equalities and diversity. The application seeks to remedy in a deficiency in sport facility provision within the Borough. The proposal, through a separate leasing agreement with the Council, will enable wider community use of the facilities and encourage inclusive use, by promoting use by community groups, local schools and disadvantaged groups.

BACKGROUND PAPERS

Application forms, plans and supporting statements received on 2nd September 2011.



Regulatory Services Committee

1 December 2011

ITEM 14

OUTSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-7	P1195.11	Romford Town	50 Main Road Romford

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REGULATORY SERVICES COMMITTEE

1st December 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P1195.11	
WARD :	Romford Town	Date Received: 18th August 2011
ADDRESS:	50 MAIN ROAD ROMFORD	
PROPOSAL:	Change of Use from Residential Institution (Use Class C2) to Children's Day Nursery (Use Class D1) Ground floor rear extensions and replacement porch Parking to rear of property and new crossover from Erroll Road. Removal of trees. Revised plans received 8/9 and 24/10	
DRAWING NO(S):	11002:P03 Rev D; -P01 Rev A; -P02 Rev C	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

The application has been called in to Committee by Councillor Andrew Curtin on grounds relating to traffic moving and car-parking problems at a busy junction with the Main Road, in particular in reference to a similar application at the junction of Kingston Road and Main Road having been refused on the grounds of traffic impact a few years ago.

SITE DESCRIPTION

The site is located on the east/south corner of Main Road and Erroll Road, to the south of the junction of Main Road with Pettits Lane. It comprises a 2-storey building currently vacant but last used as a 9-bedroom residential care home. There is a substantial two-storey side/rear extension and conservatory with other single-storey rear extensions housing an extended kitchen, laundry and storage. There is an external escape staircase to the rear of the building.

There is a small parking area to the front of the site with the existing vehicular access onto Erroll Road.

There are a number of preserved trees to the Main Road and Erroll Road frontages.

DESCRIPTION OF PROPOSAL

The proposal involves the change of use from residential care facility to a 44 place Day Nursery. It is proposed to replace the existing conservatory with a single-storey rear extension and erect an entrance lobby. Roof lights/velux windows would be provided with ceilings removed from first floor rooms. There are a number of other minor changes to the building which in part result from the relocation of the stairwell to enable the provision of a central lift. The external fire staircase would be removed from the rear of the building and disabled access ramps would be provided to three entrances. Existing windows would be replaced.

The day nursery would provide 3 age-group rooms with reception/security point, staff room, office, kitchen, laundry, sensory room, storage and WC facilities. The nursery would be open to children between 8am and 6pm on Mondays to Fridays. The proposal would provide employment for 10 full-time staff.

Existing preserved trees would be replaced by 10 new trees and other landscaping would be

REGULATORY SERVICES COMMITTEE

1st December 2011

OUTSIDE STATUTORY PERIOD

provided including hedging to the rear garden area and grass.

The proposal would also include increasing the width of the existing vehicular access onto Erroll Road. A second vehicular access and hardstanding area would be constructed to Erroll Road which would provide 2 drop-off bays and a disabled parking space to the rear of the building. The total parking provision would be 7 with a turning area to the front of the building.

A Travel Plan has been submitted with the application.

CONSULTATIONS/REPRESENTATIONS

21 adjoining neighbours were notified of the application. 6 pieces of correspondence have been received objecting to the proposal on the following grounds:

- the return of the vacant property to use is welcomed
- too many staff/children for the existing property
- loss of privacy
- increase in traffic, particularly at start and finish times causing nuisance in Erroll Road
- increase in traffic at a dangerous junction with Main Road/Pettits Lane
- loss of residential character of the area
- increased noise
- increased inconvenience to local residents
- The site is at a busy cross-roads where accidents occur throughout the year
- the existing vehicular access is very close to the junction and is infrequently used
- a similar scheme was refused at no 72 Main Road in 2005 (P0485.05)
- insufficient drop-off and other parking resulting in on-street and marked bay parking
- cars would need to reverse onto Erroll Road
- the number of children and staff involved constitutes a small school and it will be noisy during play periods the whole year round affecting sleeping shift workers and the mainly otherwise retired/elderly neighbours from enjoying their gardens
- windows to the roof slopes would result in overlooking and, when open, increase noise
- permission has recently been given for an extension to Harefield Manor Hotel on the opposite side of Erroll Road, such that the proposal will add to parking problems
- numbers proposed are already high but could increase even without consultation with the neighbours
- the area is unsafe for small children
- the roof-space could be used for additional children
- No. 1A Erroll Road was formed from the end part of No. 50 Main Road's garden such that the garden length is shorter
- the play area would be directly on the boundary with adjoining properties and would cause unacceptable noise and disturbance to shift workers sleeping during the day
- increase in fumes
- more litter
- venting and smoke from the laundry room/incinerator should be directed away from adjoining properties
- the proposed fence/trellis upto 2.6m should be used for all boundaries between properties to the rear garden area
- inaccuracies in the supporting statement
- other Day Nurseries do not rely on public transport which is unrealistic for example the substantial car park at Creative Kids on Main Road
- trees

Also raised was that the drain crosses other properties before exiting to the public highway -

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concern is raised that blockages would cause problems for neighbours since it was only designed for normal domestic use; insufficient public consultation; speed of response to noise complaints

STAFF COMMENTS

The main issues arising from this application are the principle of the development, its impact in the street-scene and rear garden environment, impact on residential amenity, trees and highways/parking.

PRINCIPLE OF DEVELOPMENT

The proposal is for a change of use from a vacant residential care home to a day nursery for 44 children. This is in line with Core Policy CP8 and DC26 which seek to ensure that a suitable range of community facilities are provided to meet existing demand. The proposal would clearly provide greater opportunities for children of pre-school age to be cared for and receive a relevant level of pre-school education and Staff therefore consider that this would be acceptable in principle.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal is for a change of use of the existing building, nonetheless there are changes to the external appearance which include the replacement of the existing conservatory with a single-storey extension and a front porch with canopy, both provided with flat roofs and a new dropped kerb with hardstanding for parking. All existing preserved trees would be removed from the front and side boundaries; this is addressed in more detail below.

The porch would be mainly located between the existing front projections of the rooms either side of the existing recessed entrance. It would be single-storey and flat roofed and would appear similar to other residential porches locally. The proposed hardstanding to the rear would provide three parking spaces and an access for maintenance purposes. It is considered that the hardstanding area would be similar to other front hardstanding areas for the parking of vehicles in Erroll Road and that the porch and hardstanding would result in no significant impact on visual amenity in the streetscene.

The proposed replacement for the conservatory would be a single-storey rear extension with the same footprint as the existing conservatory. It would be provided with a flat roof and extensive glazing to the rear and eastern elevation with a wall to the Erroll Road side with high level windows. The new extension would be visible from Erroll Road as it would partly form the back-drop of the new drop-off bays. Whilst development on corner properties would be expected to provide hipped roofs this flat roof section has been designed to emulate and link directly with the existing flat roof balcony to the rear of the building. It is considered that as it would be set back from the highway by approximately 5m, that it would not have any significant adverse impact on visual amenity in the streetscene. In addition, as it would be no deeper than the existing conservatory, Staff consider that it would not result in any significant harm in the rear garden environment.

IMPACT ON AMENITY

The nursery would have children between 8am and 6pm on Mondays to Fridays only. Activities associated with the nursery are likely to be greater than the former use as a 9-bed residential care home due to the number of children/staff and that the garden area would be used in line with OFSTED requirements. This would include the arrival and departure of staff, children and parents by car or other transport modes and outdoor activities.

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The existing entrance point would remain to the front of the building with 4 staff parking spaces being provided here. There would in effect be little change to the existing arrangements in this respect and it is considered that the increase in comings and goings in this area would not be readily discernible above the relatively high background noise of traffic using the busy Main Road/junction with equally busy Pettits Lane. The proposed hardstanding area to the rear of the building would be located opposite a hotel and adjacent to a residential property. It is considered that there would be an increase in activity here particularly around opening and closing times although parents normally stagger their arrival to suit other activities such as dropping other children at school or around working hours. As only 3 spaces would be provided together with a suitable fence to the boundary with No. 1A Erroll Road, Staff consider that any noise and disturbance associated with use of this parking area would not be so significant as to refuse planning permission.

The proposed play area would be located in the existing rear garden area. Staff consider that as indicated by the applicant, that upto 8 children would use the garden at any one time such that this would not cause any significant harm to residential amenity. This could be controlled through the attachment of a suitable condition.

Whilst currently vacant, the proposal would also remove the noise and activities of nine residents and care home staff and visitors during the evening/night and at weekends.

Staff therefore consider that any noise and disturbance arising would not be unduly harmful to the residential amenity of adjoining occupiers.

Suitable conditions can be attached to any grant of planning permission to prevent the use of the roof of the new single-storey extension as a balcony such that Staff consider there would be no significant harm arising to residential amenity from the proposed flat roof.

HIGHWAY/PARKING

Annex 5 indicates that 1 parking space should be provided per member of staff with a dropping off area. For this proposal, 10 spaces would be expected. The existing front parking area would be reconfigured provide 4 staff parking spaces to the front with a turning space and a new parking area with a disabled space and 2 drop off spaces would be provided to the rear of the site. This would provide 7 parking spaces in total. The turning head, together with a widened vehicular access, to the existing front parking area would enable cars to exit in forward gear.

A Staff Travel Plan has been submitted to encourage staff to travel by non-car transport modes with a cycle parking facility being provided on site.

Given that the site is within close proximity to Romford Town Centre and is on a main road with a number of bus routes to Main Road and that it is within reasonable walking distance of Romford Railway Station and the employment opportunities of the offices/shops and extensive parking provision within the Town Centre, it is considered that the proposed day nursery would be likely to meet an existing need for such provision from existing residents and workers. It is therefore likely that users would either walk or use public transport or have existing arrangements for car parking in the town centre such that the proposed parking provision would be acceptable.

The proposed drop off and Disabled parking facility would either require reversing in or reversing out. This would be located a minimum of 14m along Erroll Road from the junction with Main Road and it is considered that anyone using the bays would exhibit the same care as any other car user when making such manoeuvres onto and from the highway such that this is considered

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to be acceptable in highway safety terms.

The bin store is proposed to be located to the side of the existing building. Staff consider that the parking areas would also provide short-term parking for servicing vehicles to turn around within the application site. Suitable conditions can be attached in respect of requiring retention of refuse collection facilities and cycle storage.

Staff therefore consider that no highways/servicing or parking issues specifically arise from the proposed nursery.

TREES

There are 4 trees at the application site which are under Tree Preservation Orders. In discussion with the Council's Tree Officer one tree has previously been removed and one would be removed due to its poor condition. Two others would be removed due to their close proximity to the building and as one would interfere with the extended vehicular access. It is proposed to plant 11 trees to compensate for the loss of the preserved trees with 5 to the Main Road frontage, 3 to the side boundary to Erroll Road and three to the rear garden area.

The loss of the preserved trees would have an immediate adverse impact on visual amenity, nonetheless it is proposed to replace with semi-mature specimens such that they will be established reasonably quickly without causing problems for the stability of the building itself. Staff therefore consider that the proposal would have an acceptable impact on visual amenity in the streetscene and that the replacement trees would be acceptable in terms of the Policy DC60.

KEY ISSUES/CONCLUSIONS

The proposal would result in the return to a beneficial reuse of a building which has been vacant for approximately 5 years. The site is located close to Romford Town Centre and is in a sustainable location. The proposal would provide community facilities meeting an identified need and would be acceptable in principle. The proposal would be acceptable in terms of its impact on visual amenity (including trees/landscaping), on residential amenity and in relation to parking/serving and highways. Staff therefore recommend approval.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
3. M SC11 (Landscaping)
6. S SC48 (Balcony condition)
7. 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 to the eastern and southern shared boundaries with No. 52 Main Road and 1a Erroll Road and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

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8. S SC19 (Restricted use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be Day Nursery only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 of the Order, 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, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

10. S SC22 (Hours of operation)

The premises shall not be used for the purposes hereby permitted other than between the hours of 07:30 and 18:30 Mondays to Fridays. only.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

11. S SC27 (Hours of use)

The premises shall not be open to children other than between the hours of 08:00 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.

13. S SC32 (Accordance with plans)

14. SC34A (Obscure and fixed glazing)

The proposed window to the western elevation 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.

15. SC46 (Standard flank window condition)

16. S SC58 (Storage of refuse)

17. M SC59 (Cycle Storage)

18. M SC62 (Hours of construction)

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2. Non standard condition
The Travel Plan submitted with the application shall be implemented in accordance with the approved details.

Reason: To ensure that staff and parents are encouraged to use alternative non-car modes of transport in the interests of highway safety in accordance with Policy DC33 of the LDF Core Strategy and Development Control Policies DPD.

4. Non standard condition
Other than the replacement windows which shall be implemented as approved, all new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

5. Non standard condition
Vehicles shall not be parked other than in the marked bays hereby permitted and the turning head shall be kept clear at all times.

Reason: In the interests of highway safety in accordance with Policy DC32 of the LDF Core Strategy and Development Control Policies DPD.

9. Non standard condition
The outdoor play area shall not be used except between the hours of 08:30 and 17:00 and shall not be used by more than 8 children at any one time.

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.

- 1 INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP8, DC26, DC29, DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

1 December 2011

Subject Heading:

**Application for the Stopping Up of
Highway at Land East of Daventry
Road, RM3 7QT between No.s 2 and
174, ROMFORD**

**(Application received 11th November
2011)**

Report Author and contact details:

**Anthony Richings, 01708 432466
anthony.richings@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 | [] |
| Valuing and enhancing the lives of our residents | [] |
| Delivering high customer satisfaction and a stable council tax | [] |

SUMMARY

This report relates to an application for the stopping up of highway received on 11th November 2011, to enable the following proposals pursuant to planning reference P0652.11 to be carried out. The planning permission reference P0652.11 involves the erection of 2 houses with associated parking and some replacement parking for spaces lost as a result of the development.

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 the area hatched and edged in black on the plan (entitled “2-174 Daventry Road RM3 7QT Footway Stopping Up”) 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 acceptable to enable the planning permission granted under planning reference P0652.11 to be carried out.

RECOMMENDATIONS

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

- 2.1 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 and edged in 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 P0652.11 to be carried out.
- 2.2 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.
- 2.3 In the event that relevant objections are made by other than by 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.
- 2.4 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 unless the application is withdrawn.

REPORT DETAILS

- 3.1 On 30th June 2011 the Council resolved to grant planning permission (under planning reference P0652.11) for a development comprising the erection of 2 houses with associated parking. Planning permission was issued on 6th July 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 footway and re-routing of the footway to the southerly footway adjacent to No.2 Daventry Road which will enable the development to be carried out.
- 3.3 The proposed scheme involves building on land which includes areas of adopted highway (footway). In order for this to happen, the area of the highway hatched and edged in 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 may 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.

IMPLICATIONS AND RISKS

4.1 Financial Implications and Risks:

The costs of the making, advertising and confirmation and any associated costs, should the order be confirmed or otherwise will be borne by the

developer pursuant to The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000.

4.2 Legal Implications and Risks:

Legal Services will be required to draft the Stopping Up Order and Notices as well as carry out the Consultation process and mediate any negotiation with objectors.

4.3 Human Resources Implications and Risks:

None directly attributable to the proposals.

4.4 Equalities and Social Inclusion Implications:

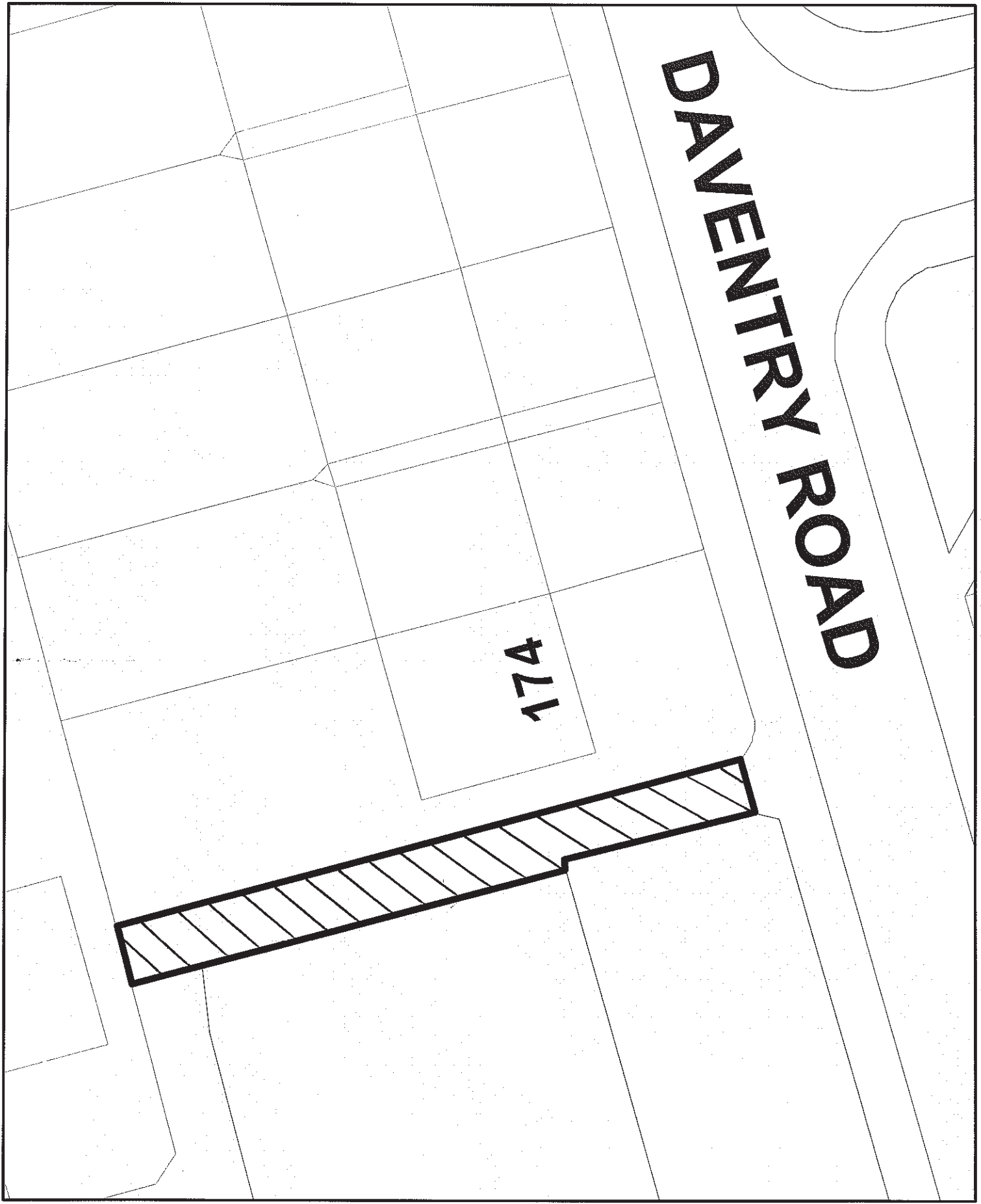
None directly attributable to the proposal. The route is well served by an identical Footway to the East of Daventry Road being only marginally less convenient to the public travelling from the north down Daventry Road and not affecting footway users approaching from the south.

CONCLUSION

The proposed stopping up relates to an area of highway the stopping up of which is necessary to facilitate the development of 2 dwellings pursuant to planning permission reference P0652.11. It is therefore recommended that the necessary Order is made and confirmed.

Background Papers List

1. Report of Regulatory Services Committee which granted planning permission under planning reference P0652.11 [30-06-2011 Item 6]
2. Plan (Reference “2-174 Daventry Road RM3 7QT Footway Stopping Up”) showing the area to be stopped up

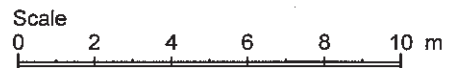


2-174 Daventry Road RM3 7QT Footway Stopping Up

Map Reference: TQ5392SW



Scale @ A4 1:200
Date: 22/11/2011



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