



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm	Thursday 15 December 2011	Havering Town Hall, Main Road, Romford
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Members 11: Quorum 4

COUNCILLORS:

**Conservative Group
(7)**

**Residents' Group
(2)**

**Labour Group
(1)**

**Independent
Residents'
Group
(1)**

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

Linda Hawthorn
Ron Ower

Paul McGeary

Mark Logan

**For information about the meeting please contact:
Richard Cursons (01708 432430)
E-mail: richard.cursons@havering.gov.uk**

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman will announce the following:

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DECLARATION OF INTERESTS

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

4 MINUTES (Pages 1 - 38)

To approve as a correct record the minutes of the meetings of the Committee held on 13 October, 27 October and 3 November 2011 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS WITHIN STATUTORY LIMITS (Pages 39 - 64)

- 6 **P1521.11 - LAND REAR OF 189 FARINGDON AVENUE, HAROLD HILL** (Pages 65 - 80)
- 7 **P1608.11 - GARAGE COURT AT REAR OF NO. 33 - 48 PROSPECT PLACE, ROMFORD** (Pages 81 - 96)
- 8 **P1327.11 - THE ALBANY SCHOOL** (Pages 97 - 108)
- 9 **P1559.11 - LAND REAR OF 51-63 KINGSBRIDGE ROAD, HAROLD HILL** (Pages 109 - 124)
- 10 **P1560.11 - LAND REAR OF 16/18 HALESWORTH CLOSE, ROMFORD** (Pages 125 - 140)
- 11 **P1643.11 - GARAGE COURT TO REAR OF 13 ASHBOURNE ROAD, HAROLD HILL** (Pages 141 - 156)
- 12 **P1635.11 - GARAGE COURT TO REAR OF 12 ASHBOURNE ROAD, HAROLD HILL** (Pages 157 - 172)
- 13 **P1636.11 - GARAGE COURT TO REAR OF 4 SEDGEFIELD CRESCENT, ROMFORD** (Pages 173 - 188)
- 14 **A0061.11 - 192 HILLDENE AVENUE, ROMFORD** (Pages 189 - 194)
- 15 **P1623.11 - GRASS VERGE ADJACENT TO 32 PETTLEY GARDENS, ROMFORD** (Pages 195 - 208)
- 16 **P1637.11 - GARAGE COURT TO REAR OF 16 SHEFFIELD DRIVE, HAROLD HILL** (Pages 209 - 224)
- 17 **P1582.11: 44-52 MARKET PLACE, 1-14 SWAN WALK & UNIT 103 LIBERTY SQUARE, ROMFORD** (Pages 225 - 244)
- 18 **P1583.11 - 29 LESSINGTON AVENUE, ROMFORD** (Pages 245 - 252)
- 19 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS - APPLICATIONS OUTSIDE STATUTORY LIMITS** (Pages 253 - 262)

- 20 APPLICATION FOR THE STOPPING UP OF HIGHWAY LAND SOUTH OF THE A124 HORNCHURCH ROAD AT RM11 1DL AND PART OF TORRANCE CLOSE AT RM 11 1JT (Pages 263 - 270)
- 21 DRAFT NATIONAL PLANNING POLICY FRAMEWORK (Pages 271 - 324)

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

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
13 October 2011 (7.30 - 8.30 pm)**

Present:

COUNCILLORS: 11

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

Residents' Group Linda Hawthorn and Ron Ower

Labour Group +Pat Murray

**Independent Residents
Group** +David Durant

Apologies were received for the absence of Councillors Paul McGeary and Mark Logan.

+Substitute members: Councillor Pat Murray (for Paul McGeary) and Councillor David Durant (for Mark Logan).

Councillors Steven Kelly and Jeffrey Tucker were also present for parts of the meeting.

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

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

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

**121 P1223.11 - UNIT 6 ALBRIGHT INDUSTRIAL ESTATE, FERRY LANE
NORTH, RAINHAM**

It was **RESOLVED** that consideration be deferred at the request of staff to enable consideration of Greater London Authority comments on planning obligations.

122 **P1137.11 - KING GEORGE CLOSE (FORMER HUBINET SITE) - 2-STOREY DATA CENTRE WITH ASSOCIATED OFFICE ACCOMMODATION AND INTERNAL AND EXTERNAL PLANT, INCLUDING AN ENERGY CENTRE**

Officers corrected the wording of paragraph 6.3.6 of the report by replacing the word underground with the word overground. The report before members detailed an application for the construction of a Data Storage Centre (DSC) consisting of B1 and B8 uses. The facility would comprise of a 2-storey main building (measuring 5.990sq metres) and an energy centre building (measuring 2.375sq metres) with ancillary office accommodation. There would be a new access and security hut with fencing around the site.

The proposal would provide 36 parking spaces for cars and HGV lorries (including 5 disabled bays) with 28 spaces for motorcycles and bicycles.

Members were advised that an additional condition would be inserted requiring details of the fuel store tanks design and location.

The Committee considered the report and without debate, **RESOLVED** that the application was unacceptable as it stood 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:

- A planning contribution for the sum of £10,000 to be used to improve the footway around the site and / or works to prevent Heavy Good Vehicles parking on the local footway.
- Apprenticeship opportunities during the construction phase of the development to contribute towards employment and skills activity. The number of apprenticeships to be agreed.

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

123 **P0804.11 - COLNE DRIVE HAROLD HILL - SECTION 73 APPLICATION FOR VARIATION OF APPROVAL P1473,10 - ERECTION OF 15 FAMILY HOUSES COMPRISING 11, 3-BED 5 PERSON HOUSES; 2, 3-BED WHEELCHAIR ADAPTABLE HOUSES; 2, 4-BED 7-PERSON HOUSES TOGETHER WITH 27 CAR PARKING SPACES AND LANDSCAPING.**

The report before members concerned a Section 73 application for variation of a previously approved scheme P1473.10 which was for the erection of 15 family houses, parking spaces and landscaping.

The Committee considered the report and without debate, **RESOLVED** that both recommendations A and B be granted subject to the conditions set out in the report.

124 **P1323.11 - RAINHAM QUARRY, LAUNDERS LANE, RAINHAM - VARIATION OF CONDITION 1 OF PLANNING PERMISSION P1361.02, TO EXTEND THE PERIOD OF MINERAL PROCESSING TO 31ST DECEMBER 2015, AND CONSEQUENTIAL AMENDMENTS TO OTHER CONDITIONS.**

The report before members proposed the variation of a planning condition under the provisions of Section 73 of the Town and Country Planning Act 1990. Planning permission P1361.02 had granted consent for a change of use to secondary aggregate and soil production (waste recycling); the re-erection of mineral processing plant; and the erection of a bagging plant, all within Rainham Quarry. Only the bagging plant aspect of the proposal had been undertaken.

The Committee considered the report and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 and Section 106A of the Town and Country Planning Act 1990 (as amended), to secure the following:

- The completion of a new legal agreement to ensure that the operator did not use land at Rainham Quarry for the processing of skip waste in accordance with planning permission P1361.02 and its successor, P1323.11. Planning permission P1361.02 granted approval for the erection of plant and for the change of use of land to allow for the processing of skip and construction waste. Planning application P1323.11 sought to extend the life of planning permission P1361.02. A legal agreement was required to prevent the skip waste use being implemented with the Developer/Owner covenanting not to seek compensation for agreeing not to implement the processing of skip waste use.

That staff be authorised to enter into a legal agreements to secure the above and upon completion of those agreements, grant planning permission subject to the conditions set out in the report.

The vote for the resolution to grant planning permission was passed by 10 votes to 0 with 1 abstention. Councillor Durant abstained from voting.

125 **P0518.11 - SPRING FARM QUARRY, LAUNDERS LANE, RAINHAM - REMOVAL OF CONDITION 7 OF PLANNING PERMISSION P2098.04 AND CONSEQUENTIAL AMENDMENTS TO OTHER CONDITIONS.**

The report detailed a planning application that proposed the removal of a planning condition under the provisions of Section 73 of the Town and Country Planning Act 1990. Condition 7 of planning permission P2098.04 required the operator of Spring Farm Quarry to construct a new access onto New Road prior to the importation of waste material to the site. The planning application under consideration proposed the removal of condition 7

meaning that the new access onto New Road would not need to be constructed.

The Committee considered the report and without debate, **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into Legal Agreements under Section 106 and Section 106A of the Town and Country Planning Act 1990 (as amended), to secure the following:

- That the definition of Development and/or Planning Permission in the original agreement dated 20th December 2006 should include the alternative reference as appropriate to planning permission/development pursuant to P0518.11;
- Save for consequential amendments to the original Section 106 all other recitals, clauses and obligations would remain unchanged.
- The completion of a new legal agreement to ensure that the operator did not use land at Rainham Quarry for the processing of skip waste in accordance with planning permission P1361.02 and its successor, P1323.11, Planning permission P1361.02 granted approval for the erection of plant and for the change of use of land to allow for the processing of skip and construction waste. Planning application P1323.11 sought to extend the life of planning permission P1362.02. A legal agreement was required to prevent the skip waste use being implemented with the Developer/Owner covenanting not to seek compensation for agreeing not to implement the processing of skip waste use.

That staff be authorised to enter into legal agreements to secure the above and upon completion of those agreements, grant planning permission subject to the conditions set out in the report.

The vote for the resolution to grant planning permission was passed by 10 votes to 0 with 1 abstention. Councillor Durant abstained from voting.

126 **P0593.11 - RAINHAM QUARRY, LAUNDERS LANE, RAINHAM - VARIATION OF CONDITION 1 OF PLANNING PERMISSION P0761.05, TO EXTEND THE LIFE OF THE APPROVED DEVELOPMENT TO 31 DECEMBER 2015, AND CONSEQUENTIAL AMENDMENTS TO CONDITIONS.**

The report before members detailed an application that proposed the variation of a planning condition under the provisions of Section 73 of the Town and Country Planning Act 1990. Condition 1 of planning permission P0761.05 required that the approved development be completed and the site restored by the 30 September 2012. The development approved comprised of the erection of fencing to form a compound area; the extension of a storage area; and the siting of a security office. The planning

application under consideration proposed the variation of condition 1 to enable the period of working to continue until the 31st December 2015.

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

The vote for the resolution to grant planning permission was passed by 10 votes to 0 with 1 abstention. Councillor Durant abstained from voting.

127 **P0712.11 - RAINHAM QUARRY, LAUNDERS LANE, RAINHAM - VARIATION OF CONDITION 4 OF PLANNING PERMISSION P2239.87, TO EXTEND THE PERIOD OF MINERAL PROCESSING TO 31 DECEMBER 2015, AND CONSEQUENTIAL AMENDMENTS TO OTHER CONDITIONS.**

The report considered by members detailed a planning application that proposed the variation of a planning condition under the provisions of Section 73 of the Town and Country Planning Act 1990. Planning permission P2239.87 granted consent for the continuation of the processing of indigenous and imported sand and gravel within the established Rainham Quarry processing area, including the processing plant, which was still in use. It also granted approval for the re-erection of a concrete batching plant, although this aspect of the proposal had not been implemented.

Condition 4 of planning permission P2239.87 required that the approved development be completed and restored within 15 years of the decision date, meaning the site needed to be restored by March 2007. However, the period of working was extended, by planning permission P2099.04, to the 30 September, 2012. The planning application under consideration proposed the variation of condition 4 of planning permission P2239.87 to enable the period of working to continue until the 31 December 2015.

The Committee considered the report and without debate, **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into Legal Agreements under Section 106 and Section 106A of the Town and Country Planning Act 1990 (as amended), to secure the following:

- That the definition of Development and/or Planning Permission in the original agreement dated 16 March 1995 and any subsequent variations, shall include the alternative reference as appropriate to planning permission/development pursuant to P0712.11;
- Save for consequential amendments to the original Section 106 all other recitals, clauses and obligations should remain unchanged.

That staff be authorised to enter into a legal agreement to secure the above and upon completion of those agreements, grant planning permission subject to the conditions set out in the report.

The vote for the resolution to grant planning permission was passed by 10 votes to 0 with 1 abstention. Councillor Durant abstained from voting.

128 **RAINHAM LANDFILL - PROPOSED UNDER PLANNING REFERENCE P1295.11 RE-CONTOURING OF LANDFILL SITE THROUGH CONTROLLED LANDFILL INVOLVING CONTINUATION OF ROAD-BORNE WASTE IMPORTS UNTIL 2018 (AS WELL AS RIVER-BORNE IMPORTS, AS PREVIOUSLY APPROVED) TO ACHIEVE APPROPRIATE RESTORATION SCHEME AND ASSOCIATED VISITOR FACILITIES PURSUANT TO REGULATORY SERVICES AGREEMENT IN PRINCIPLE UNDER PLANNING REFERENCE U0013.08 AND RESOLUTION TO APPROVE OF THE LONDON THAMES GATEWAY DEVELOPMENT CORPORATION ON 10 SEPTEMBER**

The report before members detailed an application relating to a 177 hectare site located on the River Thames at the most south eastern part of the Borough. The application site currently benefited from an existing consent to deposit refuse materials through controlled landfill.

The site was to be restored by 2018 relying solely on river sourced waste imports from 2012. The current application was agreed in principle by the Regulatory Services Committee under planning reference U0013.09, and the Council was now the Local Planning Authority. At that time the London Thames Gateway Development Corporation (LTGDC) was the Local Planning Authority for the area in which the application site was situated.

The LTGDC Planning Committee of 10 September 2009 resolved to grant planning permission subject to completion of an agreement under Section 106 of the Town and Country Planning Act 1990. The planning agreement had not yet been completed and the planning obligations and planning conditions subject to minor amendment were set out in the report.

An additional planning obligation was included pursuant to Section 106A of the Town and Country Planning Act 1990 ("the 1990 Act") which on implementation of planning permission under planning reference P1295.11 the planning obligation in the existing agreement dated 6 February 1998 would no longer have effect.

With its agreement, Councillor Tucker addressed the Committee. Councillor Tucker remarked that the landfill at the site should have come to an end some time ago but was continuing due to further extensions being granted. Councillor Tucker asked that the Committee give careful consideration to the report before agreeing planning permission.

During the debate members considered the possibilities of possible noxious smells and dust emanating from the site.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the planning conditions set out in this report and subject to the applicant first entering into a Legal Agreement under Section 106 and Section 106A of the Town and Country Planning Act 1990 (as amended), to secure the following:-

- Submission of a Travel Plan which included the limitation of waste vehicle movements to 300 per day which should be reduced as public access increased and volumes decrease to be reviewed annually or as otherwise agreed;
- Grant London Borough of Havering the option of a leasehold on the application site on a phased basis subject to an independent review of contamination, pollution and health risks;
- Upgrade the existing Rainham to Purfleet paths and the Third Riverside Path to a public right of way for use by pedestrians and cyclists;
- Maintain that part of Coldharbour Lane dashed black on Plan 2 to a standard reasonable for public access
- Grant London Borough of Havering a option to purchase Aveley Saltings subject to the necessary interest being held by the Owners;
- Ensure that Veolia extend public liability insurance should early public access be exercised;
- Provide realistic timeframes to allow early public access subject to agreement of the Local Authority;
- Provide for public access in defined areas of the application site outside of operational and restricted areas through adequate measures;
- Submit and carry out an Ecological Method Statement for the treatment of existing habitats on already established areas to include a monitoring programme for over-wintering bird populations;
- Submission and implementation of an Ecological Management Plan for approval by the LPA;
- Submit and implement landscape and restoration plan;
- Revisit the settlement model at regular agreed intervals and provide a contingency plan.
- Provide and implement an Odour Mitigation strategy to the satisfaction of the LPA;
- Upon Service of the Final Completion Notice and until the end of the Aftercare Period the Owner/s should make available to the Council the Gatehouse or any alternative building suitable for use as an environmental centre and during that period the Owner/s should maintain and repair the premises fit for purpose and an environmental centre.

- The obligations in the existing agreement dated 6 February 1998 to be discharged on the implementation of the planning permission under planning reference P1295.11 subject to all relevant obligations required by the Council and relevant to the planning permission (P1295.11) being reflected in the planning agreement associated with the said planning permission.

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

The vote for the resolution to grant planning permission was passed by 10 votes to 0 with 1 abstention. Councillor Durant abstained from voting.

Chairman

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
27 October 2011 (7.30 - 9.15 pm)**

Present:

COUNCILLORS: 11

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

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

**Independent Residents
Group**

An apology for absence was received from Councillor Mark Logan.

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

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

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

129 MINUTES

The minutes of the meeting of the Committee held on 15 September 2011 were agreed as a correct record and signed by the Chairman.

**130 P0759.11 - FORMER WOOLPACK PUBLIC HOUSE AND CAR PARK,
ANGEL WAY, ROMFORD**

The report before members detailed an application which proposed the retention and refurbishment of the former Woolpack public house, together with the erection of a new residential building, ranging between 3 and 8 storeys high.

It was reported that the retained Woolpack would undergo a programme of renovation and restoration in order to bring it back into use. The application proposed use of the ground floor for either retail, financial and professional

services, or restaurant/café use, which fall within Classes A1, A2 and A3 of the Use Classes Order respectively. The upper floors of the building would be converted to form 2 two bed and 2 bed flats. A detailed specification of the proposed works was set out in a Heritage Statement which was detailed in the report.

The proposed new build would provide 70 residential units. This would consist of 30 one bed units, 34 two bed units, 4 three bed units and 2 four bed units. The development proposed 6 units of affordable rented housing, which would be the three and four bed units within the development.

The principal entrance to the building would be located at the foot of the eight storey section with additional, separate entrances to each of the three and four bed units along Angel Way.

It was explained that the development would have a single point of vehicular access from Angel Way, which leads to an internal, ground floor parking area of 24 spaces, including 7 disability spaces. Refuse stores would be located within the ground floor of the building. At first floor level it was proposed to create a landscaped podium, which would serve as a communal amenity area for the development. This would be effectively enclosed by the new building to the north and west and by the existing Salvation Army building to the east. Additional planting and communal play facilities would also be provided. The space would provide an amenity area for residents, in addition to proposed decked terraces to each of the upper levels of the development.

Staff informed the Committee that the application had been accompanied by a suite of supporting documents including a planning statement, heritage statement, viability appraisal, arboricultural study, bat survey, contamination desk study, daylight/sunlight assessment, design and access statement, energy statement, flood risk assessment, noise assessment, sustainability statement and transport assessment and travel plan.

It was noted that 2 letters of representation had been received along with comments from 8 statutory consultees.

With its agreement, Councillor Andrew Curtin addressed the Committee. Councillor Curtin remarked that the proposal would be a positive contribution to the Romford Town Centre Conservation Area with the use of high quality materials and appropriate use of colour. Councillor Curtin urged the Committee to support the officer recommendation and grant planning permission.

During the debate, a member suggested that there was insufficient parking provision for a development of such size. Staff advised that the proposed parking provision was acceptable given the location in the Town Centre and the availability of local public transport.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision on site of 8% of the units within the development (comprising 4 three bed units and 2 four bed units) as affordable housing for rent.
- The payment of a financial contribution of up to maximum of £100,000, of which £2,100 shall be used for the cost of new tree planting within the vicinity of the site and its initial maintenance, with the remainder of the contribution to be used for additional primary and secondary school places within the Borough and improvements to the walking, cycling and bus access infrastructure on Angel Way, High Street and St. Edwards Way, the apportionment of such payments to be determined by the Head of Service.
- The prevention of any future occupants of the development, save for blue badge holders, from applying for residents parking permits within any current or future Controlled Parking Zone or other such measure affecting the locality of the application site.
- The contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

Staff were authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to a revised set of conditions detailed below but the with the following amendments and additional conditions:

REVISED 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 dwellings in the new building hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Disabled parking - Before dwellings in the new building hereby permitted are first occupied provision shall be made within the site for 7 no. disabled car parking spaces in accordance with the approved details. Thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

6. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the new building (other than external bricks) shall be submitted to and approved in writing by the Local Planning Authority. This shall include samples of external doors and window frames, railings, balustrades and external stairs/access deck, reconstituted

stone surrounds and colour samples for the window reveals and town house entrances, and details of pointing and mortar mix, which are expected to accord with the information within the Design and Access Statement (May 2011) and the Planning Amendments Addendum (October 2011). Thereafter the development shall be constructed with the approved materials.

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

7. External Bricks – The external bricks to be used within the development

shall be as set out in the submitted Planning Amendments Addendum dated October 2011 (page 12) and shall comprise:

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

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

8. Landscaping - No development shall commence on the new building hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include full details of the proposed landscaping to the podium area, including the design and height of the proposed raised planters. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

9. Living Wall – No development shall commence on the new building hereby approved until full details of the proposed 'living wall' have been submitted to and agreed in writing by the Local Planning

Authority. This shall include a specification for the construction, planting and on-going maintenance and management of the wall. The development shall then be carried out in accordance with the agreed details.

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

10. Children's Play Equipment – Details of the proposed children's play equipment shall be submitted to and approved in writing by the Local Planning Authority not later than three months from the commencement of development of the new building hereby approved. The play equipment shall then be installed at the site prior to the first occupation of the development and retained thereafter in accordance with the approved details.

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

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

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

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

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

13. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in

accordance with the agreed details and the boundary treatment retained thereafter.

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

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

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

15. External lighting - A scheme for the lighting of external areas of the development shall be submitted to and approved in writing by the local planning authority not later than three months from the commencement of development of the new building hereby approved. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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

16. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority detailing how the recommendations of the bat survey (dated March 2011) will be implemented. This shall include details of further survey work to be undertaken and a programme of mitigation, where the survey indicates this is necessary. The development shall thereafter be carried out in accordance with the agreed details.

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

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

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

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

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

19. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

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

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

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

20. Land contamination - Prior to the commencement of any works relating to the permitted new building pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

a) A Phase 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.

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

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

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation

shall be carried out in line with the agreed contamination proposals.

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

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

21. Sustainability - No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the Sustainability Statement. (May 2011). Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

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

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

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

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

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

24. Plant/Machinery – Before any works commence a scheme for any new plant or machinery shall be submitted to the local planning authority to achieve the following standard: Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises

shall not exceed LA90-10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

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

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

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

26. Extract ventilation - Before a permitted A3 (café/restaurant) use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

27. Noise and Vibration - Before a permitted A3 (café/restaurant) use commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises

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

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

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

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

30. Hours of Use - The commercial premises on the ground floor of the former Woolpack public house shall not be used for the purposes hereby permitted other than between the hours of 08.00 and 20.00 hours on Mondays to Saturday and 08.00 and 18.00 hours on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control in the interests of amenity.

31. Archaeology - A) the applicant should secure the implementation of a programme of archaeological field evaluation and survey in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.

B) The results of the field evaluation should inform a mitigation strategy to either conserve archaeological assets or ensure their recording through excavation prior to the development.

C) The investigation results should be assessed, any significant results analysed and published, and the archive securely deposited.

The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority."

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

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

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

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

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

- i) a method statement detailing how the existing paint to the external brickwork of the building will be removed, which shall include details of the cleaning system to be used, shall be submitted to and approved in writing by the Local Planning Authority;
- ii) once the method statement has been approved, a patch test shall be carried out on site to assess the condition of the brickwork and the results of this patch test shall be reviewed on site by the Local Planning Authority;
- iii) following the review of the patch test results by the Local Planning Authority, final details of the proposed external elevational treatment, including details of pointing and mortar mix where relevant, shall be submitted to the Local Planning Authority. No work to the former Woolpack building shall be undertaken until the external elevational treatment has been approved in writing by the Local Planning Authority and the work must thereafter be carried out in accordance with the approved details.

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

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

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

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

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

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

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

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

38. Public Highway licence - 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 and CP17

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

Reason: To ensure protection of controlled waters.

38. Treatment of External Brick – Prior to the commencement of works on the new building hereby permitted details of the proposed surface treatment to be applied to the proposed entrance brick Istock Oyster White shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure the development has a satisfactory appearance and to comply with Policies DC61, DC63 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Additional conditions:

- Division of planning conditions stated to take account of the different phasings of the Woolpack refurbishment and the main new build;
- An additional condition concerning the treatment of entrance.
- Permitted development removal condition for the two houses nearest to the Woolpack.
- A condition to require the prior submission, agreement, implementation and maintenance of means of enclosure for the child play area.
- A condition to require anti-graffiti treatment of the external boundary walling.

The vote for the resolution to grant planning permission was passed by 9 votes to nil with 1 abstention. Councillor Ower abstained from voting.

131 **P1368.11 - GARAGE COURT TO THE REAR OF 31 HEATON AVENUE, ROMFORD**

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

132 **P1378.11 - GARAGE COURT TO THE REAR OF 34 - 68 HEATON AVENUE AND CHAUCER ROAD, ROMFORD**

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

report and an additional condition requiring the submission, approval and implementation and maintenance of an external lighting scheme.

133 **P1379.11 - LAND ADJACENT TO 1 - 57 KIPLING TOWERS, HEATON AVENUE, ROMFORD**

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

134 **P1073.11 - VICTORIA HOUSE, 1 DURHAM AVENUE, ROMFORD**

The report detailed an application for a change of use of a two bedroom ground floor flat from C3 (dwelling house) to B1 (office), a ramp and the removal of a portacabin and container store.

It was reported that the flat had been vacant since August 2008 and ceased to be housing accommodation. The flat would be used as office accommodation for the local tenant management organisation, DELTA, which would be of benefit to the residents of the Victoria House estate. Since 2006, DELTA had operated from a portacabin on the DELTA estate which provided only limited and cramped office accommodation and did not have any meeting room facilities.

Members were informed that there would be five full time employees. Opening hours were proposed to be between 9am and 5.30pm Monday to Friday.

It was noted that the portacabin and container store had been removed from the site.

No letters of representation had been received.

With its agreement, Councillor Eric Munday addressed the Committee. Councillor Munday commented that, if approved, there would be an unacceptable loss of residential accommodation. Councillor Munday urged the Committee to refuse the application.

During the debate, members discussed the loss of residential accommodation and whether a change of use was appropriate.

The report recommended that planning permission be granted but following a motion, it was **RESOLVED** that planning permission be refused on the grounds that the proposal would result in an unacceptable loss of a residential unit.

The vote for the motion to refuse planning permission was passed by 9 votes to 1. Councillor Oddy voted against the motion. The resolution to refuse planning permission was passed unanimously.

135 **P0063.11 - FORMER BUILD CENTRE, RUSHDON CLOSE, ROMFORD**

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

136 **STOPPING UP OF HIGHWAY AT LAND DIRECTLY NORTH OF 61-71 TUPRIN AVENUE, ROMFORD**

The Committee considered the report and without debate **RESOLVED**, subject to the developer paying the Council's reasonable charges in respect of the making, advertising, confirmation of the stopping up order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000, that:-

1. The Council make a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway hatched black on the plan attached to the report as the land would be required to enable development for which the Council had granted planning permission granted under planning reference P0302.11 to be carried out.
2. In the event that no relevant objections were made to the proposal or that any relevant objections that were made were withdrawn then the Order be confirmed without further reference to the Committee.
3. In the event that relevant objections were made by other than a Statutory Undertaker or Transport Undertaker and not withdrawn that the application be referred to the Mayor for London to determine whether or not the Council can proceed to confirm the order.
4. In the event that relevant objections were raised by a Statutory Undertaker or Transport Undertaker and were not withdrawn the matter may be referred to the Secretary of State for their determination.

137 **P0783.11 - THE OLD FORGE, HALL LANE, UPMINSTER**

It was **RESOLVED** that consideration of the report be deferred at the request of staff.

138 **P1199.11 - 9, 9A & 11 CHASE CROSS ROAD, ROMFORD**

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

139 **P1232.11 - 1 ST. MARY'S LANE, UPMINSTER**

In February 2011, the Council granted planning permission for the construction of a 2 storey building to accommodate 8 flats with associated parking and landscaping.

The application before members was a resubmission of the approved scheme as the construction works had not been carried out in accordance with the approved plans. The report explained that the footing had to be altered following the discovery of an old gasometer. The pinch-point of the building had moved 800mm closer to the eastern boundary of the site.

The resubmission had been reported to the Committee on 4 October 2011 but consideration was deferred to provide the applicant with an opportunity to address overlooking concerns arising from the building's position being closer to the common boundaries with 1-7 Hill Rise.

The applicant had since informed staff that the 1st floor window closest to the eastern boundary would be moved further away from neighbouring properties and the internal layout of the 2nd floor would be changed to address concerns around overlooking.

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

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

The vote for the resolution to grant planning permission was passed by 8 votes to 2. Councillors Ower and Hawthorn voted against the resolution to grant planning permission.

140 **P1324.11 - 395-405 BRENTWOOD ROAD, ROMFORD**

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

Chairman

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
3 November 2011 (7.30 - 9.35 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Jeffrey Brace, Robby Misir, Frederick Osborne, Robert Benham, Osman Dervish and Steven Kelly

Residents' Group Ron Ower and Brian Eagling

Labour Group Paul McGeary

Independent Residents Group +David Durant

Apologies were received for the absence of Councillors Sandra Binion, Garry Pain, Barry Tebbutt, Linda Hawthorn and Mark Logan

+ Substitute members Councillor Steven Kelly (for Sandra Binion), Councillor Osman Dervish (for Garry Pain), Councillor Robert Benham (for Barry Tebbutt), Councillor Brian Eagling (for Linda Hawthorn) and Councillor David Durant (for Mark Logan).

Councillor Jeffery Tucker was also present for parts of the meeting.

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

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

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

141 DECLARATION OF INTERESTS

Councillor Osman Dervish declared a prejudicial interest in item P1292.11 by virtue of pre-determination. Councillor Dervish left the room during the discussion and took no part in the voting on that item.

Councillor Robert Benham declared a prejudicial interest in item P0789.11 by virtue of pre-determination. Councillor Benham left the room during the discussion and took no part in the voting on that item.

Councillors Ron Ower and Brian Eagling declared prejudicial interests in item P1002.11 by virtue of pre-determination. Councillors Ower and Eagling left the room during the discussion and took no part in the voting.

142 **P1401.11 - FORMER RUSKINS SITE, LAND ADJACENT TO ST MARY'S LANE, UPMINSTER**

It was **RESOLVED** that consideration be deferred to allow staff to explore whether a Section 106 agreement would more adequately control the part of the site to remain undeveloped.

143 **P1327.11 - THE ALBANY SCHOOL,**

It was **RESOLVED** that consideration be deferred to allow officers to deal with an objection from Sport England.

144 **P0789.11 - FORMER OLDCHURCH HOSPITAL SITE (BLOCK X), ROMFORD - THE DEVELOPMENT OF BLOCK X AT THE FORMER OLDCHURCH HOSPITAL TO PROVIDE 60 RESIDENTIAL UNITS, ASSOCIATED CAR PARKING, HARD AND SOFT LANDSCAPING.**

The report before members detailed an application to an increase in height of block X from 7 storeys, as previously approved, to 10 storeys together with a corresponding increase in the number of residential units proposed therein from 45 units to 60 units.

The report addressed the main issues of policy, principle of use, siting and layout, design, height and appearance, residential amenity, transport and highways considerations, housing provision and sustainability.

The Committee considered the report and without debate, **RESOLVED** to refuse planning permission as per officer recommendation.

As stated at the beginning of the minutes, Councillor Robert Benham declared a prejudicial interest in the application. Councillor Benham advised that he had publicly declared his opposition to the proposal. Councillor Benham left the room during the discussion of the report and took no part in the voting.

145 **P1292.11 - 6 COLLIER ROW ROAD - CHANGE OF USE OF EXISTING RETAIL SHOP (A1 CLASS USE) INTO TAKEAWAY/RESTAURANT (A3/A5 CLASS USE) AND EXTRACTION FLUE SYSTEM TO REAR.**

The report before members detailed an application for a change of use from retail (A1) to a takeaway/restaurant (A3/A5 use) and installation of extraction flue to rear.

It was noted that six letters of representation had been received mainly concerning the possible lack of parking in the area.

It was noted that the application had been called in by Councillor Ron Ower due to concerns regarding the impact of noise and lack of parking for local residents.

A motion was proposed that planning permission be refused on the following grounds

- Lack of residents parking
- Loss of retail unit
- Increased noise

A second motion to defer granting planning permission was proposed to allow an objector and a ward Councillor to speak on the scheme.

The motion to refuse planning permission was withdrawn.

It was **RESOLVED** to defer the consideration of the item to allow interested parties the chance to speak on the proposal.

The vote was carried by 9 votes to nil with 1 abstention. Councillor McGeary abstained from voting.

As stated at the beginning of the minutes, Councillor Osman Dervish declared a prejudicial interest in the application. Councillor Dervish advised that he had publicly declared his opposition to the proposal. Councillor Dervish left the room during the discussion of the report and took no part in the voting.

146 **P0530.11 - FROG ISLAND, CREEK WAY, RAINHAM - CONSTRUCTION OF A BIOGAS GENERATION PLANT, USING ANAEROBIC DIGESTION, CAPABLE OF HANDLING UP TO 100,000 TONNES OF ORGANIC MATERIALS INCLUDING SUPERMARKET WASTE, FOOD WASTE AND MANUFACTURING WASTE PER ANNUM.**

The Committee considered a report which detailed an application for the erection of a biogas generation plant on land off Creek Way, Frog Island, located to the south of Ferry Lane alongside the River Thames. The proposal would comprise a number of large structures, including tanks, a

machine hall, and a chimney. The proposal would employ technology known as anaerobic digestion, which involved processing organic waste in a manner that released biogas (methane). The biogas was then used as a fuel to generate electricity on-site, some of which would be used in the operation of the facility, with the rest being fed into the national grid. The proposed facility would process approximately 100,000 tonnes of organic waste per annum, with up to 5MW of electricity being produced. Heat generated by the facility would be recycled, being used by the proposed facility and an existing, neighbouring facility.

Members noted that there were a couple of amendments to the report.

Page 53 of the report should have the addition that planning permission was subject to no contrary direction on referral to the Mayor of London.

Page 55 of the report should have the addition of a condition regarding land contamination.

Transport for London (TfL) had also requested that consideration be given to investigating the possible use of river transport.

With its agreement Councillor Jeffrey Tucker addressed the Committee. Councillor Tucker commented that the proposal created very few jobs for a scheme of its size and was situated very close to Rainham Village. Councillor Tucker also commented that there was already a processing plant situated in Ferry Lane and that between the two sites the waste produced would be far in excess of the recommended target set by the East London Waste Authority (ELWA). Councillor Tucker asked that consideration be given to a deferral to allow the applicant to consider the extra conditions that were to be included in the report.

During a lengthy debate members discussed issues concerning lorry movements, access and egress to the site and the issue of lorries passing through Rainham Village.

In reply officers advised that it would be difficult to monitor lorry movements but the Head of Development and Building Control could negotiate with the applicant for the inclusion of a condition concerning lorry movements.

A motion was proposed that consideration of the application be deferred to enable officers to speak with the applicant about the proposed new conditions, but that motion was defeated by 2 votes to 8 with one abstention. Councillors Durant and Eagling voted for the motion for deferral. Councillor Ower abstained from voting.

It was **RESOLVED** that the Committee delegate to the Head of Development and Building Control authority to negotiate inclusion of lorry routing within heads of the legal agreement. Subject to this succeeding the Committee resolved to grant planning permission subject to prior completion of the legal agreement and subject to no contrary direction on referral to the

Mayor of London and also subject to the following changes/additions to conditions:

- Additional condition to require scheme for river transport both for construction and operation of development (required by TfL)
- Additional condition regarding maintenance and repair of Creek Way prior to commencement (required by EA)
- Additional conditions regarding contaminated land (required by EA)
- Additional condition controlling piling (required by EA)
- Changes to Condition 6 to reflect fact that Phase I and II reports have already been submitted
- Changes to Condition 9 to reflect EA suggested wording
- Changes to Condition 14 to reflect EA suggested wording
- Addition of EA suggested Informatives

In the event that negotiation to include lorry routing within the legal agreement was unacceptable then the application was to be brought back to Committee for determination.

The vote for the resolution was 10 votes to 1. Councillor Durant voted against the resolution.

147 **P1268.11 - ENTERPRISE HOUSE 34 FARINGDON AVENUE, HAROLD HILL, ROMFORD - CHANGE OF USE FROM B8 WITH B1 (WAREHOUSE WITH ANCILLARY OFFICES) TO A1 (RETAIL) WITH B1.**

The report before members detailed an application for planning permission for a change of use from Mixture of B8 and B1 (storage and distribution with ancillary offices) to A1 with B1 (retail with ancillary offices). The change of use covered a floorspace of 2810 square metres. Fifty five parking spaces would be provided on the existing areas of hard standing. Twenty five full time and thirty part time jobs and ten additional start up jobs would be created. No physical alterations to the building were proposed as part of the application.

Members were advised that the application had been called in by Councillor Lesley Kelly on the grounds that the proposed use created employment.

Unfortunately Councillor Kelly had been unable to attend the meeting and members were read an email which Councillor Kelly had submitted. The email supported the granting of planning permission as the unit had been empty for some time and would create employment in the area.

It was noted that one letter of representation had been received detailing an objection due to increased traffic and inadequate parking.

Following a motion to grant planning permission officers advised that as the report stood there were no conditions in the report restricting future uses of

the building and therefore a deferral may be more suitable to allow officers to enter into discussions with the applicant about the proposed use of the building.

The motion to grant planning permission was withdrawn.

During discussions members questioned whether a section 106 legal agreement could be entered into with the applicant.

A motion to defer the granting of planning permission was proposed to allow officers to enter into discussions with the applicant.

It was **RESOLVED** that the granting of planning permission be deferred to allow officers to:

- Seek clarification from the applicant of precise use proposed.
- Clarify whether applicant was willing to accept conditions restricting nature of use.
- List conditions which staff would recommend were the Committee to decide to grant planning permission.
- Explain extent to which an approval, contrary to recommendation, would set precedent for loss of industrial uses.
- Explore scope for aspects such as job creation for local economy to be covered by legal agreement plus any other S106 matters possible through negotiation.

148 **P1002.11 - HAROLD WOOD HOSPITAL, HAROLD WOOD, ROMFORD - PHASE 1B OF THE DEVELOPMENT OF THE FORMER HAROLD WOOD HOSPITAL, TO INCLUDE DEMOLITION OF EXISTING BUILDINGS AND THE CONSTRUCTION OF 68 RESIDENTIAL UNITS AND ASSOCIATED INFRASTRUCTURE AND LANDSCAPING**

The application related to the consideration of the second part of the first phase of residential development consisting of 68 residential units comprising:

- 7 1-bedroom flats
- 11 2-bedroom flats
- 21 3 bedroom terraced houses (11 of which were affordable)
- 16 3-bedroom semi-detached houses
- 1 3 bedroom detached house
- 12 3/4-bedroom terraced houses

The development would include four key designs of housing, a single individually designed detached house and a block of apartments. These would be served from the main spine road and various spur roads, the main one of which would maintain access to the Harold Wood Polyclinic and other retained buildings to the south west.

Members were advised that an extra condition was to be added to the report which restricted Permitted Development rights to preserve roof patterns.

Members were advised of an amendment to condition 27 preventing the addition of further windows in the northern elevation of the dwellings and an amendment to condition 21 with regard to revised drawings.

Members noted that two letters of representation had been received which raised concerns regarding overlooking onto properties situated in The Drive and the need for greater local services such as doctors, dentists and public transport.

In reply to a question officers confirmed that the previously agreed Section 106 Legal Agreement had now been signed by all interested parties.

It was RESOLVED that the application was considered unacceptable as it stood but it would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended) (the 1990 Act) to secure the Heads of Terms set out in Annex 1 as required under planning application P0702.08 or a variation to that agreement under section 106A of the 1990 Act to secure the same result.

The Committee authorised staff to enter into such an agreement and upon completion of it, to grant planning permission subject to the conditions contained in the report.

The vote was 8 votes to nil with 1 abstention. Councillor Durant abstained from voting.

As stated at the beginning of the minutes Councillors Ower and Eagling declared a prejudicial interest in the application by virtue of pre-determination. Councillors Ower and Eagling left the room during the discussion and took no part in the voting.

149 **L0008.11 & P0529.11 - UPMINSTER COURT, HALL LANE, UPMINSTER - PROVISION OF NEW ACCESS DRIVEWAYS FROM HALL LANE WITH NEW ACCESS GATES AND RAILINGS TO SITE FRONTAGE**

The Committee considered the report and without debate, **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed under Section 106 of the Town and Country Planning Act 1990 (as amended) to include a Schedule of Works which would complement and be consistent with revised Schedule of Works as set out in the legal agreement completed on 10 June 2010 pursuant to Planning Permission reference P2370.07.

Recommendation A – In relation to planning application P0529.11

That Staff be authorised to enter into a legal agreement to secure a Schedule of Works which will complement and be consistent with revised Schedule of Works as set out in the legal agreement completed on 10 June 2010 pursuant to Planning Permission reference P2370.07 and upon completion of that agreement, grant planning permission subject to the conditions set out in the report.

Recommendation B – In relation to listed building consent L0008.11

That Staff be authorised to enter into a legal agreement to secure a Schedule of Works which will complement and be consistent with revised Schedule of Works as set out in the legal agreement completed on 10 June 2010 pursuant to Planning Permission reference P2370.07 and upon completion of that agreement, grant listed building consent subject to the conditions set out in the report.

150 **P0695.11 - HAYDOCK CLOSE, HORNCHURCH - CONSTRUCTION OF 2 SEMI-DETACHED DWELLINGS AND 2 DETACHED DWELLINGS.**

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

151 **P1162.11 - LANGTONS GARDENS, BILLET LANE, HORNCHURCH - THE CONSTRUCTION OF A NEW END OF LAKE FEATURE WALL**

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

152 **P1220.11 - UNIT C, EASTERN AVENUE RETAIL PARK, ROMFORD - VARIATION OF CONDITION 4 OF PLANNING PERMISSION P1385.01 TO ALLOW A WIDER RANGE OF RETAIL GOODS TO BE SOLD AT UNIT C**

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

153 **P1128.11 - 20 PINWOOD ROAD, HAVERING-ATTE-BOWER - CONSTRUCTION OF REPLACEMENT 3-BEDROOM DWELLING**

Members were advised that no objections had been raised by either StreetCare or Essex & Suffolk Water.

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

- 154 **P1173.11 - 23 WINDERMERE AVENUE, ELM PARK - TWO STOREY SIDE EXTENSION, PART SINGLE, PART TWO STOREY REAR EXTENSION. SINGLE STOREY FRONT EXTENSION. WIDENING OF VEHICULAR CROSSING**

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

- 155 **P0974.11 - UNIT 15 177-181 HORNCHURCH ROAD, HORNCHURCH - CHANGE OF USE FROM CLASS B8(STORAGE) TO NURSERY CLASS D1**

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

- 156 **P1176.11 - 93 SHEPHERDS HILL, HAROLD HILL, ROMFORD - DEMOLISH SINGLE STOREY REAR EXTENSION AND GARAGE. TWO STOREY REAR EXTENSION , BAY WINDOWS, EXTERNAL ALTERATIONS & GARAGE**

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

- 157 **ENFORCEMENT REPORT - 178 CROW LANE, ROMFORD**

The report before members related to a site occupied by a removal business on the north side of Crow Lane in Romford. The site was in the Green Belt. Unauthorised development without the benefit of planning permission had taken place involving the erection of a canopy structure and a steel clad building.

It was considered that both the canopy and building were inappropriate development in the Green Belt and had a harmful impact on the openness of the Green Belt.

It was noted that the owner of the site had submitted planning applications for the retention of the canopy structure and the steel clad building. Members were advised that there was no certainty as to when these

planning applications would come before committee. Members were advised that the unauthorised structures could become lawful with the passage of time should enforcement action not be taken.

It was recommended that planning enforcement notices be served in order to preserve the Council position.

During the debate members discussed the merits of agreeing to serve enforcement notices in light of the fact that planning applications had been submitted for both of the structures.

Following the debate a motion was proposed that officers be authorised to issue enforcement notices in mid December, after two further cycles of the Regulatory Services Committee. Members noted that this timescale would preserve the Council's position and afford sufficient time for the planning applications to be decided.

It was **RESOLVED** that the committee considered it expedient to issue Enforcement Notices in mid December, after two further cycles of the Regulatory Services Committee requiring, within 6 months of the effective date of the notices that:

- (i) The canopy structure, edged black on the attached plan be removed from the site together with all rubble and associated materials resulting from the removal;
- (ii) The steel clad building, hatched black on the attached plan be removed from the site together with all rubble and associated materials resulting from the removal.

In the event of non-compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.

Chairman



Regulatory Services Committee

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Item 5

INSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-4	P1525.11	South Hornchurch	Beam Reach Business Park, Consul Avenue, Rainham
5-16	P1557.11	Mawneys	311-313 Collier Row Lane, Collier Row, Romford
17-24	P1606.11	South Hornchurch	Council Depot, Cherry Tree Lane, Rainham

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WITHIN STATUTORY PERIOD

APPLICATION NO:	P1525.11	
WARD :	South Hornchurch	Date Received: 6th October 2011
ADDRESS:	Beam Reach Business Park Consul Avenue Rainham	
PROPOSAL:	Erection of VMU comprising 1875 SQM (GEA). This is in connection with extant permission U0007.10 which was permitted on 12/1/11. This proposal seeks to replace the extant VMU	
DRAWING NO(S):	P100 P102 P103 P101 76631/2400 Rev A Design and Access Statement	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

The application site comprises an area of open land within the Beam Reach Business Park in Rainham, located to the east of Marsh Way. The site was formerly part of Ford's Dagenham plant and is located within an area of land benefitting from planning permission for the development of a large scale distribution centre and other development (Ref: U0007.10), which is in the process of being implemented. The site's northern boundary lies adjacent to Consul Avenue; the western boundary abuts Marsh Way; whilst the eastern and southern boundaries lie adjacent to a highway connecting Consul Avenue and Marsh Way.

The site is located on land designated as a Strategic Industrial Location, and is located in the Flood Plain as defined by Havering's Strategic Flood Risk Assessment. Part of the site's southern extent is located in the Channel Tunnel rail link safeguarding area. A Borough Site of Nature Conservation Importance is located to the east of the site, beyond the public highway.

DESCRIPTION OF PROPOSAL

This planning application proposes the erection of a Vehicle Maintenance Unit (VMU) in association with the regional distribution centre being developed on the western side of Marsh Way (planning permission U0007.10) The proposal is intended to provide a maintenance and repair facility for Tesco's HGV vehicles. The proposed drive-through building would be 1875sqm in area and would have a maximum height of approximately 10.3m. The proposal would involve the creation of space internally for a vehicle maintenance area along with ancillary office and welfare accommodation. External works would include the construction of an under chassis steam clean facility, an area of hardstanding for the manoeuvring and parking of HGVs, and the erection of security fencing.

RELEVANT HISTORY

The site previously formed part of the Dagenham Ford plant. The previous planning decision of most relevance to this application is:

U0007.10 - Full application for B8 Regional Distribution Centre and ancillary accommodation

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(42,000sqm) associated vehicle maintenance unit (1795 sq.m) processing facility (10635 sqm) and associated works. outline application for four B1C, B2 and B8 units.

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 30 neighbouring properties. No representations have been received.

Comments have been received from the following consultees:

Environment Agency - No comments received. Members will be provided with an update at Planning Committee.

GLA - No comments received. Members will be provided with an update at Committee.

Essex and Suffolk Water - No objections.

Thames Water - No objections.

Environmental Health - No objections; conditions recommended relating to the control of noise and the restriction of construction operations.

London Fire Brigade - No objections; requirements for fire hydrants stated.

RELEVANT POLICIES

The following policies of the LDF Core Strategy and Development Control Policies DPD ("the LDF") and the Site Specific Allocations DPD are of relevance:

CP10 - Sustainable Transport

DC9 - Strategic Industrial Locations

DC33 - Car Parking

DC37 - Safeguarding

DC61 - Urban Design

DC63 - Delivering Safer Places

SSA9 - Channel Tunnel Rail Link

STAFF COMMENTS

The main issues in relation to this application are considered to be the principle of development, the impact upon the character of the area, impact upon neighbouring occupiers, and highway/parking issues.

The proposed VMU is intended as a replacement for a previously approved, but smaller VMU located to the west of the site alongside the approved distribution centre (planning permission U0007.10). The approved VMU is considered by the applicant to be too small and the applicant therefore intends to replace it with the proposal under consideration. Planning permission U0007.10 was accompanied by a Section 106 agreement containing various obligations. Whilst the proposal under consideration has a separate red-line area to U0007.10, as none of the obligations within the legal agreement relate specifically to the development of the VMU, it is not considered necessary to amend the agreement should planning permission be granted for the new VMU. Moreover, given the nature of the surrounding area, which comprises of various large-scale industrial and distribution buildings, it is not considered necessary to seek a new legal agreement to prevent the construction of the originally approved VMU, should planning consent be granted in this instance.

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PRINCIPLE OF DEVELOPMENT

A small area of land at the southern end of the site is designated as a safeguarding area for the Channel Tunnel Rail Link, in accordance with Policy DC37 of the LDF. However, Policy DC37 only safeguards land in use for transport or transport supporting uses and therefore does not apply in this case.

Policy DC9 of the LDF states that advanced manufacturing uses will be prioritised within the Beam Reach Business Park along with other B1 (b)/(c) and B2 uses that provide a similar quality and intensity of employment and a high standard of design. The proposed VMU is intended to provide a maintenance and repair facility for Tesco HGVs using the neighbouring distribution centre, to replace an approved VMU within the wider site.

Given that a VMU, which the proposal will be built in place of, has already been approved within the wider Beam Reach Business Park and that the proposal would be ancillary to the approved distribution centre, the proposed development is considered to be acceptable in principle.

DESIGN/IMPACT ON STREET/GARDEN SCENE

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

The site is located within an existing industrial area characterised by large scale industrial and distribution buildings. The proposal would comprise a portal frame building clad with panels in Merlin Grey colouring. The VMU and its yard would be enclosed by a 3m high galvanised steel weld mesh security fence.

The landscaping approved as part of planning permission U0007.10 will be implemented and is unaffected by the proposal.

Given the nature of the proposal, including its siting, scale, and design, it is considered that the proposal would not have any significant adverse impacts on the character of the area and that it would therefore not be contrary to Policy DC61 of the LDF.

IMPACT ON AMENITY

Policy DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. Given the nature of the proposal, including its siting, design, and scale, it is considered that it would not result in any significant adverse impacts on local amenity and that the proposal would be in accordance with Policy DC61 of the LDF.

HIGHWAY/PARKING

The site is located within an existing industrial area, and the Beam Reach Business Park has been developed with road infrastructure capable of accommodating HGV traffic. A condition can be imposed requiring the submission of details relating to the storage of bicycles, to provide staff with appropriate facilities for cycling to and from work. It is considered that the proposal would not result in any significant adverse impacts on highway safety or amenity.

OTHER ISSUES

The site is located in the Flood Plain and on land that may be contaminated. The Flood Risk Assessment and land contamination study submitted with planning application U0007.10 has been re-submitted in this case and is under consideration by the Environment Agency. No comments have been received from the Environment Agency; officers will provide an update to

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Members at Planning Committee.

The London Fire Brigade has stated that three new fire hydrants will be required as part of the proposed development. This is a building control rather than a planning matter and can be sought under separate legislation.

KEY ISSUES/CONCLUSIONS

The proposed development is considered to be acceptable having had regard to Policies CP10, DC9, DC33, DC37, DC61, and DC63 of the LDF, the guidance contained in the Site Specific Allocations DPD, and all other material considerations.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. S SC32 (Accordance with plans)
3. M SC59 (Cycle Storage)

1 Reason for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP10, DC9, DC33, DC37, DC61, and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document, and Policy SSA9 of the Site Specific Allocations DPD.

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

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APPLICATION NO:	P1557.11	
WARD :	Mawneys	Date Received: 26th October 2011
ADDRESS:	311-313 Collier Row Lane Collier Row Romford	
PROPOSAL:	Demolition of existing commercial building and construction of a commercial unit on the ground floor with A3 use and 3x2 bedroom flats on the first and second floors	
DRAWING NO(S):	2482_P41 2482_P42 2482_P44 2482_P45 2482_P46 2482_P47 2482_P48 2482_P49 2482_P50 2482_P51 2482_P53	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

RECOMMENDATION

That planning permission is granted subject to conditions.

SITE DESCRIPTION

The former single storey detached vacant building that was previously used as a DIY retail shop has been demolished. The surrounding area is characterised by two storey commercial premises and forms part of the Fringe Area of the Collier Row Minor District Centre.

DESCRIPTION OF PROPOSAL

The application seeks permission for the demolition of the existing commercial building and construction of a part two and a half, part three storey building with a commercial unit on the ground floor to be used for A3 purposes in the form of one larger or two smaller units and three, two bedroom flats on the first and second floors. Flat 1 is located on the first and second floors, Flat 2 on the first floor and Flat 3 on the second floor with a side entrance.

The development would measure 11.9 metres in width by 17.3 metres in depth. The building would have a minimum and maximum height of 9.8 and 10.5 metres respectively. There would be two car parking spaces to the front. The proposed building has a half hipped roof with a three storey front projection with a gabled roof. Two shopfronts are provided to the front elevation of the building. Any signage displayed on these shopfronts would be subject to a separate application for Advertisement Consent.

RELEVANT HISTORY

118/60 Shop front - Approved

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P0448.93 New shopfront - Approved

P0678.09 - Change of use - pre-school to cater for up to 40 children in the morning and 40 in the afternoon - Refused.

P0410.10 Demolition of the existing commercial building and construction of a commercial/retail unit on the ground floor with A1, A2, A3 & A5 use and 3 x 2 bedroom flats to the first and second floors Refused Appeal dismissed.

P0930.10 - Demolition of the existing commercial building and construction of a commercial/retail unit on the ground floor with A1 and A2 use and 3 x 2 bedroom flats to the first and second floors Approved.

CONSULTATIONS/REPRESENTATIONS

The occupiers of 42 neighbouring properties were notified of this proposal. One letter of objection containing a petition was received with 18 signatures. One letter of objection containing a petition was received with 11 signatures. Four letters of objection were received with detailed comments that have been summarised as follows:

- Would prefer the units at ground floor to be used as offices instead of retail units.
- There are sufficient numbers of restaurants and takeaways in the vicinity.
- The A3 use would jeopardise the viability of other takeaway businesses.
- Would not be appropriate to have a restaurant or takeaway adjacent to a funeral parlour.
- Anti-social behaviour.
- Car parking, traffic and highway safety.
- Traffic and fumes.
- Noise and disturbance.
- An opening hours condition should be placed if minded to grant planning permission.
- There is little difference between this application and the previous application, P0410.10. An A3 use will still cause the same problems.
- Opening hours.
- There are empty shops in Collier Row which could be utilised instead.
- Would prefer residential accommodation on the site as opposed to commercial or retail use.
- The site could be utilised as a Police station.
- Loss of privacy.
- Smells.
- Waste.
- Extra lighting.
- The level of consultation was insufficient.
- The use of the premises as a restaurant.
- Vehicles currently park on the forecourt of 309 Collier Row Lane and this would be exacerbated by the proposed development.
- No objection to the flats.

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

Crime Prevention Design Advisor The proposed change of use to A3 raises no material community safety concerns as long as the hours of opening remain 08:00 to 21:00 Monday to Sunday. There are reservations with regard to the position of the communal entrance to the flats from a crime prevention point of view but it is understood that the drawings are unchanged from the approved application P0930.10. Recommends a condition and informative if minded to grant planning permission.

The Highway Authority objects to the proposals due to insufficient off street parking provision. The Highway Authority is aware of the position of the development in the Collier Row District

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Centre but feel that a total of two spaces for a commercial unit(s) with 3 x 2 bedroom flats above are not sufficient for a development of this type. We would require between 1.5-1 spaces per unit for the residential units alone.

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

StreetCare Department Waste from the business and the flats should be segregated. If minded to grant planning permission, a storage of refuse condition could be placed.

RELEVANT POLICIES

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions to residential and subdivision of residential uses), DC16 (Core and Fringe Frontages in District and Local Centres), DC33 (Car Parking), DC35 (Cycling), DC36 (Servicing), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document are also considered to be relevant together with the Residential Design Supplementary Planning Document.

The London Plan (Spatial Development Strategy for Greater London) is also a further material consideration.

PPS1 'Delivering Sustainable Development'

PPS3 'Housing'

STAFF COMMENTS

This proposal follows two previous planning applications, P0410.10 and P0930.10. Application P0410.10 sought permission for the demolition of the existing commercial building and the construction of a commercial/retail unit on the ground floor with A1, A2, A3 & A5 use and 3 x 2 bedroom flats to the first and second floors, which was refused for the following reasons.

1. The proposal would by reason of its A3 and A5 use, opening hours and lack of on site parking result in noise and disturbance caused by customers entering and leaving the premises and vehicles parking and manoeuvring on street, particularly during the evening hours of operation to the detriment of the amenities of the occupiers of nearby residential properties and the future occupiers of the flats, contrary to Policy DC61 of the LDF Development Control Policies Development Plan Document.

2. The proposed development would, by reason of the inadequate on site car parking provision and likely waste arrangements, result in unacceptable parking overspill onto the adjoining roads and adverse highway conditions arising from short term drop off and congestion to the detriment of highway safety and residential amenity contrary to Policies DC33 and DC61 of the LDF Development Control Policies DPD.

Application P0410.10 was subsequently dismissed at appeal (reference 2112). The Planning Inspector stated that the town centre character differs from that of the northern peripheral section of Collier Row Lane, where the appeal site lies. Taking into account the nature of the existing commercial uses along Collier Row Lane juxtaposed, with the long established residential development, the Planning Inspector took the view that the introduction of the proposed A3 and A5 uses would cause an unacceptable conflict between the two types of development, in respect of the effect on residents in relation to noise and disturbance generated by the proposed uses particularly late into the evening.

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In terms of highway safety, the Planning Inspector stated that diners using a restaurant are more likely to linger at the premises for some time and therefore are more likely to take advantage of parking facilities in the wider locality, in this instance, the Council car park, the side roads and the legal parking available on Collier Row Lane. However, the A5 use is likely to generate short stay car parking for customers. The Planning Inspector stated that the proposed takeaway would potentially cause traffic congestion close to a busy road junction, which would create an unacceptable hazard to road users and pedestrians alike, thereby harming highway safety.

Planning permission was subsequently granted for the demolition of the existing commercial building and construction of a commercial/retail unit on the ground floor with A1 and A2 use and 3 x 2 bedroom flats to the first and second floors under application P0930.10.

In this instance, the proposed building works are the same as those approved under application P0930.10. This application seeks consent to change the use of the ground floor.

The current application, P1557.11, differs from the earlier refused scheme, P0410.10, in the following key areas:

- The unit at ground floor would be A3 use. (Application P0410.10 sought A1, A2, A3 and A5 use).
- The proposed opening hours are 08:00 to 21:00 every day including Sundays and Bank Holidays. (The opening hours for P0410.10 were 11:00 to 23:30, but during the appeal these were changed to 09:00 to 23:00 Monday to Saturday and 10:00 to 23:00 Sundays and Bank Holidays).

PRINCIPLE OF DEVELOPMENT

The subject site is located within Collier Row Minor District Centre where Policy DC16 sets out a presumption in favour of retail development (A1) at ground floor level.

Policy DC16 states that planning permission for non retail uses in fringe areas will be granted at ground floor level provided that the use:

- " Has an active frontage
- " Is open during shopping hours
- " Would not significantly harm the character, function and vitality and viability of the centre.

It is considered that an A3 use would be acceptable in principle providing it meets the above criteria.

Government guidance also encourages a mixture of uses within town centres, which can assist in creating vitality, diversity and a reduction in the need to travel. There is, therefore, general support for the principle of providing additional residential units in the town centre. Indeed, Council policy supports the principle of residential development above existing ground floor commercial development.

In land use terms therefore, a mixed use scheme comprising commercial and residential uses is considered to be acceptable.

DENSITY/SITE LAYOUT

The site is located within a Public Transport Accessibility Level Zone (PTAL) of 1-2, as defined by Policy DC2 on Housing Density, within the fringe of a minor local centre with a bus service close to the site. Within this zone and part of the borough housing density of between 30-50 units per hectare is anticipated. The site identified comprises an area of 0.0415 hectares and the

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proposal would produce a density of 72 dwellings per hectare, which is outside of the range identified. Members will be aware however that higher density development can be acceptable providing that a high quality of design and layout is attained. This is appraised below.

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.

In this instance, Flats 1 and 2 have approximately 38 and 28 square metres of amenity space respectively in the form of external terraces. Flat 3 has approximately 10 square metres of amenity space in the form of a balcony area. The first floor terrace areas would be enveloped by a parapet wall and frosted glass balustrade on their perimeters to provide privacy for the future residents but also to provide a screen from the adjacent industrial buildings. The second floor balcony has a higher level solid balustrade, to prevent undue overlooking of the external terraces at first floor level. In amenity terms, given the town centre location of the site and the 'above the shop' nature of the flats, it is considered that the space proposed is of a good quality and no objections are raised in this regard.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. The site is located between detached, two storey buildings. In street scene terms, the provision of a part two and a half, part three storey building is considered to be acceptable. It is noted that the front building line for No.'s 309, 311-313 and 315 Collier Row Lane is staggered and the proposal respects this. The proposed half hipped roof minimises bulk and the three storey gable roof feature with quoining detail provides an articulated elevation. Collier Row Lane slopes downhill from North to South and the proposal has been designed to maximise the flexibility offered by this. It is considered that the height of the building is acceptable and would appear in character with neighbouring properties. The impact of the proposal on the streetscene was considered previously when determining the previous permission P0930.10 and was found to be acceptable.

IMPACT ON AMENITY

No. 315 Collier Row Lane is occupied by 'Raymond Lee Hair Designers' at ground floor. 'Sure Slim Wellness' clinic is located on the first floor, which has a first floor flank window that serves a reception area and is a primary light source, although this is not a habitable room. There are first floor flank windows towards the rear of No. 315, which serve offices and are obscure glazed. Also, the clinic has five roof lights which serve an office, a corridor and a store room. It is considered that the proposal would not result in a loss of amenity to No. 315 given the commercial use of the property.

No. 309 Collier Row Lane comprises of 'Harold Wood Funeral Services' on the ground floor, which has a courtyard garden to the rear and does not have any flank windows. No. 309A Collier Row Lane is a first floor flat with a first floor window on the rear façade, which serves a bedroom and is a primary light source. No. 309A has a first floor flank window which serves a kitchen and is a secondary light source, as there is another window on the opposite flank. It is considered

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that the proposal would not result in a significant loss of amenity to No. 309A. It is considered that a 1.7m high matt frosted glass balustrade on the perimeter of the first floor terrace area would mitigate any over/interlooking between the properties. The proposal does not feature any flank windows. The impact of the replacement building on neighbouring properties in terms of its built form including its siting and size, was considered previously when determining the previous permission P0930.10 and was found to be acceptable.

It is considered that the extraction flue would not be harmful to residential amenity, as it would be located 3.5 metres from the rear of the property. If granted planning permission, conditions from Environmental Health will be placed in respect of noise and smell for the extraction flue.

The impact on residential properties is of concern when determining a planning application for A3 use. A judgement is made in each case as to the extent and proximity of any nearby residential dwellings and whether there is any likelihood of unreasonable nuisance through smells, fumes, noise and hours of operation.

The appeal for P0410.10 was dismissed and the Planning Inspector placed a greater emphasis on the A5 use having a greater impact on neighbouring amenity due to greater pedestrian and vehicular movements into the evening, than an A3 use. In addition to vehicular movements, the Planning Inspector made reference to customers entering and leaving the premises and possibly lingering outside would also be a contributory factor to the effects of the proposal on the living conditions of nearby residents. The Planning Inspector was concerned that the A5 use would generate the need for short term parking, compared with diners at a restaurant taking advantage of local parking facilities and the Council's car park. With regard to evening activity, the opening hours for P0410.10 were 08:00 to 23:30, but during the appeal these were reduced to 23:00. The Planning Inspector appreciated that future occupiers of the proposed three flats would have a choice as to whether this were an environment in which they wished to live. The existing residents, particularly the flat above No. 309 Collier Row Lane, would not have that choice.

In this instance, it is considered that the removal of the A5 use combined with the shorter opening hours of 08:00 to 21:00 every day including Sundays and Bank Holidays have addressed previous concerns regarding the impact of the proposal on neighbouring amenity, although this is a matter of judgement for members. When considering the merits of this application, consideration was given to the Inspector's comments that diners using a restaurant are likely to linger at the premises for some time and therefore, are more likely to take advantage of parking facilities in the wider locality, including the Council the car park, the side roads and the legal parking available in Collier Row Lane. The proposed opening hours are the same as those approved under application P0930.10 for A1 and A2 use. The Crime Prevention Design Advisor has no objection to the proposal.

If minded to grant planning permission, conditions will be placed for the following aspects: opening hours, trading days and delivery times. There is a standard condition that can be used to ensure that the applicant provides a suitable waste management scheme for the site which seeks to protect the amenity of the occupiers of surrounding buildings and dwellings.

Overall, it is considered that removing the A5 use from the proposal has addressed the previous two reasons for refusal for P0410.10.

HIGHWAY/PARKING

In respect of parking, Policy DC33 seeks to ensure that the proposal provides adequate car parking on site. For the proposed ground floor unit(s), a maximum of 5 spaces are required if the

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unit(s) are put to retail (A1) or financial and professional services (A2) use. Parking provision at a range of 1.5-1 space per unit is anticipated for the proposed flats (4.5 to 3 spaces). The proposal makes provision for 2 off-street parking spaces in connection with the commercial use(s).

The level of provision proposed is considerably below that anticipated and the Highways Authority object to the scheme on this basis. The acceptability of the level of provision made for off-street car parking is a matter of judgement, given the maximum nature of the standards. In light of the town centre location of the site (enabling easy access to services and facilities), the bus stop opposite the site from which a number of bus routes operate, the existence of a pay and display car park to the rear of Tesco, which is opposite the site and the current parking restrictions between 8am - 6.30pm Monday to Saturday on Collier Row Lane together with footway parking in Moorlands Close, Staff consider that it would unreasonable to require a greater degree of off-street parking on the site, which is limited in its size. In order to make the best use of land, some compromise can be required and the compromise here is in relation to car parking. Indeed, in choosing whether to purchase/rent a property in such a location, potential occupants would be aware of the lack of car parking facilities prior to occupation.

The Planning Inspector was concerned that the A5 use would generate the need for short term parking, compared with diners at a restaurant taking advantage of local parking facilities and the Council's car park. Staff are of the view that the removal of the A5 takeaway use has addressed previous concerns regarding highway safety.

Servicing for both the retail/commercial units and the flats would take place from Collier Row Lane and this is considered to be satisfactory. The forecourt in front of the unit would enable smaller delivery vehicles to pull up on it from the carriageway to service/delivery to the units/flats.

Provision is made for refuse storage to the front of the site. For application P0410.10, the Planning Inspector stated that the refuse bins would not be likely to be sufficient to accommodate the range of users of the building. However, there would be space behind the building in which additional bins could be located and any inadequacies in the scheme could be overcome by means of an appropriate planning condition. A scheme for the storage of refuse will be secured by condition if minded to grant planning permission.

KEY ISSUES/CONCLUSIONS

The proposal for the commercial unit at ground floor with A3 use is acceptable in principle having regard to Policy DC16. The proposed residential use of the site at first and second floor is acceptable in principle. The impact of the proposal on the streetscene was considered previously when determining the previous permission P0930.10 and was found to be acceptable. It is considered that the removal of the A5 takeaway use combined with the shorter opening hours of 08:00 to 21:00 every day including Sundays and Bank Holidays have addressed previous concerns regarding the impact of the proposal on neighbouring amenity and highway safety, although this is a matter of judgement for members.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. S SC32 (Accordance with plans)

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3. SC46 (Standard flank window condition)
4. M SC11 (Landscaping)
5. M SC09 (Materials)
6. M SC59 (Cycle Storage)
7. S SC58 (Storage of refuse)
8. S SC06 (Parking provision)
9. M SC62 (Hours of construction)
10. Non standard condition
Prior to the commencement of the development, all details of boundary screening and screen walling shall be submitted to and agreed in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

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

11. Non standard condition
No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

Reason:-

In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

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

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

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13. Non standard condition

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

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

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

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

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

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

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

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

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

14. Non standard condition

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

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

15. Non standard condition

The flats shall be so constructed as to provide sound insulation of 43 DnT, w + Ctr dB (minimum values) against airborne noise and 64 LnT, w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

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

16. Non standard condition

Before any works commence a scheme for any new plant or machinery shall be submitted to the Local Planning Authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

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

17. Non standard condition

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

Reason: To protect the amenity of occupiers of nearby premises.

18. Non standard condition

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

Reason: To protect the amenity of occupiers of nearby premises.

19. Non standard condition

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 21:00 on Mondays to Sundays and Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

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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.

20. Non standard condition

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be restricted to an eat in café or restaurant only and no takeaway facility (even if ancillary to the primary use) shall take place from the premises unless agreed in writing by the Local Planning Authority.

Reason:-

In the interests of highway safety and residential amenity.

21. Non standard condition

No delivery service including food and drink shall take place from the premises unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of nearby premises and in the interests of highway safety.

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INFORMATIVES:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of the Design for Living Supplementary Planning Document and Policies CP1, CP2, CP17, DC2, DC3, DC4, DC16, DC33, DC35, DC36, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

2. In aiming to satisfy condition 12, the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

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

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APPLICATION NO:	P1606.11	
WARD :	South Hornchurch	Date Received: 27th October 2011
ADDRESS:	Council Depot Cherry Tree Lane Rainham	
PROPOSAL:	Demolition of council depot and erection of 3 terraced dwellings- Outline	
DRAWING NO(S):		
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

The application site comprises a large single-height building with parking to the rear, which was the Council's former Cherry Tree Lane Depot at No.120 Cherry Tree Lane. The site area is 0.08 hectares

The existing vehicular access to the site is currently to the rear, running behind (and shared with) the adjoining blocks of flats to the north before exiting onto Cherry Tree Lane between flat No's 164 and 170 Cherry Tree Lane.

There is a single pedestrian access directly onto Cherry Tree Lane. There are two small/medium trees and some shrubs to the Cherry Tree Lane frontage which are contained within a mainly grassed area. To the rear south-eastern corner of the application site is an electricity sub-station. This does not form part of the subject site.

The area is otherwise mainly residential in character with 2-storey terraces and semi-detached housing with 2-storey flats to the north of the application site fronting onto Cherry Tree Lane. To the rear of the site (east), separated by an access is a public park.

DESCRIPTION OF PROPOSAL

The applicants have submitted an application for Outline Planning Permission with Some Matters Reserved. Approval is being sought for Access, Appearance, Layout and Scale. Landscaping is a Reserved Matter.

The proposal is for the demolition of the existing building and the erection of 3 dwellings with off-street parking, which would be accessed from the rear lane and directly from Cherry Tree Lane. The proposed houses would each be 4-bedroom, 3-storey dwellings provided as a terrace.

The centre of the building will be setback from the rear edge of the highway by 7.8m and from the flank boundaries by 1.8 m (south) and 1.0 m (north). Each dwelling would be 5.5m wide and 10.1m in length. The terrace would have gables to the side elevations with a pitched roof with a ridge height of 9.2m above ground level.

Each dwelling would have a bay window at first and second floor, facing Cherry Tree Lane. The third floor of each dwelling will punctuate the rear roof space in the form of a dormer.

Each property would have a rear private garden and be provided with 2 parking spaces.

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The northernmost dwelling would be provided with two parking spaces to the rear, accessed via the rear lane. The centre dwelling and southernmost dwellings would each have one space provided from the rear and one directly from Cherry Tree Lane.

The application is similar in form and scale to that previously approved by the Council. The current proposal differs in that it;

- incorporates an additional storey on each dwelling, with a rear external dormer/loft, and skylight windows in the roof on the Cherry Tree Lane Frontage,
- provides an additional 190sq.m of floor area,
- is approximately 1.0m higher, and
- the overall building width is 2.0 wider on the southern side.

RELEVANT HISTORY

The site was previously utilised as a Council Depot. This use has ceased and the Council has since disposed of the site. There are a number of directly relevant planning decisions.

- Application P1689.10 was approved at the Council's Regulatory Services Committee on 24 March P1689.10 - Demolition of existing depot and erection of 3 houses with off street parking.

- An application (P1188.11) was lodged on 5 August 2011, Demolition of existing depot and erection of 8 flats. That application was refused under delegated authority on 30 September 2011 on the grounds of:

- Impact on the Streetscene
- Density and Lack of Amenity Space
- Parking Deficiency

An appeal has been lodged against the refusal.

CONSULTATIONS/REPRESENTATIONS

Twenty-eight neighbouring occupiers were notified of the proposal. No objections have been received.

The London Fire and Emergency Planning Authority has written to indicate that they are satisfied with the proposals.

The London Fire Brigade has written to indicate that they conclude that no additional fire hydrants are required and that, as a result, they have no further observations to make.

Thames Water has also written to advise that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. They also advise that they have no objection to the scheme in regard to sewerage infrastructure.

LBH Highways have not objected to the proposal.

RELEVANT POLICIES

RELEVANT POLICIES

LDF

CP1 - Housing Supply

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DC2 - Housing Mix and Density
DC3 - Housing Design and Layout
DC33 - Car Parking
DC61 - Urban Design
DC63 - Delivering Safer Places
SPD3 - Landscaping SPD
SPD4 - Residential Extensions & Alterations SPD
SPD9 - Residential Design SPD
OTHER
LONDON PLAN - 3.3 - Increasing housing supply
LONDON PLAN - 3.4 - Optimising housing potential
LONDON PLAN - 3.5 - Quality and design of housing developments
LONDON PLAN - 3.8 - Housing choice
PPS3 - Housing

STAFF COMMENTS

The issues in this case are the principle of development, density, built form and impact in the streetscene, residential amenity, access and parking/highways.

PRINCIPLE OF DEVELOPMENT

The proposal is for three, 4-bedroom houses. Policy DC2 indicates that permission would normally be granted for residential uses within the existing urban area. The proposed redevelopment is on a formerly developed, or "brownfield" site.

Therefore the proposal for residential redevelopment of this site is acceptable in principle.

DENSITY/SITE LAYOUT

The proposal for 3 dwellings on the site represents a density of 37.5 units per hectare. The application complies with the standards outlined within the Council's Design for Living SPD, Development Control Policy DC2, and London Plan, that states it is appropriate for houses to be developed at a ratio of between 30-50 units per hectare.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Layout. The Council's SPD on Residential Design indicates that new development should exhibit the same road layout, set backs and form of development as the area around the proposed development. The surrounding area is of two-storey residential development with its frontage onto Cherry Tree Lane. There is a considerable staggered front between the properties which are closer to the highway to the south of the application site, than the more set back flatted block to the north.

The proposal would be for a terrace of three dwellings setback a similar distance as properties to the south of the application site. Although they would be located some distance forward of the flatted block to the north, this relationship is such that the area fronting onto Cherry Tree Lane is the "rear area" for the flats which are accessed from the east via the access road, rather than directly from Cherry Tree Lane. Since the small terrace would be more in character with properties to the south, it is considered reasonable that the set back is similar to these properties.

Building envelope

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It is considered that the proposed terrace would have an acceptable impact in the streetscene as it would have a similar form, roof design and height as the existing residential development. Gable ends, hipped roofs and bay windows are a common feature in the area

The application proposes a maximum height of the roof ridge of (9.34m). This is marginally taller than that previously approved (9.07m), it is considered that the additional height can be accommodated in the context of the surrounding streetscape.

The proposal does present a side gable end wall to the public realm when viewed from the north. The treatment of this side elevation, will be addressed through the use of selected face brick to ensure that a large blank wall is not presented to the street. A condition of approval is attached to requiring a suitable treatment to be agreed.

On-site Amenity Space

The terrace dwellings proposed are to be sited fronting onto Cherry Tree Lane. The rear elevation would be located at a depth between that of the residential properties to the south and the flats to the north. The SPD on Residential Extensions and Alterations indicates that rear extensions can be acceptable where they are more than 2m from the adjoining property and no more than 3m deep on two-storeys. In applying this to new build accommodation, the proposal would be located over 6m from the rear elevation of the properties to the south and Staff consider that the relationship would not result in any harm to the rear garden environment.

Each house would be provided with a rear garden area, all with access to direct sunlight. The rear gardens would be of differing sizes. The middle dwelling has 52 sq.m, northern dwelling 57 sq.m. and the southern having an area of 70 sq.m.

Staff therefore consider that the proposal would provide a reasonable level of amenity for the future occupiers.

IMPACT ON AMENITY

The nearest residential properties are the houses/flats at No.s 118 and 122 Cherry Tree Lane. In relation to the flatted block to the north, the proposed development would be located significantly forward of the flat's front windows. Staff consider that given the distance between the two buildings and that the proposed building would only marginally incur into a 45 degree line drawn from the corner of the nearest flat, that there would be no adverse impact on the outlook or amenity of these occupiers.

In relation to the property to the south, as indicated above, the rear wall of the new building would be set deeper into the application site than the semi-detached pair's own original rear elevation. Nonetheless, given the significant separation distance and that the proposed development would be located to the north of these properties. Staff consider that there would be no significant harm to these occupiers amenity.

There are small side windows in the flank elevations of the proposed building. These provide light to stairwells and toilets. A condition is recommended that flank windows be obscurely glazed.

HIGHWAY/PARKING

In this location, parking provision is expected to be 1.5 to 2 parking spaces per dwelling. The proposal would provide two parking spaces for each property which will accord with this

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requirement. The rear parking spaces are accessed via the retained maintenance access which links the highway to the electricity substation at the rear of the application site.

Suitable refuse and recycled materials storage and pedestrian visibility splays would be the subject of suitably worded conditions. There are no LBH Highways objections to this scheme.

OTHER ISSUES

Landscaping trees

A detailed landscape plan will be required to be submitted as part of the Reserved Matters application.

There are two trees at the site frontage which make a positive contribution to the street scene and will be retained. In order to ensure that they are not adversely affected by the development, their root protection areas would need to be protected during construction and a suitably-worded condition will be attached to any grant of planning permission.

Secure by Design

The Crime Prevention Design Advisor has no specific objections and has requested that a standard condition and informative addressing Secure by Design and Community Safety can be attached to any approval.

KEY ISSUES/CONCLUSIONS

The development of the site for the purposes of three dwellings has previously been agreed by Council, and principle of development for this purpose is established.

The application accords with relevant Council policies and the London Plan.

The proposed density, design, layout and access is considered acceptable (subject to conditions) and, the development would not have an adverse impact on residential amenity.

RECOMMENDATION

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

1. M SC01 (Approval of details)
2. S SC02 (Time limit for details) 3yrs
3. S SC03 (Time limit for commencement) 2yrs
4. S SC06 (Parking provision)
5. M SC09 (Materials)
6. M SC11 (Landscaping)
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 (6ft. 7ins.) high shall be erected on the rear and side boundaries, and shall be

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8. S SC32 (Accordance with plans)

9. S SC40 (Soundproofing)

The buildings shall be so constructed as to provide sound attenuation of not less than 45 DnT,WCtr d.B (A) against the internally generated noise to the satisfaction of the Local Planning Authority.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC55 and DC61.

10. SC46 (Standard flank window condition)

11. SC57 (Wheel washing)

12. S SC58 (Storage of refuse)

13. M SC59 (Cycle Storage)

14. M SC60 (Contaminated land)

15. M SC62 (Hours of construction)

16. M SC63 (Construction Methodology)

17. Non standard condition

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

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

18. Non standard condition

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

Reason: To protect the trees on the site frontage

19. Non standard condition

The necessary agreement, notice or licence to enable the proposed alterations or additions 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,

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CP17 and DC61.

20. Non standard condition

Clear and unobstructed pedestrian visibility splays shall be provided to the satisfaction of the Local Planning Authority 2.1m wide and 2.1m deep either side of the new accesses onto Cherry Tree Lane. The approved splays lines shall be kept permanently unobstructed thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

21. Non standard condition

Secure by Design.

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

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set

out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

22. Non standard condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, Classes A,B,C,D, and E, no extensions or alterations or additions to the dwellings or their roofs nor any porches outside any door nor any outbuilding 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 to Local Planning Authority to retain control over future development.

3 INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP17, DC2, DC3, DC33, DC37 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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- 4 Thames Water:Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
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**REGULATORY
SERVICES
COMMITTEE**
REPORT

15 December 2011

Subject Heading:	P1521.11 – Land rear of 189 Faringdon Avenue, Harold Hill Demolition of existing garages and erection of 2 x 4 bedroom 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 demolition of the existing 18 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. 10.6861.2200 (received 21st October 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 and screening to the rear boundary, 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. 10.6861.2200) 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 shall 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. 10.6861.2201 shall be permanently glazed with obscure glass and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:

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

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

Reason:

In the interest of residential amenity.

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

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

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

Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

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

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

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

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

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

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

Reason:

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

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

Reason:

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

20) *Domestic sprinklers*: Prior to the first occupation of the development hereby permitted, a domestic sprinkler system shall be installed in each of the houses and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety.

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 Faringdon Avenue, access into the site is between No's 181-183. 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 18 garages which are in poor condition.
- 1.2 The site for residential development is approximately 330 square metres in size. Ground levels are slope to the rear towards properties in Dewsbury Road/ Guildford Gardens.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two storey semi-detached and terraced dwellings.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 18 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 an east-west orientation with windows and doors towards the front and rear. There is a single first floor flank window to each dwelling facing north and south respectively. These serve the bathroom.
- 2.3 The width of each dwelling is 6.5m. The dwellings have an equal depth of 10.2m. The development is two storeys in height measuring 4.7m to the eaves and 7.1m 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 85 square metres of amenity space. Plot 2 has 72 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. 11 Guildford Gardens.

3. Relevant History

- 3.1 None

4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 47 properties. 23 representation were received with the following comments:
- Houses would lead to direct overlooking of adjacent gardens
 - The plot is too small to accommodate two dwellings
 - Loss of privacy
 - Dust and noise would arise from construction
 - Devaluation of property
 - Loss of access into garage court
 - Land levels changing increase dominance of the buildings to adjacent occupiers.
 - No visitor parking is provided which will add to existing parking problems.
 - Query over boundary treatments for security and the existing fence is unsafe.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) 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 in excess of 130 square metres which is acceptable.

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

6.3 Site Layout/ Amenity Space

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

6.3.2 The amenity space to both dwellings is provided towards the rear in single blocks, enclosed by a 1.8m close boarded fence with 0.3m trellis above. The amenity areas would not be visible from any public view points they would measure 85 square metres for Plot 1 and 72 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 vary in size significantly, those in Faringdon Avenue measure approximately between 49 square metres to over 200 square metres. Dwellings in Dewsbury Road measure between 50 square metres and 85 square metres and dwellings to the north in Guildford Road and Guildford Gardens up to a maximum of 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 66 dph. This density is above the stated ranges, however density is only one measure of acceptability and the proposed dwellings would be of a similar density to those in the surrounding area which Staff consider to be 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 and terraced dwellings. Materials in the locality include facing brick and render. The proposed dwellings are set back from the access road and would be screened by existing development in Faringdon Avenue; as such it is not considered that the dwellings would be materially harmful in the streetscene.

6.4.3 In terms of design, the properties have a traditional design with covered entrances. They would be finished in facing brickwork at ground floor and black weatherboarding at first floor level with a tiled roof and UPVC windows. Plot 2 is varied from Plot 1 in that the first floor front elevation window to bedroom 1 projects out at an angle (to avoid overlooking of the adjacent property) this is finished with a full length glass window and flat roof, it would be weather boarded on the angled projection to match the first floor. Staff consider that the design would be acceptable for the locality. However, samples and details of materials are to be conditioned so that Staff can ensure any external material is of a sufficient quality.

6.4.4 The ground level drops from the north to the south towards Dewsbury Road where the garage court is set at a higher level. The dwellings are inset from the boundary and Staff consider that would not be of a visually intrusive or overbearing appearance, especially given their orientation and boundary screening. The properties would be screened when viewed from the south by No's 181-189 Faringdon Avenue. When viewed from east on Dewsbury Road and Guildford Gardens, it is likely that the roof tops would be visible through the gaps between existing buildings. Staff do not consider this to be unacceptable in the locality, here properties are visible from surrounding

view points. The fully hipped roofs also reduce the massing of properties in the locality which are typically gabled, although some properties are hipped.

6.4.5 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.

6.4.6 It is considered that the development of a pair of detached 2-storey 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 or overbearing form of development within the surrounding 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 corner front elevation of Plot 1 is set a minimum of 20m from the adjacent property at No. 11 Guildford Gardens to the west. The southern corner and flank elevation is set 13.8m away from No's 185-187 Faringdon Avenue, its rear elevation is 22.2m away from No's 1-3 Dewsbury Road.

6.5.3 The front corner of Plot 2 is located 16.45m away from No. 10 Guildford Gardens to the North West. Its northern flank elevation is located approximately 13m from No's 9-11 Dewsbury Road. The northern elevation is located 1m from this boundary, the dwellings would therefore have an impact in the rear garden environment of these properties in particular, however, it is considered that given the differing orientation and dividing trees this is acceptable. The rear elevation is located 20.5m away from the No's 5-7 Dewsbury Road. Guidance with the adopted Residential Design SPD does not prescribe back to back distances, Staff note the objections regarding concerns with overlooking, although, given the garden separation depths between the dwellings and surrounding properties, it is not considered that there would be any direct overlooking or invasion of privacy.

6.5.4 The development would have 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. At first floor the bathroom window to each property is not considered to result in a loss of residential amenity as they can be conditioned so that they are obscure glazed and non opening. The proposed weatherboarding to the first floor is also considered to be a less overbearing material than brick.

- 6.5.5 The first floor front windows to Plot 1 are not considered to result in overlooking of adjacent properties given the distance to no. 11 Guildford Gardens. Plot 2 has an angled first floor window which serves bedroom 1. This has been positioned away so that it avoids direct overlooking of the adjacent gardens no. 10 Guildford Gardens which is set approximately 16.45m to the east. The rear bedroom windows of the properties would share an orientation with No's 5-7 Dewsbury Road, although this is considered an acceptable relationship given the urban context of the site and minimum 20m separation distance. There is also scope to improve this boundary with the provision of landscaping. This is attached via condition.
- 6.5.6 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.
- 6.5.7 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the front of the dwellings by the access road. 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 18 that the site can accommodate at the present time.
- 6.5.8 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.9 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.
- 6.6 Highway/Parking/Access
- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type. 2 parking spaces are provided per unit which is acceptable. Objections received state that there is no visitor parking which would result in overspill onto the public highway.

However, there is no policy requirement for visitor parking and the site provides adequate parking for the two dwellings.

- 6.6.2 According to information provided by the applicant, all 18 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 for vehicles and pedestrians. The width of the access road measures 3.2m and this is not proposed to change. The access arrangements raise 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 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 acceptable by StreetCare and raises no objection. Specific details as to the refuse storage are attached via condition.
- 6.7.2 Representations received have objected in part due to the adverse impact on property values that would result from the development. However, property values are not planning considerations on which Staff can base a recommendation.

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 Faringdon Avenue. 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.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 December 2011

Subject Heading:

P1608.11 – Garage Court at rear of No. 33 - 48 Prospect Place, Romford

Demolition of existing 16 garages and the erection of 2 x No. houses with associated parking

(Application received 1st November 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

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. The application proposes the demolition of the existing 16 garages and the erection of 2 x No. houses 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 as shown on Drawing Nr. 8430-170-1000 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 approved shall be Hanson Clumber Red bricks for walls and Markley Eternit Modern Interlocking Tile (Smooth grey) for roof tiles in accordance with the details supplied on Drawing '8430-170-Prospect Place Materials' and '8430-170-1000, 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) 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 to each plot in accordance with the approved plans (Drawing Nr. 8430-170-1000) 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.

8) 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.

9) 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.

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

Reason:

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

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

Reason:

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

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

Reason:

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

13) 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.

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 each of the dwellings on Plot 1 and Plot 2. Thereafter this provision shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

INFORMATIVES

1. Reason for Approval:

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

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

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

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

5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
7. In aiming to satisfy Condition 11 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court along Prospect Place which is towards the north of properties along Collier Row Lane and west of properties along Wainfleet Avenue. The surrounding area is mainly characterised by 2-storey terraced dwellings towards the east and south of the application site. Prospect Place is characterised by 4-storey residential flats.
- 1.2 Access to the site is off Collier Row Lane, via Prospect Place. The site is currently covered in hardstanding and has 16 x No. garages. The western and southern boundaries of the site have palisade fencing with the eastern boundary characterised by garages and gates of properties along Wainfleet Avenue. There is no significant change in ground levels on the site. The site has an overall area of approximately 775sq metres.

2. Description of Proposal

- 2.1 The application seeks permission to demolish the existing 16 No. garages on the site and erect 2 No. detached two storey houses with associated parking and garden areas.
- 2.2 The properties are set to the western edge of the site with Plot 1 set to the north and Plot 2 set to the south, they are divided by a parking area, which is overlooked by each dwellings respective front elevation.
- 2.3 Each dwelling would measure 5.6m wide and 8.8m deep. The development is two storeys in height with a pitched roof and measures 4.95m to the eaves and 7.8m to the ridge. On ground floor level, each dwelling would have a living room, a WC and a kitchen/dining room. On first floor level would be 2 bedrooms with a bathroom. There are flank windows located on the eastern elevation these serve the bedrooms. A single flank window to the western elevation serves the landing area.
- 2.4 The proposal would retain the existing access to the site measuring approximately 3.34m in width. There would also be a pedestrian walkway to the western side of the access road which will be an additional 850mm in width.
- 2.5 There would be a bin collection point within 15m from the site entrance and 16m from the front of the proposed dwellings. The bin collection area indicates space for 4 bins.
- 2.6 Towards the front of the dwellings would be 4 parking spaces, 2 per dwelling. Towards the rear of each dwelling would be an area for refuse storage and 2 x cycle storage spaces for each dwelling.
- 2.7 The dwellings would have a primary north-south orientation with garden spaces towards the rear. Plot 1 would have an amenity area of approximately 128 square metres and Plot 2 approximately 100sq metres. These are enclosed by a 1.8m close boarded fence.
- 2.8 The dwellings are arranged to meet Code Level 4 for the Code for Sustainable Homes and include the photovoltaic panels within the roof space.

3. Relevant History

- 3.1 P0069.11 – Demolition of 16 garages for the erection of 2 houses with associated parking – approved.

4. Consultations/Representations

- 4.1 Notification letters were sent to 65 neighbouring properties with 1 letter of objection being received. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At

the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

5. Relevant Policies

- 5.1 Policies CP1 (housing supply), CP2 (sustainable communities), CP9 (reducing the need to travel), CP10 (sustainable transport), CP15 (environmental management), CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC11 (non-designated sites), DC32 (the road network), DC33 (car parking), DC34 (walking), DC35 (cycling), DC36 (servicing), DC40 (waste recycling), DC53 (contaminated land), DC56 (light), DC58 (biodiversity and geo-diversity), DC59 (biodiversity in new developments), DC61 (urban design) and DC63 (crime) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations.
- 5.2 The adopted Supplementary Planning Document for Residential Design and Landscaping are material considerations.
- 5.3 Policies 3.3, 3.5 and 3.8 of the London Plan (adopted July 2011) are relevant.

6. Staff Comments

- 6.1 This proposal is put before the Committee 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 83 square metres for a 2 bed, 4 person two storey dwelling. The dwellings have an internal floor space of in excess of 97 square metres which is acceptable.
- 6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential

area. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and 3.3 of the London Plan.

6.2.4 This application is a resubmission from a previous approval (application reference P0069.11). The amendments to this application include a revised layout to provide 2 detached dwellings, in place of a pair of semi-detached dwellings. The amenity space for Plot 1 has increased. The internal layout remains comparable to before. There is an increased standard of parking from 1.5 spaces per dwelling to 2 spaces per dwelling.

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 Plot 1 would mainly be towards rear (north) of the dwelling and measure approximately 128 square metres, this is an increased from 110sq metres on the previous application P0069.11. 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. Similarly, Plot 2 would have its amenity space towards the south of the dwelling, measuring 100sq metres and screened by a 1.8m close boarded timber fence.

6.3.3 Amenity provision in the locality are generally of a similar shape and size whilst the units in Prospect Place have communal garden areas of various sizes. Gardens to properties in Wainfleet Avenue to the east measure between 125 to over 180 square metres (including garages). It is considered that the proposed amenity areas would be consistent with those in the immediate 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 is acceptable in this instance.

6.3.4 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 26 units per hectare. This density would be below the recommended density range for this area, however this has previously been considered acceptable and Staff consider that for the locality and size of the site, the density level proposed is appropriate.

6.3.5 In terms of the general site layout, planning permission has already been granted for a pair of semi-detached properties with gardens to the south. This resubmission has revised the proposals so the properties are detached and arranged in tandem, separated by a central parking area with 4 spaces. Plot 1 has its front elevation facing south with garden towards the rear. Plot 2 has its front elevation facing north with its garden towards the rear facing south. Both front elevations would overlook the parking area. Soft landscaping is introduced to the eastern flank of each dwelling with clearly defined amenity areas. This is considered not to appear as an overdevelopment of the site. The proposal would be towards the rear gardens of the surrounding properties and with sufficient spacing between buildings, is not considered to appear as a cramped form of development. The layout of the site is therefore considered acceptable.

6.4 Impact on Local Character and Street Scene

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

6.4.2 The proposal would not form part of the Prospect Place, Collier Row Lane or Wainfleet Avenue street scene. The development is proposed towards the rear of garden areas of the surrounding properties and would therefore only be visible within the rear garden environment.

6.4.3 The surrounding area has no prevailing architectural. Prospect Place is characterised by 4 storey flatted developments, while buildings in Collier Row Lane are a mixture of 4 storey flatted developments and two storey semi-detached properties. Wainfleet Avenue is characterised by two storey terraces. Materials include facing brick and render. The proposed development would not be viewed in the context of any of the surrounding properties. The previous 9m maximum height has also been reduced to 7.8m. The proposal is considered to be an improvement of the existing garages and hard standing on the site and would not detract from the surrounding environment.

6.4.4 In terms of its design and visual appearance, Staff are of the opinion that the development of two detached dwellings in this location would have an acceptable impact. The dwellings were originally submitted with a car port attaching both front elevations, this has since been omitted from the plans to leave two separate structures. In light of sufficient separation distances between the proposed dwellings and surrounding neighbouring properties, 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 northern elevation of Plot 1 is located a minimum of 29m from No's 34-40 Prospect Place. The flank elevation is set 29m east from No. 13 Wainfleet Avenue and 38.4m from No. 84-90 Prospect Place to the west. The southern (front) elevation is set 7.5m north from Plot 2. The flank elevation of Plot 2 is located approximately 29m east of No. 7 Wainfleet Avenue and 30m east from No. 72, 76 and 78 Collier Row Lane when measured from the front corner and 26.5m from No's 72, 74 and 80 Collier Row Lane. The rear southern elevation is set 36.5m north of No. 62 Collier Row Lane. It is considered that the separation distances from this plots to adjacent dwellings is sufficient to prevent any potential for overlooking.

6.5.3 The proposal is for a pair of 2-storey detached dwellings. Communal gardens of the flats along Prospect Place are towards the west of the site. Notwithstanding, the proposed dwellings would have windows and doors facing north and south. Single first floor flank windows are proposed facing east towards Prospect Place and Collier Row Lane. These serve a landing area, no objection is raised to these windows given the separation distances to adjacent properties. The landing window to Plot 1 would be located approximately 38m from 84-90 Collier Row Road. The window to Plot 2 would be approximately 26.5m from No's 70-80 Collier Row Road. It was also noted that there are substantial outbuildings towards the west of the existing garages which would serve as a barrier between the proposed dwellings and first floor flank landing window and the communal gardens of properties along Prospect Place and Collier Row Lane.

6.5.5 First floor flank windows are also proposed to the eastern elevation, these serve the bedrooms of each dwelling. They would be located between 28-29m from properties in Wainfleet Avenue. It is not considered that these windows would result in adverse overlooking given the separation distances and urban context of the site plus dividing boundary screening and outbuildings. The front elevations to each dwelling provide a single casement window to bedroom 1; this overlooks the parking area below and increases surveillance across the site. The properties are set 7.5m apart, this distance is considered acceptable and would not result in a cramped appearance for future occupiers.

6.5.6 Staff are of the opinion that due to the orientation of the proposals in relation to neighbouring dwellings and their separation distance, no overshadowing would occur to any of the neighbouring properties.

- 6.5.7 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 2 No. 2-bed 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 existing garages. The proposal would introduce landscaping between the proposed parking area and the western boundary of the site which would mitigate any potential noise or light pollution to flats along Prospect Place.
- 6.5.8 In terms of general noise and disturbance, it is not considered that the addition of 2 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 centrally within the site, providing 2 spaces per dwelling; this is an increase from the 1.5 previously approved. 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. The parking is arranged in tandem; however there is no objection to this arrangement as the site provides adequate turning areas.
- 6.6.2 The existing garages would be demolished and involve the displacement of parking. This has previously been considered as acceptable on application P0069.11, where tenants of the existing garages would be provided alternative accommodation.
- 6.6.4 The development provides storage for 2 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 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. This has been considered acceptable by StreetCare and raises no objection from Staff. Specific details as to the refuse storage are attached via condition.

6.7.2 Highways concerns on the previous application related to the difficulty that refuse vehicles currently have getting access to Prospect Place and the addition of dwelling here would add to these difficulties. However, the refuse arrangements are the same as that previously approved where Staff raise no objection. It is considered in all that refuse arrangements are acceptable.

6.7.3 Representations received from the London Fire Brigade require the installation of domestic sprinklers; these are to be attached as a condition.

6.7.4 Plans were originally submitted with a car port over the parking area connecting Plot 1 and 2. This has raised concern from the Crime Prevention Design Advisor (CPDA) as the car port would screen the parking area and restrict surveillance across the site. The lack of windows to the front elevations of both plots (facing north and south respectively) also reduced surveillance across the site. Revised plans have since been submitted which omit the car port and introduce a single window to each front elevation at first floor level. This has increased the natural surveillance across the site and therefore addresses the concerns raised from the CPDA.

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: 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 on 20th January 2011.



REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	P1327.11 – The Albany School Creation of an all weather sports pitch on part of existing school field (Application received 30th August 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

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	<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 seeks permission to create a Multi Use Game Area (MUGA) on part of the existing school field.

The application is brought to the committee because the site is within Council ownership. The application was deferred at Staff request committee on 3rd November 2011 from due to a late received Sport England objection.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

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

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

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

3. The floodlights hereby approved shall not be illuminated other than between the hours of 08:00 hours and 21:00 hours on Mondays to Fridays, 0800 hours and 20:00 hours Saturdays and 10:00 hours and 18:00 hours on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason: - To enable the Local Planning Authority to retain control in the interests of amenity.

4. Prior to the commencement of the development hereby approved, details of the floodlighting (including any baffle features) and any other means of external lighting to the site shall be submitted to and agreed in writing by the Local Planning Authority. The external lighting shall then be installed in accordance with the agreed details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: - In the interests of amenity and site security.

5. Before any of the development hereby approved is commenced, details of all materials to be used in the construction of the Multi Use Games Area and fencing shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

6. The Multi Use Games Area shall not be used for the purposes hereby permitted other than between the hours of 08:00 hours and 21:00 hours on Mondays to Fridays, 08:00 hours and 20:00 hours Saturdays and 10:00 hours and 18:00 hours on Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

INFORMATIVE

1. The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy DC28, DC29, DC33, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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

REPORT DETAIL

1. Background information

- 1.1 The application was deferred from committee on the 3rd November 2011 following a late received Sport England objection which raised concern over the loss of playing fields and arrangement of the MUGA. Suggested amendments to the layout were put forward from Sport England which would overcome their objections, which the applicant has incorporated. These include a revised positioning of the MUGA so that is parallel to the existing tennis courts, which leaves sufficient playing field space for rugby and football pitches to be laid out.

2. Site Description

- 2.1 The application site is the Albany Business and Enterprise College, comprising buildings up to three storeys in height with outdoor recreation areas and extensive playing fields. The site is accessed off Broadstone Road from the west. The site includes the car parking areas as existing near the entrance as well as 6 tennis courts and an open grassed playground immediately west of the tennis courts. The main college buildings are to the north of the tennis courts with a large open playing field to the east of the site. Harrow Lodge Park is to the south of the site with residential properties located to the immediate west and north of the site boundaries.

3. Description of proposal

- 3.1 Permission is sought for a multi use games area (MUGA), located centrally within the site on the existing playing fields and to the south east of the school buildings. This measures 36.6m deep by 40.6m wide and would be constructed of a porous macadam surface, marked out as to provide 2 No. tennis/ netball and basketball courts. The games area would be enclosed by a chain link fence measuring 3.6m high and be lit by 6 lighting columns, each measuring 10m high. The games area has been designed to meet Sport England criteria.
- 3.2 The pitch is for games and sports use and would be made available to those attending the school; the submitted supporting statement has indicated that the pitch could be made available for local residents, with bookings handled via the school. This MUGA would be built in place of a previously approved sports pitch which is now no longer proposed to be constructed. This MUGA differs from the previous approval in that is positioned centrally within the site, rather than toward the boundary, has 10 fewer lighting columns and is slightly smaller.
- 3.3 The application has been submitted with letters of support from the Council's Head of Culture and Leisure, England Netball and Pro-Active East London.

4. Relevant History

- 4.1 P0780.09 – Extension and refurbishment of existing tennis courts including new floodlighting. New all weather playing surface – Approved, but not yet implemented.

P0064.08 New building to accommodate changing rooms and social facilities, rear paving, car parking and landscaping (outline) – Approved. This permission has now lapsed.

5. Consultations/Representations

- 5.1 Neighbour notification letters were sent to 57 properties. 29 representations were received, these are summarised below:

- Floodlighting is too powerful
 - Noise levels would be excessive
 - Parking is a cause for concern and additional parking would be a nuisance.
 - Vandalism has occurred by people using the school premises.
 - Increase in traffic levels
- 5.2 At the time of writing this report, comments have yet to be received from Sport England which confirm that amendments to the application are acceptable. Any comments received will be reported verbally at the committee meeting. Any comments received prior to the meeting will be reported verbally. Should comments be received after the date of the committee meeting Staff request that authorisation be given for the Head of Development and Building Control to grant Planning permission on the basis of no objections received from Sport England, with the conditions set out at the end of this report. In the event that representations are received from Sport England continue to raise objection the application shall be referred back to the Regulatory Services Committee for determination.

6. Staff Comments

- 6.1 The main issues to be considered by Members in this case are the principle of development in relation to design/street and amenity issues.
- 6.2 This application has previously been deferred from committee due to a late received Sport England objection. This objection was based on the loss of playing fields and the impractical positioning of the proposed MUGA.
- 6.3 Within the representations received from Sport England stated that their objections could be overcome with a revised layout of the MUGA. Revised plans to include Sport England's suggestions have been submitted as revised plans. The report also addresses some previous inaccuracies with regard to the difference in flood lights.
- 6.2 PPG17 (Planning for Open Space, Sport and Recreation) and the relevant LDF Core Strategy and Development Control Policies DPD Policies to be considered are CP17 (Design), DC29 (Educational Premises) and DC61 (Urban Design) are considered relevant.
- 6.3 Policies 3.18, 3.19 of the 2011 London Plan are also relevant.
- 6.4 Principle of development
- 6.4.1 The site has an existing use as a school and lies outside the Metropolitan Green Belt, designated Conservation Area and contains no Listed Buildings. The pitch would provide an additional facility to an existing use. This is acceptable in principle.

- 6.4.2 PPG17 states that Local Authorities should give careful consideration to any planning applications for development on playing fields, and states that proposed development should be ancillary to the use of the site as a playing field. Measures should also be taken to enhance existing open space where available.
- 6.4.3 Policy DC61 states that planning permission will only be granted where development responds to distinctive local building forms, and respects the scale, massing and height of surrounding development. Policy DC29 seeks to ensure that the provision of educational facilities is of a high quality. The proposed school pitch would provide an all weather recreational facility within the site. Policy DC28 states that opportunities to make existing schools and their facilities available to the wider community will be encouraged where impacts on amenity, environmental, safety or traffic problems do not result. The matters to be considered further therefore are the impact of the proposed development in this location including its visual impact, effect upon amenity to neighbouring properties, potential traffic and parking implications.
- 6.4.4 The proposals would involve the loss of grassed playing fields to the centre of the site, but would provide alternative recreational space, which would be available all year round. Paragraph 18 of PPG17 seeks improvements to existing open space, and the proposal here is considered to enhance the existing layout of the playing field, by extending its usability. It is not proposed to construct a previously approved sports pitch and there would be no overall loss of playing field than that previously approved. Revised plans submitted show the repositioning of the MUGA within the school site with marked out athletics tracks, rugby and football pitches. Where there is sufficient space for all facilities to be provided.
- 6.5 Design/Impact on Street scene
- 6.5.1 The playing fields of the school are largely screened from public view by the school buildings which face the entrance on Broadstone Road. These fields are however, visible from the rear of properties which back onto the school site on Pett Close to the north and Broadstone Road to the west, properties in Steed Close have an obscured view of these fields, which is partially blocked by the school buildings and outbuildings. Previously approved sports pitches were located to the south west corner of the site, approximately 44 m west of the boundary with Broadstone Road, but would not have been visible from those to the north of the site in Steed Close and Pett Close as it would have been screened by the adjacent three storey school buildings.
- 6.5.2 It is no longer proposed to construct the previously approved sports pitch and the submission here proposes construct a multi use games area (MUGA) in a different location, now set centrally within the site. Original plans proposed this to be set 150m from Broadstrone Road and 87m from Pett Close with the MUGA set away from the tennis courts to the south projecting into the playing fields. Following Sport England suggestion, the

MUGA has a revised position, so that is now in line with the existing tennis courts with a reduced projection into the playing fields. This has increased the distance from the boundaries so that it is now 155.5m away from the Broadstone Road boundary to the west and 104m from the boundary with the rear of properties on Pett Close to the north. The central positioning of the MUGA would mean it would still be visible as part of the playing fields, although the eastern portion of the MUGA would be screened by existing development within the school site. The increased distance from both residential boundaries from that originally intended is further considered to reduce visual impact.

6.5.3 The MUGA is now smaller than previously approved, measuring 1388 square metres versus 1665 square metres as previously approved. This combined with the revised location is not considered to appear harmful in the locality. The MUGA would not be visible from properties located in Adelphi Crescent and Apollo Close due to the orientation of the main school buildings.

6.5.4 The pitch would be enclosed by 3.6m high mesh type fencing, similar to that found on the existing tennis courts. The existing school boundary is enclosed by a higher similar type fence, which provides partial views to residential rear gardens through gaps in the trees. The proposed fencing is lightweight in construction and is not considered to appear overly intrusive within the school field environment. However, to ensure that the fencing is of an appropriate design, details are requested via condition.

6.5.5 It is proposed to light the MUGA by way of 6 No. 10m floodlighting columns. The proposed floodlight columns are not in principle considered harmful to the open character of this part of the school site as they are relatively slim-line and well spaced out around the pitch.

6.6 Impact on Amenity

6.6.1 It is proposed to open the use of the pitch beyond the immediate school site; this is to include the local community and activity groups, who would need to book the pitch via the school. No further details of this have been provided although, the access to the MUGA would be limited to a degree, due to the general levels of security that the school needs to maintain.

6.6.2 Given the extended use to other groups aside from the school, it is acknowledged that the MUGA would create an element of noise from the levels of activity on site. However, the pitch is located on an existing playing field which is used by the school, for exercise and lunchtimes. The nearest properties on Broadstone Road are 155m away and the properties to Pett Close and Steed Close are approximately 104m away. The activities proposed including netball and basket ball would create a materially different level of activity on site than at present but are located adjacent to the existing tennis courts. The concentration of these activities to the centre of the site is considered to assist in reducing their impact and the use of the MUGA would also be controlled via a condition to restrict the hours of use.

- 6.6.3 Floodlighting is proposed to the MUGA, this is provided via 6 No. 10m high columns. The proposed floodlighting will potentially be visible to residents of nearby residential properties in Broadstone Road, Pett Close and Steed Close due to the height of the columns. Representations received have objected on the grounds that the floodlighting is not appropriate and would negatively impact residential amenity. Sport England guidance states that floodlight can be positioned 12m from the boundary and 30m from the rear wall of residential property. The nearest floodlight would be positioned approximately 155m from the nearest neighbour in Broadstone Road and 104m from those in Pett Close/Steed Close. This far exceeds Sport England guidance and is considered that it would not be harmful to neighbouring occupiers.
- 6.6.4 The impact of the flood lighting on residential amenity is a matter of judgement for Members. Staff however, consider that given the distance of the lighting from neighbouring residential properties any light spill would be minimised. The hours of illumination and the detailed specification of the floodlighting would be subject to controls, which can be achieved by condition, to ensure material harm to residential amenity would not occur. The MUGA would be located a minimum of 50m from Harrow Lodge Park, a reduction from 67m previously, however, this separation distance is still consider acceptable, given the existing boundary screening.
- 6.6.5 The previous report to committee states that 16 flood lights were originally proposed, and that the 6 flood lights for the MUGA represented a reduction of 10. However, the previous sports pitch was not flood lit, and the 16 flood lights refer to the tennis courts. These would be kept in situ, and the 6 flood lights proposed would be additional, to give a total of 22 flood lights on site. Staff consider that given the location away from residential properties, far in excess of Sport England guidance, would not detrimentally add to light spill or glare on site as they can be angled downward towards the ground. The location of the MUGA, visible from neighbouring properties is still a matter for judgement for Members however. Lighting to the north east corner of the MUGA would be screened in any case by the surrounding buildings, which would further mitigate their impact.
- 6.6.6 In terms of noise, the MUGA is located on an existing playing field, used by the school; this is marked out with football and rugby pitches and would therefore create an element of high activity during the school day. The MUGA site is located centrally within the site, away from residential boundaries. It is acknowledged that this use would create an element of activity and therefore noise proposal is located centrally within the site, so it is at the maximum distances away from residential properties. A certain element of the games area would be screened by the surrounding school buildings.
- 6.6.7 Representations received have also objected on the grounds of anti-social behaviour and vandalism that occurs around the school. Anti-social behaviour or criminal damage is a matter for the Police and the school,

rather than the Local Planning Authority. The MUGA would be managed via the school itself and its availability would be controlled.

6.7 Highway/Parking/Access

6.7.1 Representations received have objected due to the congestion locally that arises from the lack of parking at the school, specifically on the immediately surrounding streets. The site has a 69 space car park at present located to the west of the site by the school entrance. The Highways Authority has no objection to the application. This MUGA is proposed to replace an existing approved sports pitch which is proposed not to be constructed.

6.7.2 Vehicular access into the site is via Broadstone Road. It is not proposed to alter either the access or parking layout. Representations from the Highways Authority raise no objection with regard to potential impact on the highway or parking situation. When it is proposed to be the MUGA outside of school hours, Staff do not consider that this would bring any traffic implications as the car park would not be in use and there would be available parking within the site.

7. Other issues

7.7.1 The school site is known to be contaminated, as such, Environmental Health have requested that a condition be attached to any consent, requiring the submission of a land contamination survey.

7.7.2 The school has stated that they do not wish to construct the approved sports pitches and instead build the proposed MUGA. The previous planning permission would remain valid, and in reality there would be two permissions on the site for games areas. Staff have considered the possible impact of this in terms of design and residential amenity. Given the separate locations of the games areas and the reduced amount of floodlighting on this application, it is considered that two games areas would not materially be harmful in either design terms of in residential amenity and parking. It is also considered that there would be acceptable open area of playing fields remaining. The drawings submitted indicate that only one pitch would be built and in any case, financing would not be available for both pitches. Nonetheless, the extant permission could be implemented at any time up to 25th February 2013.

8. Conclusion:

8.1 Staff do not consider that the creation of a MUGA would have an adverse impact on the amenity of neighbouring occupiers. The scale and design of the pitch and enclosure fencing is considered to acceptably integrate into the school field surroundings, and would be of a limited impact within the wider streetscene. The floodlighting is located at significant distances from residential properties and would be partially screened by the three storey school buildings. Parking remains an issue for local residents; however,

Staff consider that the MUGA would not result in adverse harm to the highway or parking demand.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity. The Multi Use Games Area would provide a year round facility for the school, which would contribute providing additional activities for students and the wider community.

BACKGROUND PAPERS

Application forms and plans received 30th August 2011

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

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REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	P1559.11 – Land rear of 51-63 Kingsbridge Road, Harold Hill Demolition of existing garages and erection of 1 x 3 bedroom detached dwelling and 2 x 4 bedroom semi-detached dwellings with associated parking and garden areas (Application received 2nd November 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 26 garages and the erection of 2 no. 2 storey semi-detached 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. 10.6861.2500 (received 14th October 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. 10.6861.2500) 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 shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

16) Obscure glazed windows: The proposed window on 1st floor level within the north and south elevations, serving the bathroom as indicated on Drawing Nr. 10.6861.2501 A and south elevation on Drawing Nr. 10.6861.2502 A shall be permanently glazed with obscure glass and fixed shut with the exception of a top hung fan light 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 north of Kingsbridge Road, access into the site is between No's 59 and 61. 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 26 garages which are in poor condition.
- 1.2 The site for residential development is approximately 645 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 storey semi-detached dwellings.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 26 garages on the site and erect 1 No. detached 3 bedroom dwelling (plot 1) and 2 No. semi-detached 4 bedroom dwellings (plot 2 and 3) with associated parking and garden areas.
- 2.2 The dwellings have an east-west orientation with windows and doors towards the front and rear. Plot 1 has single ground and first floor flank windows on the southern elevation these serve a W.C at ground and bathroom at first floor. Plot 2 and 3 have flank windows located on the northern and southern elevations respectively which also serve a dining area at ground floor and bathroom at first floor.
- 2.3 Plot 1 measures 5.3m wide and 10.6m deep. The development is two storeys in height measuring 4.7m to the eaves and 7.1m to the ridge. The main entrance to each property is located to the western elevation. At ground floor there is a kitchen, living room and W.C. At first floor there are three bedrooms and bathroom. The property has a hipped roof.
- 2.4 Plot 2 and 3 are staggered in their arrangement, Plot 2 is located adjacent the northern boundary and Plot 3 adjacent to the access drive to the south. These measure 6.3m wide each to give a total width of 12.6m and 10.2m deep. The development is two storeys in height measuring 4.7m to the eaves and 8,2m to the ridge. At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are four bedrooms and a bathroom. These properties have a gabled roof.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles), this measures 2.8m wide. To the front of the dwellings would be a turning area. There would be

6 parking spaces, 2 to each plot, these are located 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 has 122 square metres of amenity space. Plot 2 has 128 square metres of amenity space. Plot 3 has 99 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

Neighbour notification letters were sent to 35 properties. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) 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 dwelling and 96 square metres for a 3 bed, 6 person dwelling. Plot 1 has a floor space of 112 square metres which is acceptable. The policy requires 100 square metres for a 4 bed, 5 person two storey dwelling and 107 square metres for a 4 bed, 6 person dwelling. Plots 2 and 3 have an internal floor space of in excess of 128 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 all dwellings is provided towards the side and rear in single rectangular 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 they would measure 122 square metres for Plot 1 and 128 square metres for Plot 2 and 99 square metres for Plot 3. Access to the garden area is through the dwelling and side entrance gates.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Gardens to properties in the south on Kingsbridge Road measure between 85 to 120 square metres. Gardens to properties in Faringdon Avenue to the north measure between 90-95 square metres. Staff are of the opinion that the proposed 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 which is within the approximate ranges. Staff consider the proposals to be of an appropriate density for the area.

6.3.5 The development is arranged as a detached dwelling and pair of semi-detached properties. The locality is largely formed from semi-detached

properties, although there is no objection to a detached dwelling in principle, especially where it does not form part of the streetscene. The semi-detached pair are staggered in their arrangement. This is in order to accommodate sufficient onsite parking to all three units.

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. Properties are typically semi-detached with hipped or gabled roofs. Materials in the locality include facing brick and render. The proposed dwellings are set back from the access road and would be screened by existing development in Kingsbridge Road; as such 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 entrances. They would be finished in render with a tiled roof and UPVC windows. Plot 1 is detached and finished with a fully hipped roof. Plots 2-3 are semi-detached and are finished with a gable end roof and symmetrical elevations. These dwellings are staggered in their arrangement with Plot 2 set 1m forward of Plot 1. This is acceptable in design terms and no objection is raised to this arrangement. Staff consider that the design for all three dwellings 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 fairly flat in the locality and the dwellings are inset from the boundary and would be screened by existing development. Staff consider that the dwellings would not result in a visually intrusive or overbearing appearance, especially given their orientation and boundary screening.
- 6.4.5 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.
- 6.4.6 It is considered that the development of a detached dwelling and pair of detached 2-storey 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 or overbearing form of development within the surrounding 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 southern corner of the front elevation of Plot 1 is set 18.8m from no. 61 Kingsbridge Road, the northern front corner is set 20m from no. 226 Faringdon Avenue. The rear elevation is set 18.8m from 67 Kingsbridge Road and 24.6m from no. 69 Kingsbridge Road. The front elevation is set 10.4m east of Plot 2 and 12.4m east of Plot 3.

6.5.3 The front northern corner of Plot 2 is located 16.4m away from no. 220 Faringdon Avenue, the rear corner is set 17.4m away from no. 216 Faringdon Avenue. It's rear elevation is set 25m west from no. 10 Kingsbridge Close. The southern front corner of Plot 3 is set 19.2m from no's 55-59 Kingsbridge Road to the south and 24m from no. 8 Kingsbridge Close to the west.

6.5.4 Guidance with the adopted Residential Design SPD does not prescribe back to back distances, given the above garden separation depths between the dwellings and surrounding properties, it is not considered that there would be any overbearing impact.

6.5.5 The southern flank windows to Plot 1 serve a W.C and bathroom; these raise no objection and would not result in overlooking of the adjacent properties in Kingsbridge Road as they can be conditioned to be obscure glazed and non opening, with the exception of a top hung fan light for ventilation. The northern elevation of this property is blank. The flank windows on the northern elevation to Plot 2 serve a dining room at ground floor which raises no objection. The same windows serve Plot 3 on the southern elevation and raise no objection.

6.5.5 The windows to the front elevations of Plot 1, 2 and 3 would overlook the parking and shared turning area. It is considered that the separation distance between each plot is acceptable. The rear windows to each plot would share an orientation with adjacent properties in Kingsbridge Close to the west and Kingsbridge Road to the east. The separation distances between these plots and adjacent dwellings is considered acceptable. First floor bathroom windows facing north and south are not considered to result in overlooking as they can be conditioned so that they are obscure glazed and non opening, with the exception of a top hung fan light for ventilation.

6.5.6 Plot 2 is set 1m forward of Plot 3, the front projection is considered minimal and would not result in a loss of amenity. This forward position also means

that Plot 3 is located 1m rearward of Plot 2; this rear projection is also minimal and raises no objection.

- 6.5.7 In terms of additional noise and disturbance, it is not considered that the addition of 3 x family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.8 There would be 6 parking spaces provided, 2 for each dwelling. These are located to the side of Plot 1 and to the front of Plot 2 and 3, a turning area is provided centrally in the site. The spaces to Plot 2 are located adjacent to the rear boundary shared with no. 222 Faringdon Avenue and is separated by a 1.8m close boarded fence with strips of soft landscaping. 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 6 car parking spaces on the site which is a reduction from the possible 26 that the site can accommodate at the present time.
- 6.5.9 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.10 It is 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 26 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 for vehicles and pedestrians. The width of the access road measures 2.8m and this is not proposed to change. The access arrangements raise 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 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 acceptable by StreetCare and raises no objection. Specific details as to the refuse storage are attached via condition.

7. Conclusion:

7.1.1 Overall, Staff are of the opinion that the proposals to provide 3 dwellings would be of an acceptable appearance, they would be largely screened by existing development in Kingsbridge Road. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 2/11/2011.

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

10

REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	P1560.11 – Land rear of 16/18 Halesworth Close, Romford Demolition of existing garages and erection of 2 x 4 bedroom semi-detached dwellings with associated parking and garden areas (Application received 2nd November 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 11 garages and the erection of 2 no. 2 storey semi-detached 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. 10.6861.2400 (received 14th October 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. 10.6861.2400) 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 shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

16) Obscure glazed windows: The proposed window on 1st floor level within the north and south elevations, serving the bathroom as indicated on Drawing Nr. 10.6861.2401 B shall be permanently glazed with obscure glass and fixed shut with the exception of a top hung fan light 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 north of Halesworth Close, access into the site is between No's 16 and 17. The site is bound on all sides with residential properties, the gardens of which enclose the garage court. The site is currently covered in hard standing and has 11 garages which are in poor condition.
- 1.2 The site for residential development is approximately 360 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 storey semi-detached dwellings, predominantly with flat roofs to the south and pitched roofs to the north.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 11 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 an east-west orientation with windows and doors towards the front and rear. There is a single first floor flank window to each dwelling facing north and south respectively. These serve the bathroom. Ground floor flank windows serve the dining areas.
- 2.3 The width of each dwelling is 6.25m. The dwellings have an equal depth of 12.5m. The development is two storeys in height measuring 4.8m 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), this measures 2.8m wide. 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 102 square metres of amenity space. Plot 2 has 96 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. 16 Halesworth Close and No. 30 Kettering Road.

3. Relevant History

3.1 None

4. Consultations/Representations

Neighbour notification letters were sent to 36 properties. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

5. Relevant Policies

5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) 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 in excess of 160 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 rectangular 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 they would measure 102 square metres for Plot 1 and 96 square metres for Plot 2. Access to the garden area is through the dwelling and side entrance gates.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Adjacent gardens vary in size significantly, those in Halesworth Close measure approximately between 120 square metres to over 200 square metres. Dwellings in to the north and west on Halesworth Road and Kettering Road measure between 86 square metres and 175 square metres. Staff are of the opinion that the proposed 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 which is within the approximate ranges. Staff consider the proposals to be of an appropriate density for the area.

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. Properties in Halesworth Close differ from those in surrounding roads in that they are feature flat roofs with grey render elevations. Properties in Halesworth Road and Kettering Road are a mixture of flat roof dwellings and pitched roof properties incorporating hips and gables with facing brick elevations. These pitched roofs of surrounding properties are visible from Halesworth Close. The proposed properties would be screened by surrounding development to the north, west and east, although given the flat roofs of properties in Halesworth Close to the south the roofs of the dwellings would be visible from the streetscene. Staff do not consider this would be harmful in the locality, where there is a wide variation of roof forms which are visible from surrounding public view points. The roofs of the dwellings here would follow this established pattern.
- 6.4.3 In terms of design, the properties have a traditional design with covered entrances. They would be finished in render with a tiled roof and UPVC windows. Staff consider that the design 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 fairly flat in the locality. The dwellings are inset from the boundaries and Staff consider that they would not to be of a visually intrusive or overbearing appearance, especially given their orientation and boundary screening.
- 6.4.5 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.
- 6.4.6 It is considered that the development of a pair of detached 2-storey 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 or overbearing form of development within the surrounding 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 southern corner front elevation of Plot 1 is set 19.2m from No. 16 Halesworth Close. From No. 17 Halesworth Close the front corner is set 17.5m, the southern flank elevation is also set 17.5m from No.18. The eastern rear elevation is set 25.7m from 19 Halesworth Road.
- 6.5.3 The front northern corner of Plot 2 is located 21m away from no. 39 Halesworth Road. The northern flank elevation is located 18m from no. 37 Halesworth Road. The rear eastern corner elevation is set 25.8m from no. 21 Halesworth Road. Guidance with the adopted Residential Design SPD does not prescribe back to back distances, given the garden separation depths between the dwellings and surrounding properties, it is not considered that there would be any overbearing impact.
- 6.5.4 The development would have 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. At first floor the bathroom window to each property is not considered to result in a loss of residential amenity as they can be conditioned so that they are obscure glazed and non opening with the exception of a top hung fan light for ventilation purposes.
- 6.5.5 The first floor front windows to Plot 1 are not considered to result in overlooking of adjacent properties given the distance to no. 16 Halesworth Close and their differing orientation. Plot 2 is set at a different orientation to No. 30 Kettering Road, where first floor windows would not face each other. The rear bedroom windows of the properties would share an orientation with No's 19-21 Halesworth Road, although this is considered an acceptable relationship given the urban context of the site and 25.8m separation distance.
- 6.5.6 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.
- 6.5.7 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the northern edge of the site with a turning area provided in front. The parking spaces would be screened by a 1.8m high timber fence with 0.3m tellis 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 11 that the site can accommodate at the present time.
- 6.5.8 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted

Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.

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

6.6 Highway/Parking/Access

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

6.6.2 According to information provided by the applicant, all 11 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 for vehicles and pedestrians. The width of the access road measures 2.8m and this is not proposed to change. The access arrangements raise 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 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.

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 to the north and east. From Halesworth Close to the south the roofs would be visible as part of the streetscene, but this is not considered to be harmful in the locality. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 2/11/2011.

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.

11

REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	<p>P1643.11 – Garage court to rear of 13 Ashbourne Road, Harold Hill</p> <p>Demolition of existing 11 garages and erection of 2 x 2 storey 4 bedroom semi-detached dwellings with associated parking and garden areas (Application received 14th November 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	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 11 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. 8430-113-1000 (received 26th October 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: The materials used in the construction of the development hereby approved shall be Hanson Becton Yellow Multi for walls and Markley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing '8430-113-Ashbourne Road Materials' and '8430-113-1000' (received 26th November 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) 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. 8430-113-1004) 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 shall 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 northern and southern elevation, serving the bathroom as indicated on Drawing Nr. 8430-113-1001 shall be permanently glazed with obscure glass with the exception of a top hung fan light and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:

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

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

Reason:

In the interest of residential amenity.

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

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

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk

assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

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

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

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

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

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

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

Reason:

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

19) Domestic sprinklers: Prior to the first occupation of the development hereby permitted, a domestic sprinkler system shall be installed in each of the houses and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety.

20) Root protection: No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of the trees to the north and western boundary has been submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures

to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and/or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site.

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

Reason:

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

INFORMATIVES

1. Reason for Approval:

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

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

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

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

4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
6. In aiming to satisfy Condition 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 Ashbourne Road, access into the site is between No's 13-15. The site is bound on all sides with residential properties, the gardens of which enclose the garage court. The site is currently covered in hard standing and has 11 garages.
- 1.2 The site for residential development is approximately 428 square metres in size. Ground levels are fairly level.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two storey terraces, finished predominantly in red brick.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 11 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 an 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) measuring 3.3m wide. 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 front of the properties with a turning area provided in front and soft landscaping to the rear boundary.
- 2.6 Amenity space for each dwelling is provided to the rear. Plot 1 (adjacent to the access road) has 68 square metres of amenity space. Plot 2 has 61 square metres of amenity space. All amenity areas would be screened by a 1.8m high close boarded fence.
- 2.7 Garage/ garden access is to be retained to No. 13 Ashbourne Road.
- 2.8 The proposals would meet Code Level 3 for the Code for Sustainable Homes and include photovoltaic panels to each property on the eastern elevation.

3. Relevant History

- 3.1 None

4. Consultations/Representations

Neighbour notification letters were sent to 24 properties. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

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. The amenity areas would not be visible from any public view points and would measure 68 square metres for Plot 1 and 61 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. Gardens in Ashbourne Road measure approximately between 90 to in excess of 180 square metres. Gardens in Aylsham Road

measure between 97 and 102 square metres. The gardens proposed 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.

6.3.5 The parking layout is arranged with 4 spaces, these are located outside of Plot 2. Staff consider that whilst the arrangement is tight to the front elevation, it would not result in an unacceptable layout given the provision of the entrance path and soft landscaping buffer to the rear of the parking.

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 two storey terraced properties. End of terraced dwellings are typically gabled but there some properties have hipped roofs. Materials in the locality include facing brick and render, but brick is the prominent material. Given the proposed dwellings would be screened by existing development in Ashbourne Road 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 facing brick 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 Ground levels are relatively flat. The properties would be 0.6m higher at ridge level than No. 12 Ashbourne Road and 1.4m lower than properties on Aylsham Lane. 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 Ashbourne 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.
- 6.4.7 There is a large tree to the northern boundary of the site in the garden of no. 11 Ashbourne Road, adjacent to the flank of Plot 1. This is not covered by a Tree Preservation Order but is of landscape value. A condition, requiring this trees safeguard during development is attached.

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 a minimum of 21m rearward of No's 13-15 Ashbourne Road to the north, when measured to the corner of Plot 1. The front elevation of the properties are set over 30m from 17-19 Ashbourne Road. The rear elevation of plot 1 is set between 24.9m away from the rear elevation of No. 12 Aylsham Lane and the rear elevation of Plot 2 is set 25.8m from the rear elevation of No. 10 Aylsham Lane. The flank southern elevation is set 13.8m from No's 12-18 Lewes 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 it is considered that there is sufficient spacing as to not result in any overbearing or intrusive impact.
- 6.5.3 Dwellings in Ashbourne Road and Lewes Road are arranged with a north-south orientation. The proposed dwellings are arranged with an east-west orientation. This would result in no direct overlooking. Properties in Aylsham Lane have an east-west orientation however, given the separation distances detailed above and the dividing boundary screening it is not considered that there would be any adverse overlooking or loss of privacy, given the urban context of the site.

- 6.5.4 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.
- 6.5.5 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. There is no objection to the ground floor dining room windows.
- 6.5.6 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the southern boundary of the site adjacent to the access road with a turning area in front. The parking is divided by an area of soft landscaping to the southern boundary shared with Lewes Road. 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 11 that the site can accommodate at the present time.
- 6.5.7 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.8 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.
- 6.6 Highway/Parking/Access
- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. 2 parking spaces are provided per unit which is acceptable.
- 6.6.2 The existing 11 garages are in a poor condition, only one of these is currently let, the rest are 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. The tenant of the single let garage is to be offered alternative accommodation.

6.6.3 The access road would have a shared surface with the pedestrian path demarcated in contrasting pavers. The 3.3m 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 acceptable by StreetCare and raises no objection. Specific details as to the refuse storage are 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 from Ashbourne Road 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.

12

REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	P1635.11 – Garage court to rear of 12 Ashbourne Road, Harold Hill. Demolition of existing garages and erection of 2 x 3 bedroom semi-detached dwellings with associated parking and garden areas (Application received 14 th November 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 13 garages and the erection of 2 no. 2 storey semi-detached 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. 8430-112-1100 (received 26th October 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: The materials used in the construction of the development hereby approved 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 '8430-112-Ashbourne Road Materials' and '8430-112-1000' (received 26th 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) 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. 8430-112-1000) 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 shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

To prevent noise nuisance to adjoining properties in accordance with the

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

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

Reason:

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

16) Obscure glazed windows: The proposed window on 1st floor level within the north and south elevations, serving the bathroom as indicated on Drawing Nr. 8430-112-1001 shall be permanently glazed with obscure glass and fixed shut with the exception of a top hung fan light and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:

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

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

Reason:

In the interest of residential amenity.

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

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

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

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

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

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

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

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

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

Reason:

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

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

Reason:

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

20) Domestic sprinklers: Prior to the first occupation of the development hereby permitted, a domestic sprinkler system shall be installed in each of the houses and

shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety.

21) *Root protection*: No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of the trees to the north and western boundaries of the application site has been submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and/or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site.

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 north of Ashbourne Road, access into the site is between No's 10 and 12. The site is bound to the north by the Red House Club and to the east and south by existing residential property. To the west are the Club house playing fields. The site is currently covered in hard standing and has 13 garages which are in poor condition.
- 1.2 The site for residential development is approximately 321 square metres in size. Ground levels rise to the north, where the garage court is set at a higher level than Ashbourne Road.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two storey semi-detached dwellings.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 13 garages on the site and erect 2 No. semi-detached dwellings with associated parking and garden areas.

- 2.2 The dwellings are set to the western half of the site and have an east-west orientation with windows and doors towards the front and rear. There is a single first floor flank window to each dwelling facing north and south respectively. These serve the landing. Ground floor flank windows to each dwelling serve the staircase and living rooms.
- 2.3 The width of each dwelling is 5.8m, to give a total width of 11.6m. The dwellings have an equal depth of 9.2m. The development is two storeys in height measuring 4.9m to the eaves and 8.3m to the ridge. The main entrance to each property is located to the eastern elevation.
- 2.4 At ground floor, each dwelling provides a kitchen, living/ dining room and W.C. At first floor there are three bedrooms and a bathroom.
- 2.5 Access to the dwellings is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles), this measures 2.8m wide. 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 (set to the north) has 73 square metres of amenity space. Plot 2 (adjacent to the access road) has 84 square metres of amenity space. All amenity areas would be screened by a 1.8m close boarded timber fence.
- 2.7 Photovoltaic panels are to be integrated into the western rear elevation. The overall development will meet Code Level 3 for the Code for Sustainable Homes.
- 2.8 Garden access is retained to No. 10 Ashbourne Road and No. 169 North Hill Drive.

3. Relevant History

- 3.1 None

4. Consultations/Representations

Neighbour notification letters were sent to 36 properties. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design

Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

6. Staff Comments

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

6.2 Principle of development

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

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

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

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 rectangular blocks, enclosed by a 1.8m close boarded fence. The amenity

areas would not be visible from any public view points they would measure 73 square metres for Plot 1 and 84 square metres for Plot 2. Access to the garden area is through the dwelling and side entrance gates.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Gardens to properties in Ashbourne Road measure between 76 and 111 square metres. Staff are of the opinion that the proposed 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 35 dph, this is within the stated ranges and Staff consider the proposals to be of an appropriate density for the locality.

6.4 Impact on Local Character and Streetscene.

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

6.4.2 The surrounding area has no prevailing architectural style. Properties in Ashbourne Road are terraced. End of terrace properties are typically gabled, although there are some hipped roofs in the locality. Materials in the locality include facing brick and render. The proposed dwellings are set back from the access road and would be screened by existing development in Ashbourne Road; as such it is not considered that the proposal would be materially harmful in the streetscene.

6.4.3 In terms of design, the properties have a traditional design with covered entrances. They would be finished in facing brick with a tiled roof and UPVC windows. Staff consider that the design would be acceptable for the locality. Details of materials have been submitted with the application which Staff consider to be acceptable. These are enforced by way of condition.

6.4.4 Ground levels rise from the south to the north, where the existing garage court is set at a higher level than No's 10-12 Ashbourne Road. The ridges of the dwellings would be 2.7m higher than No. 12 Ashbourne Road. Staff consider that the separation distances between existing and proposed dwelling would not be of a visually intrusive or overbearing appearance, where the roofs have hipped ends and taking into account existing boundary screening. Staff do not consider this would be harmful in the locality, where

there is a variation of roof forms which are visible from surrounding public view points. The roofs of the dwellings here would follow this established pattern. Members however, are invited to apply their judgement with regard to the variation in roof heights.

6.4.5 When viewed from the Club House and associated grounds to the north and west the existing trees and vegetation would screen the majority of the dwellings. Although the roof tops would be visible over the trees, in winter months the dwellings would also be more visible. They are not considered to be harmful given they are inset from the boundary and the separation distance to the club house. These trees provide a mature screen around the site, and given their proximity to the dwellings, a condition is attached requiring their safeguard during development.

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 It is considered that the development of a pair of semi-detached 2-storey 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 or overbearing form of development within the surrounding 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 northern corner front elevation of Plot 1 is set 20m south from the club house and 21.4m from No. 169 North Hill Drive to the east. The front corner of Plot 2 is set 14.4m from No. 10 Ashbourne Road to the south and the southern flank elevation is set 14.6m from No. 12-14 Ashbourne Road. Guidance with the adopted Residential Design SPD does not prescribe back to back distances, given the garden separation depths between the dwellings and surrounding properties, it is not considered that there would be any overbearing impact. Members are invited to apply their judgement in relation to the relationship between Plot 2 and No. 12 Ashbourne Road given the level changes described above.

6.5.3 The development would have 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. At first floor the landing windows to each property are

not considered to result in a loss of amenity as they can be conditioned so that they are obscure glazed and non opening.

- 6.5.5 Dwellings in Ashbourne Road are arranged with a north-south orientation. The proposed dwellings are arranged with an east-west orientation. This would result in no direct overlooking between the properties and surrounding development.
- 6.5.6 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.
- 6.5.7 There would be 4 parking spaces provided, 2 for each dwelling. These are located to the northern edge of the site with a turning area provided in front. 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 13 that the site can accommodate at the present time.
- 6.5.8 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.9 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. 2 parking spaces are provided per unit which is acceptable.
- 6.6.2 The existing 13 garages are in a poor condition, 4 are currently let and the rest 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. Tenants of the existing garages will be offered alternative accommodation.

6.6.3 The access road would have a shared surface for vehicles and pedestrians. The width of the access road measures 2.8m and this is not proposed to change. The access arrangements raise 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 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 acceptable by StreetCare and raises no objection. Specific details as to the refuse storage are 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 Ashbourne Road. It is also considered that the proposal presents an acceptable degree of spacing between the buildings, proposed and existing and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. There are no highways issues raised with regard to the provision of parking for the dwelling. The provision of amenity space is also acceptable and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks:

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

Human Resources implications and risks: None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application forms and plans received 14/11/2011.

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

15 December 2011

Subject Heading:	P1636.11 – Garage court to rear of 4 Sedgefield Crescent, Romford Demolition of existing garages and erection of 1 No. detached dwelling with associated parking and garden areas (Application received 14th November 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 7 garages and the erection of 1 no. 2 storey detached dwelling 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 2 x No. off-street car parking spaces for use by Plot 1 and as shown on drawing no. 8430-123-1000 (received 26th October 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: The materials used in the construction of the development hereby approved shall be Hanson Clumber Red Brick for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplies

on Drawing '8430-123-Sedgefield Crescent materials) and '8430-123-1000' received 26th 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) 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 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 8430-123-1004) 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 shall 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) 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.

17) 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.

18) Domestic sprinklers: Prior to the first occupation of the development hereby permitted, a domestic sprinkler system shall be installed in each of the houses and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of safety.

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 east of Sedgefield Crescent, access into the site is between No's 4 and 6. The site is bound on the north, south and west side by residential properties, the gardens of which enclose the garage court. To the east are the playing fields of

Drapers Academy. The site is currently covered in hard standing and has 7 garages which are in poor condition.

- 1.2 The site for residential development is approximately 213 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 storey semi-detached and terraced dwellings.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 7 garages on the site and erect 1 No. detached dwelling with associated parking and garden area.
- 2.2 The dwelling is set to the eastern boundary within the site and has a north-south orientation with windows and doors towards the front and rear. There are no first floor flank windows proposed, although ground floor flank windows would serve the living room, kitchen and hallway.
- 2.3 The dwelling has a width of 5.5m and depth of 8.7m. The development is two storeys in height measuring 4.7m to the eaves and 7.7m to the ridge. The main entrance to the property is located on the northern elevation.
- 2.4 At ground floor, there is a kitchen and dining room, W.C and living room, at first floor there are 2 bedrooms and a bathroom.
- 2.5 Access to the property is via the existing highway which would be retained as a shared surface road (for pedestrians and vehicles), this measures 3.2m wide. To the front of the dwelling is a turning area and two parking spaces.
- 2.6 Amenity space for the dwelling is provided to the rear, this measures 72 square metres. The amenity area would be screened by a 1.8m high close boarded timber fence.

3. Relevant History

- 3.1 None

4. Consultations/Representations

Neighbour notification letters were sent to 15 properties. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) 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 83 square metres for a 2 bed, 4 person two storey dwelling. The dwellings have an internal floor space of in excess of 95 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 is provided towards the rear in a single rectangular block, enclosed by a 1.8m close boarded fence. The amenity area would not be visible from any public view points and would measure 72square metres. Access to the garden area is through the dwelling and side entrance gates.
- 6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Gardens in Sedgefield Crescent measure between 63 square metres to in excess of 100 square metres. Properties to the south on Dagnam Park Close measure between 79 to 100 square metres. Staff are of the opinion that the proposed garden area 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 which is within the approximate ranges. Staff consider the proposals to be of an appropriate density for the area.
- 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. Properties are typically semi-detached with hipped or gabled roofs. Materials in the locality include facing brick and render. The proposed dwelling is located behind existing development set back from the access road; as such it is not considered that would be materially harmful in the streetscene.
- 6.4.3 In terms of design, the dwelling has a traditional design with covered entrance. It would be finished in facing brick with a tiled roof and UPVC windows. Staff consider that the design would be acceptable for the locality. Details of materials have been submitted with the application which Staff consider to be acceptable, these are confirmed via condition.
- 6.4.4 The ground rises slightly fro east to west, where the property would be set less than 0.5m higher than No. 4 Sedgefield Crescent. Staff consider that the separation distances between existing development and the proposed dwelling not to result in a visually intrusive or overbearing appearance, especially given their orientation and boundary screening. The property would be screened by surrounding development to the north, west and

south, although to the east the property would be visible across the adjacent school playing fields. Staff do not consider this would be harmful in the locality, where existing properties are visible from this view point.

6.4.5 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.

6.4.6 It is considered that the development of a detached 2-storey dwelling 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 dwelling and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped or overbearing form of development within the surrounding 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 northern elevation is set 16.6m south of No. 12 Sedgefield Crescent. The flank elevation is set 17.4m from No. 2-4 Sedgefield Crescent and the rear elevation is set 20.2m north of No. 173 Dagnam Park Drive and 21m from No. 174 Dagnam Park Drive. Guidance with the adopted Residential Design SPD does not prescribe back to back distances, given the garden separation depths between the dwellings and surrounding properties, it is not considered that there would be any overbearing impact, taking into account existing boundary screening.

6.5.3 The development would have ground floor flank windows which serve the kitchen to the east and hallway/ living room to the west; these would not result in adverse overlooking of adjacent occupiers given the surrounding boundary enclosures and distances between properties. There are no first floor flank windows proposed.

6.5.5 The first floor front windows are not considered to result in overlooking of No. 12 Sedgefield Crescent given the existing boundary screening and garage in the rear garden of No. 12. The window directly sharing an aspect over this garden was revised during the course of the application so that it is now a single casement rather than double window. The other front facing window overlooks the land adjacent to No. 12 and raises no objections. The rear bedroom windows of the properties would share an orientation with No's 172-172 Dagnam Park Close, although this is considered an acceptable relationship given the urban context of the site and 20m minimum separation distance.

- 6.5.6 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.
- 6.5.7 There would be 2 parking spaces. These are located to the northern edge of the site with a turning area provided in front. 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 2 car parking spaces on the site which is a reduction from the possible 7 that the site can accommodate at the present time.
- 6.5.8 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.9 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.
- 6.6 Highway/Parking/Access
- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. 2 parking spaces are provided which is acceptable.
- 6.6.2 The existing 7 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 for vehicles and pedestrians. The width of the access road measures 3.2m and this is not proposed to change. The access arrangements raise 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 The proposals would involve the loss of the rear garden access to No. 2 Sedgefield Crescent, a Council owned property. Staff note this is the only vehicular access into the property as the front garden has not been altered to create a driveway. Staff note that this loss of access would have an impact upon this occupier, although there is scope for alternative provision to the front of the site with the creation of a driveway, as other adjacent dwellings have done, and to the public highway, where there are parking bays and no other form of parking control. Access is retained for No. 12 Sedgefield Crescent.

6.6.6 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.

7. Conclusion:

7.1.1 Overall, Staff are of the opinion that the proposals to provide a single detached dwelling would be of an acceptable appearance, it would be largely screened by existing development in Sedgefield Crescent. 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 dwelling 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 14/11/2011.

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

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 December 2011

Subject Heading:	A0061.11 – 192 Hilldene Avenue, Romford
	1 x internally illuminated fascia sign, 1 x internally illuminated projecting sign and ATM surround (Application received 21st October 2011)
Report Author and contact details:	Helen Oakerbee (Planning Control Manager) 01708 432800
Policy context:	Local Development Framework
Financial summary:	None

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

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

SUMMARY

The application proposes 1 no. internally illuminated fascia sign, 1 no. internally illuminated projecting sign and an ATM surround at 192 Hilldene Avenue, Romford. The site is Council owned. The planning issues are set out in the report below and cover the impact on the street scene, residential amenity and highway safety. 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. 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.

2. Compliance with standard conditions - Compliance with the five standard conditions as defined in regulation 2(1) and set out in schedule 2 of the Town and Country Planning: (Control of Advertisements) (England) Regulations 2007.

3. Maximum luminance - The maximum luminance of the fascia sign hereby permitted shall not exceed 600 cd/m².

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

4. Maximum luminance - The maximum luminance of the projecting sign hereby permitted shall not exceed 800 cd/m².

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

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC61 and DC65 of the LDF Development Control Policies Development Plan Document.

REPORT DETAIL

1. Site Description

- 1.1 The site lies within a parade of shops on the southern side of Hildene Avenue, Romford. The premises are occupied by NatWest Bank. The application site is located in a four-storey building, with residential flats located on the upper floors.

2. Description of Proposal

- 2.1 The proposal is for 1 no. internally illuminated fascia sign, 1 no. internally illuminated projecting sign and an ATM surround. The proposed signage would replace the existing internally illuminated fascia sign, existing internally illuminated projecting sign and ATM surround. The proposed signs would be situated above the shop front in a position similar to the existing signs. The fascia sign measures 16.4m in length across the frontage and 0.7m in height with white lettering with a blueberry colour background. The projecting sign measures 0.95m in length and 0.75m in height with a red chevron logo and a blueberry colour background.

3. Relevant History

A0078.02 – Fascia and projecting signs – part illuminated – Approved.

4. Consultations/Representations

- 4.1 Neighbour notification letters have been sent to 41 local addresses. No letters of representation have been received.

5. Staff Comments

- 5.1 This proposal is put before the Committee as it is council owned land. The main issues to be considered by Members in this case are street scene issues; amenity implications and highways issues. Policies DC61 and DC65 of the LDF Core Strategy and Development Control Policies Development Plan Document are relevant to the determination of the application.

6. Design/Street scene

- 6.1 Policy DC65 of the LDF Development Control Policies Development Plan Document states that express consent for advertisements will only be granted if they complement the scale, form and architectural composition of individual buildings and they are by size, design, siting and degree of illumination in character with the surrounding area and the buildings they are on.
- 6.2 In this instance it is considered that the proposal is compliant with the objectives of the above policy. It is considered that the proposal would be in keeping with the character of the local area and not cause any adverse affect on visual amenity. The height and design of the signs and the ATM surround are not dissimilar to adverts on adjacent premises, or the advertisements that currently

exist on the building. It is considered that the original proportions of the host building have been respected and the new fascia sign, projecting sign and ATM surround would appear sympathetic to the street scene. Therefore, the proposal is in accordance with Policy DC65.

7. Impact on amenity

- 7.1 Policy DC65 requests limited hours of illumination when the application site is located in a predominantly residential area. The application site is located in a commercial area with extensive signage. It is not considered that the proposed signage and ATM surround would have an unacceptable impact on neighbouring dwellings. A condition will be imposed to keep the luminance to a minimum to minimise any potential impact to residential dwellings in the immediate vicinity.

8. Highway/Parking

- 8.1 Policy DC65 states that the Council will ensure that any advertisements or signs do not pose a hazard to traffic. It is not considered that the proposal would result in any distraction or significant influence to the present traffic situation. The Highway Authority has no objection to the proposal.

9. Conclusion

- 9.1 It is considered that the proposed signs and ATM surround appear in character with the street scene and are not harmful to residential amenity. No highway concerns have been raised to the siting of the signs. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document 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 owner of the site.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application form and plans received on 21st October 2011.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 December 2011

Subject Heading:	P1623.11 – Grass verge adjacent to 32 Pettley Gardens, Romford
	One four bedroom detached house (Application received 25th October 2011)
Report Author and contact details:	Helen Oakerbee (Planning Control Manager) 01708 432800
Policy context:	Local Development Framework
Financial summary:	None

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

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

SUMMARY

This matter is brought before committee as the site is Council owned. The application seeks planning permission for one four bedroom detached house. Staff conclude the proposal to be within the realms of acceptability. The application is recommended for approval subject to conditions.

RECOMMENDATIONS

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

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

Reason:-

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

2. 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

3. 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.

4. 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.

5. 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.

6. The proposed first floor window on the eastern flank of the dwelling shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:-

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

7. The proposals shall 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.

8. Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the

accommodation of vehicles visiting the 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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Amendment) Order 2008, Article 3, Schedule 2, Part 1, Class A and E, no enlargements, improvements or other alteration shall take place to the dwellings and no outbuildings or other means of enclosures shall be erected within the rear garden areas of the dwellings unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

10. Prior to the first occupation of the development hereby permitted, boundary treatment shall be carried out in accordance with drawing No.s 2622_PL01A, 2622_PL04 and 2622_PL05 and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

11. 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.

12. 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 Development Control Policies Development Plan Document Policy DC61.

13. No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason:-

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

14. 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.

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

Reason:

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

16. 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.

17. 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: Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and with subsequent recording of the remains prior to development, in accordance with the guidance and model condition set out in PPG16.

18. INFORMATIVES:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC3, DC33, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Development Plan Document together with PPS1 Delivering Sustainable Development and PPS3 on Housing.

2. Surface Water Drainage – With regard to surface water drainage is it the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

3. Water comments – With regard to water supply, this comes within the area supplied by the Essex and Suffolk Water Company. For your information the address to write to is – Essex and Suffolk Water Company, Hall Street, Chelmsford, Essex, CM2 0HH. Tel: 01245 491234.

4. In aiming to satisfy condition 15, the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. The services of the local Police CPDA are available free of charge through Havering Development

and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

5. The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

REPORT DETAIL

1. **Site Description:**

1.1 The site comprises of a grass verge, which is a maximum of 7 metres in width and 12.2 metres in depth and is located on the junction of Cottons Approach and Pettley Gardens. There is an EDF enclosure and electrical sub station to the north east of the site. There is a two storey detached dwelling to the east of the application site, 32 Pettley Gardens, which is divided into two flats (No. 32 on the ground floor and No. 32A on the first floor). There are two four storey blocks of flats to the west of the site. There is a two storey block of flats located north of the site entitled Cottons Court.

2. **Description of development:**

2.1 The application seeks planning permission for one four bedroom detached house, with a width of 6.6 metres, a depth of 12.5 metres and a height of 7.8 metres. There is a front door on the western flank of the dwelling. There are two parking spaces at the front of the dwelling.

3. **Relevant History:**

No relevant planning history for the site.

No. 32 & 32A Pettley Gardens – Attached one bedroom dwelling – Refused.

4. **Consultations/Representations:**

4.1 117 neighbouring occupiers were notified of the planning application. At the time of drafting this report, no letters of representation had been received, although the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received.

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

4.3 English Heritage advise that Roman remains may present on the site and recommends a condition if minded to grant planning permission.

5. Staff Comments:

- 5.1 The main issues in this case are the principle of development, the impact on the streetscene, the impact on neighbouring amenity and any highway and parking issues.
- 5.2 Policies CP1, CP2, CP17, DC3, DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material, together with the Residential Design Supplementary Design Guidance, PPS1 Delivering Sustainable Development and PPS3 on Housing. Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (Housing Choice), 6.13 (parking), 7.13 (safety, security and resilience to emergency) and 7.4 (local character) from the London Plan 2011 are relevant.

6. Principle of Development

- 6.1 The application site is previously developed land within a predominantly residential area. The site is considered to be suitable in principle for residential development in accordance with Policy CP1, subject to the detailed design of the proposals. The proposed residential redevelopment of the site would contribute to the London Plan objective of increasing the overall supply of housing, specifically relevant is Policy 3.3.
- 6.2 If minded to grant planning permission, a condition will be imposed requiring an investigation of any potential contamination of the site.

7. Site Layout

- 7.1 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. The dwelling has approximately 167 square metres of amenity space. Amenity space provision for the dwelling accords with the Supplementary Planning Guidance on Residential Amenity Space. Details of boundary treatment have been provided and will be secured by condition if minded to grant planning permission.

8. Design/impact on street/Garden scene

- 8.1 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development should, amongst other things, respond to distinctive local building forms and respect the scale, massing and

height of surrounding physical context, complement or improve the character of the area through its appearance and integration with surrounding land and buildings.

- 8.2 At present, the grass verge occupies a prominent corner location. It is considered that this grassed area contributes to the open and spacious character of the streetscene. The dwelling would be located a minimum and maximum distance of approximately 0.4 metres and 1 metre from the western boundary of the site. Staff are concerned that the new dwelling would materially alter the character of the streetscene, given its two storey built form, its proximity to the western boundary and its corner location, although this is a matter of judgement for Members. It could be argued that the grass verge is not utilised in its present form and serves no purpose to the community, particularly as Cottons Park provides a recreation area which is 28 metres away. Therefore, the creation of a new dwelling would contribute to housing provision and provide a better use of the land.
- 8.3 The proposal originally featured a 1.8m high close boarded fence on the western boundary of the site. Following negotiations with the agent, the fence was changed to wrought iron railing with a total height of 2 metres, to enhance the appearance of the boundary treatment. In the event that planning permission is granted, a landscaping condition will be placed, which will include planting in front of and behind the railings on the western boundary of the site, which will provide screening for the amenity space and help soften the appearance of the new dwelling.
- 8.4 The proposed dwelling is of a mock tudor design with a two storey front projection and a gabled roof, which is very similar to 32 and 32A Pettley Gardens. It is considered that the design of the new dwelling would appear in character with the streetscene and the surrounding area.

9. **Impact on amenity**

- 9.1 No. 32 Pettley Gardens has a ground floor bay window on its western flank that serves an open plan living room and kitchen. The kitchen forms part of a single storey rear extension with windows and a door on the rear elevation of the dwelling. Although the rear façade of the dwelling would project approximately 4.4 metres beyond that of No.'s 32 & 32A Pettley Gardens, it is considered that the new dwelling would not result in a significant loss of light to No. 32 Pettley Gardens, as it would be located 8.4 metres from the western flank wall of this neighbouring property. It is considered that the new dwelling may result in some loss of early evening sunlight, as is located to the west of No. 32 Pettley Gardens, although this is deemed to be within acceptable limits. In addition, the living room window of No. 32 Pettley Gardens is not a primary light source given its open plan layout with the kitchen and there are windows and a door on the rear elevation of this flat.
- 9.2 No. 32A Pettley Gardens has a first floor bedroom window on its western flank, which is a primary light source. Although the rear façade of the dwelling

would project approximately 4.4 metres beyond that of No.'s 32 & 32A Pettley Gardens, it is considered that the new dwelling would not result in a loss of light to this bedroom window, as it is located on the first floor and there would be a separation distance of 8.4 metres between the eastern flank of the dwelling and the western flank wall of No. 32A Pettley Gardens.

- 9.3 The new dwelling has a first floor window on its eastern flank, which serves a landing and will be obscure glazed and fixed shut with the exception of top hung fanlights if minded to grant planning permission to avoid any undue overlooking or loss of privacy to No.'s 32 and 32A Pettley Gardens. It is considered that the new dwelling would not add to the overlooking that presently exists over and above existing conditions.
- 9.4 It is considered that the new dwelling would not result in a loss of amenity to the flats in Oak House, Fern Court and Cottons Court, as it would be a minimum of 11 metres from these neighbouring properties. It is considered that Romford and Gidea Park Rugby Football Club would not be adversely affected by the proposal, given that the building is used for sporting activities and as it is located on the opposite side of Pettley Gardens.

10. **Highway/parking issues**

- 10.1 The application site is located within PTAL Zone 1-2, where 2-1.5 parking spaces are required for each property. The dwelling would benefit from 2 no. driveway spaces, therefore no objection is raised in this regard. There is a Fire Gate that is in alignment with the eastern boundary of the site, although it is considered that the proposal would not create any highway or parking issues. A condition regarding the provision of a visibility splay in the front garden of the dwelling will be placed if minded to grant planning permission. The proposed site plan shows that access will be retained for the EDF enclosure and electrical substation, which are located to the north east of the site.

11. **Trees**

- 11.1 If minded to grant planning permission, a condition will be placed regarding the protection of the preserved trees. The Sycamore tree (T1) and Cherry tree (G1) on the north eastern boundary of the site are subject to a Tree Preservation Order 41-88. The trees are located on the common boundary between the application site and No.'s 32 and 32A Pettley Gardens. The Council's Tree Officer was consulted and the trees would not be affected by the development subject to protection measures, which are included in a condition for the protection of preserved trees.

12. **Archaeology**

- 12.1 The site is located within an archaeological priority area as specified in the London Borough of Havering's Local Development Framework on the projected alignment of the major Roman road from London to Colchester.

English Heritage (Archaeology) advise that a search of the Greater London Sites and Monuments Record also supports the potential for Roman remains to be present on the site. The site neighbours Bellway's Marks Lodge site to the immediate west where investigations in 2008 encountered iron age and Roman remains. Further such remains may extend into the application site. English Heritage therefore require a programme of archaeological work which can be secured by condition.

13. **Conclusion**

- 13.1 The principle of the development is deemed to be acceptable. Staff are concerned that the new dwelling would materially alter the character of the streetscene, given its two storey built form, its proximity to the western boundary and its corner location, although this is a matter of judgement for members. Although, it could be argued that the grass verge is not utilised in its present form and serves no purpose to the community, particularly as Cottons Park provides a recreation area which is 28 metres away.
- 13.2 It is considered that the proposal would not result in any material harm to neighbouring amenity. There are no highway or parking issues and amenity space provision is considered sufficient. For the reasons mentioned in this report, it is considered that planning permission should be granted, subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

None.

BACKGROUND PAPERS

Application forms and plans received 25/10/2011.

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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REPORT

REGULATORY SERVICES COMMITTEE

15 December 2011

Subject Heading:	P1637.11 – garage court to rear of 16 Sheffield Drive, Harold Hill. Demolition of 31 garages and erection of 4 dwellings with associated parking (Application received 14th November 2011)
Report Author and contact details:	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
Policy context:	Local development Framework
Financial summary:	None

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

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

SUMMARY

This application relates to a Council owned garage court. This application proposes the demolition of the existing 31 garages and the erection of 4 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 8 x No. off-street car parking spaces for use by Plots 1, 2, 3 and 4 as shown on drawing no. 8430-70-1000 (received 26th October 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: The materials used in the construction of the development hereby approved shall be Hanson Lindum Barley Mixture Bricks for walls and Markley Eternit Modern Interlocking Tile (Old English Dark Red) for roof tiles in accordance

with the details supplied on Drawing '8430-70-Sheffield Drive' and '8430-70-1000 (received 10th November 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) 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 Plots 1, 2, 3 and 4 for 2 x No. cycle storage spaces in accordance with the approved plans (Drawing Nr. 8430-70-1005) 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 shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

1994.

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

Reason:

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

16) Obscure glazed windows: The proposed window on 1st floor level within the north and south elevations, serving the landing as indicated on Drawing Nr. 8430-70-1001 and east and west elevations on Drawing Nr. 8430-70-1002 shall be permanently glazed with obscure glass and fixed shut with the exception of a top hung fan light 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 south of Sheffield Drive, access into the site is to the east of No. 16 and is flanked by a large grass

verge. The site is enclosed to the west and south by residential properties on Sheffield Drive and Dagnam Park Close. The sports ground on Kenilworth Avenue is located to the west of the site, where the boundary is heavily landscaped. The site is currently covered in hard standing and has 31 garages which are in poor condition.

- 1.2 The site for residential development is approximately 1484 square metres in size. Ground levels drop slightly from north to south, although the garage court itself is level.
- 1.3 The character of the surrounding area is predominantly residential and is characterised by two storey terraced dwellings.

2. Description of proposal

- 2.1 This application seeks permission to demolish the existing 31 garages on the site and erect 4 No. dwelling, comprising of 2 pairs of semi-detached dwellings, each with associated parking and garden areas.
- 2.2 Plot 1 and 2 are located to the northern edge of the site and have an east-west orientation with windows and doors on the front and rear elevations. Flank windows on the north and south elevations respectively at ground floor serve the staircase and living room. First floor flank windows serve the landing area. These dwellings measure 5.8m wide, to give a total width of 11.6m. They have an equal depth of 9.2m. The development is two storeys in height measuring 4.9m to the eaves and 8.4m to the ridge. The main entrance to the property is on the eastern elevation. At ground floor there is a kitchen/ dining room, living room and W.C. At first floor there are three bedrooms and a bathroom.
- 2.3 Plot 2 and 3 are located to the southern corner of the site and have a north-south orientation with windows and doors to the front and rear elevation. Flank windows to the east and west elevations respectively serve the kitchen/ dining area at ground floor and landing at first floor. The width of each dwelling is 6.3m, to give a total width of 12.6m. The dwellings have an equal depth of 10.2m. The development is two storeys in height measuring 4.9m to the eaves and 8.3m to the ridge. The main entrance to each property is located to the northern elevation. At ground floor, the properties provide a kitchen/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), this measures 3.2m wide. To the rear of Plots 1 and 2 would be a turning area. There would be 8 parking spaces, 2 to each plot. Spaces 1-4 for are reserved for Plot 1 and 2, these are located to the rear of their respective. 4 further spaces are reserved for Plot 3-4, these are located to the eastern edge of the site in front of their respective front gardens.

- 2.6 Amenity space for each dwelling is provided to the rear. Plot 1 (set to the north) has 62 square metres of amenity space. Plot 2 has 69 square metres of amenity space. Plots 3 and 4 have 75 and 70 square metres of amenity space respectively. All amenity areas would be screened by a 1.8m close boarded timber fence.
- 2.7 Photovoltaic panels are to be integrated into the western rear elevation of Plots 1 and 2 and to the southern elevation of Plots 3 and 4. The overall development will meet Code Level 3 for the Code for Sustainable Homes.
- 2.8 Garden access is retained to No. 12, 18 and 18 Dagnam Park Close.

3. Relevant History

- 3.1 None

4. Consultations/Representations

Neighbour notification letters were sent to 26 properties. At the time of writing this report, the 21 days for consultation has not expired and no representations had been received. At the time of the committee date, the consultation period will have expired; any representations received will be reported verbally to Members.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC7 (Lifetime Homes), DC33 (Car parking), DC36 (Servicing) DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policies 3.5 and 3.8 of the London Plan (2011), PPS1 (Delivering Sustainable Development) and PPS3 (Housing) 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. A mixture of 3 and 4 bedroom homes are proposed. The Mayor has set these space standards at 87 square metres for a 3 bed, 4 person two storey dwelling; 96 square metres for a 3 bed, 5 person dwelling; 100 square metres for a 4 bed, 5 person dwelling and; 201 square metres for a 4 bed, 6 person dwelling. The 3 bedroom dwellings have an internal floor space of 106 square metres. The 4 bedroom dwellings have an internal floor space of 128; both of which are 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 rectangular blocks, enclosed by a 1.8m close boarded. The amenity areas would not be visible from any public view points they would measure 62 square metres for Plot 1, 69 square metres for Plot 2, 75 square metres for Plot 3 and 70 square metres for Plot 3. Access to the garden area is through the dwelling and side entrance gates.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Gardens to properties in Sheffield Drive to the north measure between 100 and 163 square metres. Properties to the west and south in Dagnam Park Close have gardens measuring between 71 to over 200 square metres. The proposed gardens here are smaller than the average garden in the locality, however, there are no prescribed space standards for gardens and Staff are of the opinion that the proposed 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 35 dph, this is within the stated ranges and Staff consider the proposals to be of an appropriate density for the locality.

6.4 Impact on Local Character and Streetscene.

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

6.4.2 The surrounding area has no prevailing architectural style. Properties in Sheffield Drive and Dagnam Park Close are arranged in terraces. End of terrace properties are typically gabled, although there are some hipped roofs in the locality. Materials in the locality include facing brick and render. The proposed dwellings are set back from over 60m Sheffield Drive down an access track and would be screened by existing development in Sheffield Drive; and the dense boundary trees that define the boundary of the sports club to the east, as such the dwelling would not be visible as part of the streetscene.

6.4.3 In terms of design, the properties have a traditional design with covered entrances. Plots 1-2 and 3-4 are of an identical appearance although the canopied entrances to Plots 1-2 are set to the edges of the building, where as on Plot 3-4 they are set centrally. They would be finished in facing brick with a tiled roof and UPVC windows. Staff consider that the design would be acceptable for the locality. Details of materials have been submitted with the application which Staff consider to be acceptable. These are enforced by way of condition.

6.4.4 The garage court is fairly level although to the north Sheffield Drive is set at approximately 1m higher. The proposed dwellings would be 0.6m lower (at ridge level) than properties in Sheffield Drive, although they would be 1.8m taller than properties to Dagnam Park Close in the south and west. Staff consider that the spacing between dwellings surrounding the site not to be of a visually intrusive or overbearing appearance, where the roofs have hipped ends and taking into account existing boundary screening. The properties would be screened by surrounding development to the north, and east where there is dense boundary screening. To the west and south the properties may be partially visible however, given their distance from surrounding development they are not considered to be harmful in the locality.

6.4.5 When viewed from the Sports ground to the existing trees and vegetation would screen the majority of the dwellings. In winter months it is likely that

the dwellings would be partially visible, although Staff raise no objection to this where other surrounding dwellings are visible across the boundary.

6.4.6 The existing site is covered in hard standing. 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 It is considered that the development of a pair of 2 pairs of semi-detached 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 or overbearing form of development within the surrounding 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 northern corner of the front elevation to Plot 1 is set 22.4m south from the No. 16 Sheffield Drive. The flank of Plot 1 is set 25m south from No. 14 Sheffield Drive. The rear corner of Plot 2 is set 19.4m east of 19 Dagnam Park Close and 14m from the northern corner of No. 18 Dagnam Park Close.

6.5.3 The flank of Plot 3 is located 22.4m east of No. 18 Dagnam Park Close. The rear corner is set 20m north of No. 12 Dagnam Park Close and approximately 33m from No. 11 Dagnam Park Close.

6.5.4 Plots 3-4 are located 5.8m south of Plots 1-2 and are divided by the access road which serves the parking spaces to 1-2 and garden access to surrounding properties. Guidance with the adopted Residential Design SPD does not prescribe back to back distances, given the garden separation depths between the dwellings and surrounding properties, it is not considered that there would be any overbearing impact.

6.5.5 The development would have single ground floor flank windows which serve the dining room and staircase; these would not result in adverse overlooking of adjacent occupiers given the surrounding boundary enclosures and distances between properties. At first floor the landing windows to each property are not considered to result in a loss of amenity as they can be conditioned so that they are obscure glazed and non opening.

- 6.5.5 Dwellings in Sheffield Drive are arranged with a north-south orientation. Plots 1-2 are arranged with an east-west orientation. This would result in no direct overlooking. Plots 3-4 are arranged with a north-south orientation and are located nearest No's 18 Dagnam Park Close which has an east-west orientation. This relationship is not considered to result in overlooking. The front windows to all plots would overlook the access road which is acceptable. The rear windows of each plot would share an aspect onto adjacent gardens, however, given the separation distances given above it is not considered that there would be any adverse overlooking or loss of privacy; The proposed dwellings are arranged with a east-west orientation. This would result in no direct overlooking between the properties and surrounding development.
- 6.5.6 In terms of additional noise and disturbance, it is not considered that the addition of 4 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.
- 6.5.7 There would be 8 parking spaces provided, 2 for each dwelling. These are located in two groups of 4. Parking for Plots 1-2 is located to the northern edge of the site with a turning area provided in front. Parking to Plots 3-4 is located to the eastern boundary by the access road. The parking spaces to the northern boundary would be screened by a 1.8m high timber fence. 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 given the existing 31 spaces the site can currently accommodate. The 4 spaces to the eastern boundary would be screened by the existing boundary trees and strips of soft landscaping, this is considered acceptable.
- 6.5.8 Staff consider the proposal to be acceptable in its current form. Given the size of the proposed 2-storey development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.9 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.
- 6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. 2 parking spaces are provided per unit which is acceptable.
- 6.6.2 According to information provided by the applicant, all 31 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 for vehicles and pedestrians. The width of the access road measures 3.2m and this is not proposed to change. The access arrangements raise 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 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.

7. Conclusion:

- 7.1.1 Overall, Staff are of the opinion that the proposals to provide 4 dwellings would be of an acceptable appearance, they would be largely screened by existing development in Sheffield Drive. 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 14/11/2011.

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

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REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:

**P1582.11: 44-52 Market Place, 1-14
Swan Walk & Unit 103 Liberty Square,
Romford**

**Extension of Time application: Partial
demolition of the Liberty shopping
centre and construction of new retail
floorspace, demolition of bridge to
existing service road and associated
works to alter servicing area
(application received 18th October
2011)**

Report Author and contact details:

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

Policy context:

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

Financial summary:

None

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

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

SUMMARY

This application is for the extension of time of planning permission P1409.08, which expired on 30 October 2011 (the renewal application being received on 18 October 2011 prior to the date of expiry). The application is identical to that approved under planning permission P1409.08, save for some minor design alterations to the Market Place elevation of the development, which Staff consider to be an improvement on the original proposals. Staff do not consider that there has been any material change in circumstances or change in planning policy which would warrant a different decision to that taken on the previous application. The previous planning application was subject to a legal agreement requiring a contribution towards replacement coach parking and town centre improvements. However, it is now considered that the town centre contribution is no longer required in connection with this development. It is therefore recommended that permission be granted, subject to the applicants entering into a new legal agreement and planning conditions.

RECOMMENDATIONS

That the application is unacceptable as it stands but would be acceptable subject to :

A financial contribution of £50,000 to cover the cost of identifying a replacement location for coach parking and the provision of the replacement facilities.

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

Upon completion of the Section 106 agreement that authority be delegated to the Head of Service to grant planning permission 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 Act 1990.

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.

3. Wheelwash: 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.

4. 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.

5. 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
- a) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- b) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;

- c) 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;
- d) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- e) 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.

6. Refuse Storage: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the local planning authority. Unless otherwise agreed in writing these details shall include provision for underground containment of recyclable waste.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

7. Restricted Use: All of the retail units within the development shall be used for purposes falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or the equivalent class or classes in any subsequent amendment to the Order, and for no other purpose or use, unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To restrict the use to that compatible with this part of the town centre and to enable the Local Planning Authority to retain control over the extent of non-retail uses.

8. Hours of Use: The retail units hereby approved shall not be open to customers outside the hours of 08.00 to 20.30 hours on any day, unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In order to retain control in the interests of amenity.

9. Materials/Samples: Prior to the commencement of the development hereby approved details and samples of the following shall be submitted to and agreed in writing by the Local Planning Authority:

- All external materials to the Market Place frontage
- Floor surfacing materials to Swan Walk
- Roofing across Swan Walk
- Shopfront to unit 1 facing on to Market Place

The development shall then be carried out and completed in accordance with the agreed details and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure the development has a satisfactory appearance in the interests of local character and amenity and to maintain the character of the Romford Conservation Area and to accord with Policy DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document.

10. External works to Market Place: Prior to the commencement of the development hereby approved, details of proposed external works to Market Place, including details and samples of the extent of new external paving to Market Place and feature lighting, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out and completed in accordance with the agreed details and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure the development has a satisfactory appearance in the interests of local character and amenity and to maintain the character of the Romford Conservation Area and to accord with Policy DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document.

11. Works to Public Highway: Prior to the commencement of the development, detailed drawings of the proposed alterations to the public highway, including within the service road, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details.

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

12. Construction Noise: Prior to commencement of development details shall be submitted to the Local Planning Authority demonstrating compliance with BS 5228: Noise Control on Construction and Open Sites, Part 1 Code of Practice for Basic information and Procedures for Noise Control and Part 2 Guide to Noise Control Legislation for Building Sites and in complying with the aforementioned legislation implement measures that demonstrate that all reasonable steps to manage vibration and reduce noise as much as possible at reasonable cost have been applied.

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

13. Noise: With regard to fixed installations serving future uses/ occupiers; prior to commencement of development a scheme for any new plant or machinery shall be submitted to and approved by the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 - 5dB and the approved scheme shall be maintained thereafter to the satisfaction of the Local Planning Authority.

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

14. Ventilation/Extract Equipment: With regard to fixed installations serving future uses/occupiers; before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated in accordance with the approved scheme during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

15. Noise and Vibration: With regard to fixed installations serving future uses/occupiers; before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

16. Window Display: Before the development hereby approved is first occupied, details of the measures to be taken by the management company to control the nature of goods and signage displayed within the upper floor section of clear curtain walling fronting on to Market Place shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In order that the development has an acceptable visual impact within the Romford Conservation Area and to accord with Policy DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document.

17. Firefighting Access: Prior to the commencement of the development hereby approved, detailed plans of the firefighting access arrangements shall be submitted to the Local Planning Authority. These shall include details of:

- drive up access routes for fire appliances
- the location of firefighting access stairs
- the location of any dry rising/falling mains, and
- the location of fire hydrants

Reason: In order that fire fighting arrangements can be fully assessed taking into account hose runs, building access and appliance parking positions so that fire crews can respond to any fire incident within or near to the site.

18. Firefighting Access: The proposed firefighting access arrangements shall be designed so as to accord with Approved Document B (section B5) of the Building Regulations 2006 edition.

Reason: In order that fire fighting arrangements can be fully assessed taking into account hose runs, building access and appliance parking positions so that fire crews can respond to any fire incident within or near to the site.

19. Highway Agreements: The development hereby approved shall not commence until the applicant has entered into an appropriate agreement or agreements under Sections 38 and 278 of the Highway Act.

Reason: In order to ensure the adequate functioning of the development in the interests of highway safety.

20. Road Safety Audit: Prior to the commencement of the development a stage 1 & 2 road safety audit, as defined in HD 19/03 of the Design Manual for Roads & Bridges shall be carried out in relation to the proposed changes to the southern access junction on to Mercury Gardens and submitted to the Council. The access shall be designed and built in accordance with the recommendations arising from the road safety audit. Post-construction, stages 3 and 4 of the road safety audit shall be carried out and details of any measures required to adapt the access arising from the audit shall be submitted to and agreed in writing by the Local Authority. The development shall then be completed in accordance with the agreed details.

Reason: In order to ensure the adequate functioning of the development in the interests of highway safety.

21. Land contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):

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

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

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

INFORMATIVES:

1. The applicant is advised that the development appears to be in the vicinity of water mains and further information should be sought from Essex & Suffolk Water.

2. Reason for Approval:

The application is considered to be in accordance with the aims and objectives of Policies CP4, CP9, CP10, CP17, CP18, DC15, DC32, DC33, DC34, DC36, DC50, DC51, DC61, DC62, DC63, DC68 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document, as well as Policies ROM4, ROM6, ROM7, ROM9, ROM10 and ROM20 of the Romford Area Action Plan and the Designing Safer Places, Heritage and Sustainable Design and Construction SPD's.

It is also considered to comply with Policies 2.15, 4.1, 4.7, 4.8, 5.3, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 7.2, 7.3, 7.4, 7.5, 7.6, 7.8 and 8.2 of the London Plan, as well as the provisions of PPS1, PPS4, PPS5, PPG13 and PPS22 (Renewable Energy).

REPORT DETAIL

1. Site Description

- 1.1 The application site is located within Romford Town Centre. It comprises the former Littlewoods store, which fronts on to both Market Place and Liberty Square, as well as a number of retail units fronting on to Swan Walk. The application site abuts but does not include the Debenhams store, which is situated to the eastern side of Swan Walk. The site also includes the existing service road to the Liberty shopping centre and nearby stores.
- 1.2 The former Littlewoods store has a two storey façade on to Market Place but appears higher owing to a raised parapet feature to the site frontage. There is a canopy projecting beyond the front façade of the building to Market Place. To the Swan Walk elevation, the retail units had a recessed frontage, set behind a colonnade, similar to the colonnaded arrangement to the Debenhams façade opposite. The shop units to the western side of Swan Walk have however been vacated and the site is boarded up. The Debenhams store is a three storey building. The northern end of Swan Walk accesses directly on to Market Place, whilst the southern end forms an entrance to the Liberty shopping centre.
- 1.3 The Market Place frontage of the development is within the Romford Conservation Area. There are a number of listed buildings within the Conservation Area, including St Edward's Church, Church House and Wykeham House, which are situated almost opposite the application site on the northern side of the Market Place.

2. Description of Proposal

- 2.1 The application seeks an extension of time of planning permission P1409.08, which was granted in October 2008 but has now lapsed. The application is almost entirely the same as the previously approved

development, save for some minor alterations which are described later in this section of the report.

- 2.2 The application involves some partial demolition of existing buildings at first and second floor to enable the refurbishment of the former Littlewoods store and retail units in Swan Walk to form new retail floorspace.
- 2.3 The proposal will create a total of nine retail units. Unit 1 will be a 'flagship' unit with a wrap-around façade on to both Swan Walk and Market Place. Additional new units will be created to the Swan Walk frontage (units 2-7). One unit (Unit 8) will have a new shopfront on to Liberty Square and one unit (Unit 9) is located at basement level. All shopfronts to Market Place and Swan Walk will be double height.
- 2.3 At first floor level, there will be floorspace for units 1-6, from where they can receive deliveries and accommodate storage. The existing service yard at first floor level of the Liberty is retained but will be altered by the demolition of the existing bridge, which currently extends across Swan Walk. The removal of the bridge will entail changes to the operation of the service road, with a two way system of operation from the southern access on Mercury Gardens and the northern access from Mercury Gardens operating as a cul-de-sac. An extended service yard for delivery vehicles is also proposed.
- 2.3 The proposal includes a new roof to enclose Swan Walk. The roof design includes double glazed rooflights to provide for natural daylight to enter Swan Walk. New entrance doors will be provided at the access to Swan Walk from Market Place. New flooring will be installed to mitigate existing levels differences.
- 2.4 The proposal includes a new glazed façade to Market Place. This was originally intended (in application P1409.08) to be supported by steel columns to Market Place but these have been omitted from the current application following discussions with the Council's Heritage Officer. The entrance to Swan Walk from Market Place will be formed through new glazed doors at ground floor level with glass curtain walling above. External materials are not yet confirmed although the application drawings indicate the use of applied colour changing film and reconstituted stone panels.

3. **Relevant History**

- 3.1 There are numerous previous applications for minor alterations to the application premises. Previous applications of direct relevance are set out below:

P2132.06 Redevelopment and extension of a predominantly vacant building to provide a modern multi unit A1 retail scheme including the covering over of Swan Walk to create an extension of the Liberty Mall and the realignment of the Debenhams façade - approved

P1129.07 Redevelopment and extension of predominantly vacant building to provide a modern multi unit retail scheme with new facades to Market Place and Swan Walk - approved

P0399.08 Partial demolition of the Liberty shopping centre and construction of new retail floor space – approved

P1409.08 Partial demolition of the Liberty shopping centre and construction of new retail floorspace, demolition of bridge to existing service road and associated works to alter servicing – approved

P1731.08 Extension and reconfiguration of existing Debenhams unit to provide additional retail floorspace, new retail units, new access arrangements, alterations to Swan Walk, façade and associated works – approved

P1587.11 Extension of Time application for extension and reconfiguration of existing Debenhams unit to provide additional retail floorspace, new retail units, new access arrangements, alterations to Swan Walk, façade and associated works – under consideration

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the local press as a major development. Neighbour notification letters have also been sent to 7 local addresses. No letters of representation have been received.
- 4.2 English Heritage (archaeology) has confirmed there is no need for any archaeological measures to be undertaken.
- 4.3 Essex & Suffolk Water advise there are water mains in the vicinity of the development.
- 4.4 Thames Water has no objection on sewerage infrastructure grounds.
- 4.5 English Heritage (applications) do not wish to make any comments on the application.
- 4.6 The Borough Crime Prevention Design Advisor has no comments on the application.
- 4.7 The Council's Heritage Officer advises that the whole of the Market Place and much of the core of the town centre is on the English Heritage 'Buildings at Risk' register. Nos. 44-52 has a negative impact on the character and appearance of the conservation area, while the Debenhams store makes a neutral contribution. The principle of development is therefore welcomed. However, concern is raised with respect to the proposed external materials, which is considered to detract from the conservation area. Therefore it should be conditioned that all external materials be submitted for approval prior to commencement of works to

ensure that a suitable palette of quality materials are used within the development. The minor alteration to the scheme to remove the supporting steel columns is considered an improvement to the scheme.

5. **Relevant Policies**

5.1 National Planning Policy:

PPS1 (Delivering Sustainable Development), PPS4 (Planning for Sustainable Economic Growth), PPS5 (Planning for the Historic Environment), PPG13 (Transport) and PPS22 (Renewable Energy).

5.2 Regional Planning Policy:

Policies 2.15 (town centres), 4.1 (developing London's economy), 4.7 (retail and town centre development), 4.8 (supporting a successful and diverse retail sector), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.13 (sustainable drainage), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.2 (inclusive environment), 7.3 (designing out crime), 7.4 (local character), 7.5 (public realm), 7.6 (architecture), 7.8 (heritage assets and archaeology) and 8.2 (planning obligations) of the London Plan.

5.3 Local Planning Policy:

Policies CP4, CP9, CP10, CP17, CP18, DC15, DC32, DC33, DC34, DC36, DC50, DC51, DC61, DC62, DC63, DC68 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document.

The Romford Area Action Plan is a material consideration, specifically Policies ROM4, ROM6, ROM7, ROM9, ROM10 and ROM20.

In addition, Designing Safer Places SPD, the Heritage SPD and Sustainable Design and Construction SPD are material considerations.

6. **Staff Comments**

6.1 The issues arising from this application are the principle of the development, the impact on the retail function of the town centre, the design of the proposals and impact on the character of the town centre and the Romford Conservation Area, the detailed design, layout and function of the development, servicing arrangements, sustainability, community safety and environmental issues.

6.2 By way of background, Members are advised that there have been four previous planning consents (reference P2132.06, P1129.07, P0399.08 and P1409.08) for a broadly similar form of redevelopment, including the creation of a number of new, modern shop units, the remodelling of the façade to Market Place and the roofing over of Swan Walk. None of these

permissions have been implemented and the first three of these permissions have expired.

- 6.3 However, this application seeks an extension of time for planning permission P1409.08. The current application is essentially the same as that previously approved, save for an amendment to the design to remove the proposed support columns to the Market Place elevation of the development. Staff consider that there has been no material change in site circumstances since the previous consent, although it is acknowledged that the application site has remained enclosed by hoardings for the past few years.
- 6.4 In policy terms, there has been little change to the Council's policies as the previous application was also considered in relation to the LDF and Romford AAP. A new Heritage SPD has however been adopted, the implications of which will be considered in this report. Nationally, the key changes to planning policy have been PPS4, which relates to sustainable economic growth, and PPS5, which relates to preservation and enhancement of heritage assets. It is considered that neither of these policies materially change the planning principles in relation to this development. If anything, the changes to PPS4 and the recent Ministerial statement "Planning for Growth" seek to encourage proposals which will benefit the growth of the economy.
- 6.5 The London Plan was revised in 2011. However, this is not considered to materially change the planning principles in relation to this development. In particular, the London Plan encourages new commercial development within existing town centres and the proposed development would be consistent with the objectives of the London Plan.
- 6.6 Staff therefore consider that there have been no significant changes in policy or site circumstances since the previous approval to warrant a different decision on this extension of time application. However, the planning issues are discussed in more detail below.

6.7 Principle of Development

- 6.7.1 The application site is located within Romford Town Centre and is within the defined retail core. Policy ROM9 of the Romford AAP seeks to maintain and enhance the status of Romford as a metropolitan centre and sub-regional shopping centre through measures which would include intensification of the Liberty shopping area. Policy ROM10 of the Romford AAP encourages new A1 retail uses within the retail core of Romford town centre. The proposal would also accord with Policies 4.1, 4.7 and 4.8 of the London Plan, as well as PPS1 and PPS4.
- 6.7.2 The proposal would enable the provision of high quality, retail space within this core retail area of the town centre. The former Littlewoods store has now been closed for some time and the former retail units, which front Swan Walk, were of a poor standard and have also been vacant and boarded up

for some years. The proposals would represent an opportunity to significantly enhance the quality of retail floorspace within this part of the town centre and would accord, in principle, with the aims of PPS4. The development will provide an entirely retail scheme and the proposal would not require a sequential test to be carried out.

- 6.7.3 The development will create a linkage between Market Place and the Liberty shopping centre. The opportunity to do this would be further enhanced by the proposed demolition of the service road bridge, which currently creates a visual barrier between the central atrium of the Liberty shopping area and the Market Place. The removal of the service road bridge would create unimpeded views along the length of Swan Walk between the central atrium of the Liberty centre and Market Place, potentially enhancing retail viability and vitality. The development will provide an enclosed shopping area, with better access for shoppers, including new entrance doors and a level, resurfaced floor. It is therefore considered the proposal would provide significantly improved shopping facilities for the Borough and a more accessible form of development compared to what currently exists. The site is within a sustainable location, with excellent public transport links. The proposal is therefore considered to be acceptable in principle and consistent with the objectives of national and local planning policy.

6.8 External Design and Visual Impact

- 6.8.1 Externally, the principal elevation of the development is on to Market Place. The proposal will substantially alter the existing façade of the former Littlewoods store. Although the Littlewoods store is characteristic of development which took place during the Market Place in the 1960's, as is the adjacent Debenhams store, Staff do not consider that it makes such a significant contribution to the character of Market Place or the Romford Conservation Area that its removal would be unacceptable in principle. It is considered that this proposal therefore represents an opportunity to enhance the character and appearance of the locality and that the replacement of the existing façade is acceptable in principle.
- 6.8.2 The detailed design of the proposed northern elevation is a bold, glazed facade on to Market Place. The elevation will have a strong rectangular emphasis but this is considered to relate well to the overall form of nearby buildings. The height of the building is also proposed to be increased but this will bring the overall height to a more compatible relationship with the neighbouring Debenhams store. The new development and the adjacent Debenhams store, in terms of height and scale, would effectively 'book end' the proposed new entrance to Swan Walk. The scale, bulk and massing of the development is therefore considered to be acceptable.
- 6.8.3 The proposed new glazed facade is of a relatively simple form but is punctuated by a substantial section of clear curtain walling, which will form part of the upper floor of unit 1a and could be used for display purposes. In the scheme previously approved, the façade was supported by fabricated steel columns. Following discussions between the applicants and the

Council's Heritage Officer the steel support columns have been omitted from the proposals, so that the new glazed façade is effectively cantilevered out from the building. This is considered to give a much cleaner, sharper feel to the development, which will give it a more pleasing appearance and be more appropriate to the character of this part of the Romford Conservation Area.

- 6.8.4 It is proper for Local Authorities to seek to reinforce local character or distinctiveness however and to ensure that new development is compatible with surroundings in respect of bulk, scale and massing. Furthermore, given the location of the site frontage within a Conservation Area the proposal is required to preserve and/or enhance the special character of the Conservation Area.
- 6.8.5 Staff consider that the proposal respects its surroundings in respect of overall scale, bulk and massing. This is consistent with the requirements of Policy ROM7 of the Romford AAP. In respect of character, Staff take the view that the character of Market Place and this part of the Conservation Area is not drawn from any particular architectural style but rather from the continued evolution of built form throughout the ages, ranging from the historic buildings within the Market Place, to the 1960's architecture of the south side of Market Place and newer development taking place on the north side of the market. In this evolving context, Staff consider that the site is suited, in principle, to modern architecture.
- 6.8.6 The Character Appraisal indicates that the designation of Romford Conservation Area owed much to a desire to protect the historic buildings at the north-western side of Market Place and the extent of the Conservation Area boundaries resulted from the aim to protect the setting of this principal group of buildings. The evolution of shopping provision within the market has added to the character of Market Place. However, the Character Appraisal itself acknowledges that most of the later 20th century buildings within the Market Place are a mix of bland frontages and notes the Debenhams store as particularly domineering. Although the Character Appraisal recommends the extension of the Conservation Area to include more than just the façade of buildings fronting Market Place, the Littlewoods building is not considered to be of particular value to the character of the Conservation Area, even when considered against the criteria set out in Appendix A. Staff therefore consider the demolition of the whole of this building and those in Swan Walk would not materially detract from the aims of the Romford Conservation Area Character Appraisal and would not conflict with the provisions of PPS5.
- 6.8.7 Staff consider that there are no material grounds to object to the design of the proposed development and its impact on the Conservation Area given that there has been no material change in site circumstances and no material change to policy, which would indicate the development is no longer acceptable. It is however considered that the development has been improved from previously by taking the opportunity to further streamline the design of the development through removal of the steel supports.

- 6.8.8 In terms of external materials, the development is indicated to have a colour changing film applied to the glass curtainwalling, with a backdrop of reconstituted stone panels. The use of colour changing film would be carried across to the glazed curtain walling system across the frontage of Swan Walk and is the same material as has been approved for use to other main entrances to the Liberty centre.
- 6.8.9 In considering the previous application, Staff raised concern that the external materials proposed would be unlikely to be acceptable within the context of the Conservation Area. This was a view shared by English Heritage. Staff consider that, notwithstanding the details of materials shown on the drawing, alternative materials will need to be used to ensure the development has a satisfactory design and visual impact and to maintain the character and appearance of the Conservation Area. The applicant is aware of the Council's concerns in respect of the proposed external materials. It is considered however that this is a matter which can be dealt with by condition.
- 6.8.10 The development will also include some resurfacing in Market Place and use of downlighting and lighting inset into the pavement. In order to ensure an appropriately high quality of development it is recommended that details of external materials, as well as proposed external works within Market Place, such as paving and lighting proposals be required by condition.
- 6.8.11 The existing planning permission (P1409.08) included a financial contribution of £30,000 towards town centre improvements. The Council's Regeneration, Policy and Planning Service has confirmed that the payment of this contribution is no longer considered to be justified, particularly having regard to the enhancement of the town centre which is considered to result from the proposed development. It is therefore considered that this contribution should not be sought in connection with the extension of time application.

6.9 Internal Layout

- 6.9.1 The internal space created by the development within Swan Walk will create double height glazed shopfronts to the western side of Swan Walk. Detailed design of the shopfronts are not submitted with the application but would be provided by individual tenants to a specification provided by the landlord. It is considered that this would however potentially create a stimulating retail environment.
- 6.9.2 To the eastern side of Swan Walk, the west facing elevation of the Debenhams store does not currently form part of the proposals. The development is designed so that the support structures of the new roof effectively rest against the Debenhams façade. However, there is not scope to remove the existing columns and canopy to the Debenhams façade or renovate this elevation as part of the development. This is a less satisfying aspect of the development as, under the current proposals, the Debenhams

façade will not be integrated with the more modern shopfront design of the western side of Swan Walk.

6.9.3 However, the development has been designed so that the new roof across Swan Walk is supported entirely from its western side. A roof upstand will be provided with cover flashing at upper floor level. Although it is regrettable that the development does not include alterations to the Debenhams façade, Members will note that planning permission has previously been given for works to the Debenhams store, which would complement this application. A separate application has been made to renew this permission and it is noted that the current proposals will not preclude alterations to the Debenhams façade in due course. As matters presently stand, given the overall benefits of the development to Romford town centre and as the opportunity still remains for the Debenhams façade to be remodelled in the future, the proposal is considered to be acceptable in this respect.

6.9.4 The proposal includes a new roofed area with substantial double glazed rooflights. The proposal also includes new flooring with a new slab finishes across the length and breadth of Swan Walk. The proposed internal design and layout of the newly enclosed Swan Walk is considered to provide a high quality shopping environment, with opportunity for natural light. The proposals will create level flooring and will include access doors which are DDA compliant. The proposals are therefore considered to create a welcoming and inclusive shopping environment. The proposal is therefore considered to achieve an acceptably high standard of internal design and layout.

6.10 Access and Servicing Arrangements

6.10.1 In respect of access and servicing of the development, the existing first floor service road is proposed to be retained. However, the proposal includes the demolition of an existing bridge which spans Swan Walk. This will entail modifications to the service yard. Presently the service road is predominantly one-way with access from the most southerly entrance on Mercury Gardens and egress via the northerly exit onto Mercury Gardens. There is also some limited two way traffic via the northerly access. The proposal will modify the service road so that traffic entering from the existing southerly access on Mercury Gardens (on the south side of Mercury House) will operate in a two way direction. The northern service road from Mercury Gardens (north of Mercury House) will operate as a separate cul-de-sac.

6.10.2 The application proposes various modifications to the layout of the service road in order to improve highway safety and control traffic speeds along the service road. Road markings and signage will be used to indicate that vehicles exiting the site must turn left onto Mercury Gardens. The southern access from Mercury Gardens will be widened and a central refuge island will be provided for pedestrians, together with other highway safety measures, such as coloured tactile paving. The proposal will not affect the existing bus lay-by on Mercury Gardens. The proposal will include a new

loading area. This includes five loading bays, including space for three 16.5m long articulated lorries.

- 6.10.3 The proposal alterations to the service road are considered to be acceptable in principle. The scheme has previously been subject of discussions with the Council's Highway Engineers, who are satisfied that the revised servicing arrangements are acceptable. The proposed alterations to the access road and the provision of a new loading bay will potentially create a more practical and safer servicing area and subject to measures aimed at improving highway and pedestrian safety the changes to the service road are considered to be acceptable.
- 6.10.4 The proposed access on the northern side, which will continue to provide two way access, mainly serves smaller retail units on the northern side of the Liberty shopping centre. These generally use smaller delivery vehicles, which can turn in the area provided. A scheme of signage, as agreed in principle with the Council's Highway Engineers, is proposed to control the size of vehicles using this access. The proposed servicing arrangements from the north access are therefore considered to be acceptable.
- 6.10.5 The proposal will affect the existing coach parking in this location, resulting in the loss of a parking area 47m long (approximately space for three coaches). The existing coach parking on the proposed two-way section of road will remain. The provision of coach parking facilities within Romford is considered to be important, improving the accessibility of the town centre and boosting retail viability. A contribution of £50,000 is therefore sought through a legal agreement so that alternative locations for coach parking can be identified and replacement facilities provided.
- 6.10.6 At the time of writing this report the Fire Brigade has not commented on the application. However, when considering the previous application (P1409.08) the Fire Brigade advised there were no objections to the proposal subject to the submission of detailed proposals for fire fighting access. It is therefore suggested that the same conditions as for P1409.08 be imposed. Furthermore, the applicants have indicated that following discussions with the Fire Brigade following the previous approval it is considered that these conditions could be complied with.
- 6.10.7 The site is situated within Romford Town Centre and effectively replaces and upgrades existing retail floorspace. Given the location of the site within Romford Town Centre it is not considered that there is a need for car parking to be provided specifically for this development, which would be met by car parking provision within the town centre as a whole. The site is also easily reached by alternative means of access, including walking, cycling and public transport. The proposal is therefore considered to accord with national and local planning policies in respect of accessibility and parking standards.

6.11 Impact on Amenity

6.11.1 The site is not immediately adjoined by any residential development and it is not considered that there would be material harm to neighbouring property by reason of loss of light, loss of privacy or noise and disturbance.

6.11.2 The nearest residential development to this site is on the northern side of Market Place and Staff are satisfied that there would be no material harm to residential amenity arising from the proposals.

6.12 Sustainability Issues

6.12.1 An energy statement forms part of the application. When the application was previously approved it was judged that in view of the nature of the proposal, which is in essence the conversion of an existing building, together with the partial location of the site within a Conservation Area, the inclusion of renewable energy within the development is not a feasible option. Staff are satisfied that the developer has reasonably compensated for this by increasing energy efficiency within the development wherever possible and, although not fully compliant with the higher energy efficient requirements of the London Plan, Staff nonetheless consider the proposal to be acceptable in respect of sustainability issues.

6.13 Community Safety Issues

6.13.1 The Borough Crime Prevention Design Advisor has been consulted in respect of the proposals and advises that the proposals do not raise any significant community safety or security concerns. The proposal is therefore considered to be acceptable in this respect.

7. Conclusion

7.1 The application is for the renewal of a previous planning permission. The proposal will extend the existing Liberty shopping centre and will create new, modern retail floorspace in an enclosed environment. This is considered to be acceptable in principle within the retail core of Romford Town Centre. The proposed works are considered to result in a high quality internal environment and externally propose a form of development which is considered to respect the scale and character of development in Market Place. The detailed design of the proposed external alterations are further considered to preserve and enhance the character of the Romford Conservation Area, subject to the use of appropriate materials, and would not adversely affect the character or setting of nearby listed buildings.

7.2 The proposals are considered to be acceptable in respect of access and servicing arrangements, as well as amenity, community safety and sustainability issues. It is therefore recommended that, subject to a new Section 106 agreement to secure a contribution towards alternative coach parking facilities in the town centre and planning conditions, that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required to complete the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The development will increase the range of retail facilities available within the Borough. The development will be carried out to the standards required by current Building Regulations and the Disability Discrimination Act and works will also take place in the Market Place to ensure equality of access to the proposed development. Alternative coach parking in lieu of that affected by the development will also be secured assisting in maintaining the accessibility of the town centre.

BACKGROUND PAPERS

None



REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	P1583.11 – 29 Lessington Avenue, Romford – erection of railings to site frontage, surfacing front driveway, provision of window security (Application received: 28 October 2011)
Report Author and contact details:	Helen Oakerbee Planning Control Manager (Applications) helen.oakerbee@havering.gov.uk 01708 432800
Policy context:	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
Financial summary:	None

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

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

SUMMARY

The proposal relates to an application for the erection of railings to site frontage, surfacing front driveway and provision of window security. Staff consider that the proposal would accord with environmental policies contained in the Local

Development Framework Core Strategy and Development Control Policies
Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

That planning permission is granted subject to the following conditions:

1. ***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. SC32 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

3. NSC01 Pedestrian visibility splays shall be provided 2.1m wide to either side of the vehicular access to the satisfaction of the Local Planning Authority. The approved visibility splays shall be kept permanently unobstructed (with the exception of the approved railings) with no planting or other attachments exceeding 0.6m above ground level within the splay area thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

4. NSC02 The railings to the sliding gates shall align with the fixed railings when in the open position to ensure that no obstruction of the visibility splay occurs.

Reason: In the interests of Highway Safety.

5. SC11 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 the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

6. NSC03 Before the development hereby permitted is commenced, details of the colour of the crimeshield to be fitted to the windows 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.

7. NSC04 The proposed railings shall be finished in black and thereafter retained.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

INFORMATIVES

1. While condition 1 above gives the applicant the standard 3 year time limit in which to begin to implement the approved scheme, the applicant is reminded that he should meet the requirements of the Enforcement Notice issued on 27 July 2010 ensuring that the approved scheme is implemented within 9 months of the Planning Inspectorate decision letter dated 7th April 2011, i.e., by 6th January 2012.

2. INF23 Reason for approval:
The proposal accords with Policies DC32, DC33, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

1. Site Description

- 1.1 The site is comprised of a detached bungalow with side and rear extensions, including a large conservatory. The property appeared vacant at the time of the site visit, however the lawful use of the building is for mixed purposes of residential, a children's after school/holiday club, and place of worship for Friday Masjid (for 1 hour), Ramadan, Eid and Hai. There are two accesses to the highway via gates in the railings with parking in a single garage and on the forecourt area. At the time of the site visit, the front windows were hidden behind steel cladding and the front forecourt area was mainly concreted over.
- 1.2 The surrounding area is mixed in character; while mainly two-storey residential predominates, the site is directly opposite Crowlands Primary Schools and backs onto Romford Stadium (dog racing track) at the narrow part of its triangular garden.
- 1.3 There are parking restrictions in place including double lines to the bend near the property and residential parking bays in roads connecting to London Road to the north; otherwise there is some unrestricted on-street parking availability.

2. Description of Proposal

- 2.1 The proposal is for the erection of railings to the site frontage, surfacing front driveway and provision of window security.
- 2.2 The proposal would involve the erection of front boundary 1.8m high railings on a 0.075m high plinth and gates to the same height in black with a fleur-de-lis detailing. The front driveway would be re-laid as permeable paving using a resin-bound paving with gravel which would be porous. There would be planters of between 0.4m and 0.6m wide to the front railings and to the side fencing except where the accesses are.
- 2.3 In respect of window security, it is proposed to use Crime Shield security mesh screening which can be mounted in front of or behind existing windows. Details submitted indicate that it allows 60% of light to pass through and looks like tinted glass from a distance. The applicant indicates that the colour would be darker than white so as to have a more natural appearance in the streetscene although no specific colour detail is provided.
- 2.4 The applicant indicates that the security measures are necessary as the property has been the subject of stoning and fire bombing attacks which

have meant that it has become extremely difficult for the applicant to obtain insurance for the premises.

3. History

- 3.1 P1334.97 – Change of use to after school club Monday to Friday for about 2 hours – granted 6/2/98 for a limited time until 28/2/1999
- 3.2 P0024.99 – Change of use to permanent after school club and holidays for the full day – granted 19/3/99
- 3.3 P2440.06 – Change of use to Use within Class D1 – refused 26/3/07
- 3.4 E0006.07 – Change of Use to D1 for use as a Friday Masjid – refused 10/7/07; subsequent appeal – Certificate Granted
- 3.5 Enforcement Notice served in respect of the hardstanding, steel window casements and front boundary treatment – subsequent Appeal dismissed and the Enforcement Notice upheld with variations 7 April 2011

4. Consultation/Representations:

- 4.1 6 neighbouring and nearby properties were notified of the application. No replies have been received at the time of drafting this report. However the consultation period has not yet ended and any responses will be reported orally at the Committee meeting.
- 4.2 The Metropolitan Police Crime Prevention Design Advisor has written to advise that there have been a number of crimes at the application property and he confirms that he has been involved in the consideration of what crime prevention measures may be appropriate in this mainly residential area. He has no specific objections to the proposal.

5. Staff Comments

- 5.1 The issues in this case are the principle of the development, the impact of the development in the streetscene and on residential amenity. Policies CP17, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are relevant. SPD on Designing Safer Places and Policies 7.3 and 7.4 of The London Plan (2011) and PPS1 and Safer Places: The Planning System and Crime Prevention.

Principle of development

- 5.2 The proposal is for railings to the front boundary, hardstanding and window treatments to a building is used for a number of purposes including

residential, an afterschool/holiday/club and place of worship (mainly 1 hour per week on Fridays).

- 5.3 Staff consider that the proposed works associated with this building would be acceptable in principle, subject to detailed consideration below.

Impact in the Street Scene

- 5.4 The proposed works, being to the front of the property, would all be visible in the streetscene. The proposed fencing is in the form of 1.8m high black railings on top of a 0.075m plinth with hardstanding and landscaping being applied to the ground (replacing the existing concrete) and Crimeshield being provided to the window.

- 5.5 While the railings would be higher than most boundary treatments in the locality, they would be permeable enabling a view of the property behind and would be similar in style to the school railings opposite. This would be supplemented by planting directly to the rear of the railings (except where the gates are located) which would help to soften its impact in the streetscene. Staff therefore consider that the railings would have an acceptable impact on visual amenity whilst at the same time affording a higher than normal level of security to the mixed-use building.

- 5.6 The proposed hardstanding would be porous and bound gravel such that it would overcome concerns raised by the Planning Inspector in considering the recent Enforcement Notice appeal both in respect of drainage of surface water and in that it would be more in keeping with the residential character of the area. This is supplemented by planting to the front and side boundaries which should ensure that the hardstanding does not appear overly excessive or harsh. Staff therefore consider that the proposed hardstanding/landscaping would be appropriate and in character in the locality.

- 5.7 The proposed window treatment would be visible in the streetscene. According to details submitted, as there has been damage to the windows of the property it is expected that it would be provided to the outside of the windows. It is proposed to provide it in a dark colour, however, with 60% of existing light being able to pass through the Crimeshield lining, windows would appear tinted rather than completely blocked. Staff consider that the proposed window treatment would overcome the crime issues highlighted whilst not resulting in unsightly or overly large window protection such as external shutters or metal casing which would be out of context in this residential area and to a residential property.

- 5.8 Staff consider that the proposal would have an acceptable impact on visual amenity in the streetscene. Members may place different weight on this issue and decide that the proposals would be unacceptable in terms of visual amenity to the detriment of visual amenity in the streetscene.

Impact on Residential Amenity

- 5.7 The application site generally appears vacant and unused except for when prayer meetings occur. The large areas of concrete hardstanding to the front and rear of the site and paling fencing (the latter now removed) and existing metal window protectors makes the property appear to be in use for commercial operations uncharacteristic of this residential area. It is considered that the proposed works would have a generally positive impact on residential amenity.
- 5.8 The use of the building is lawful and the proposal seeks only to provide a suitable front garden to the existing residential property. It is not considered that the proposed works would have any direct impact on residential amenity, other than in general terms.

Highways

- 5.9 The proposed front boundary treatment would raise no highways or parking issues provided pedestrian visibility splays are provided either side of the vehicular access. A suitable condition can be attached to any grant of planning permission.

Secured by Design

- 5.10 The Crime Prevention Design Advisor has written to advise that 14 crimes have been reported with 8 of them being criminal damage to windows. It is his view that the proposed measures would provide adequate protection to the property and anyone using it.

6. Conclusions

- 6.1 Staff consider that the proposal which is to overcome crime at the application site while being acceptable in a residential area does achieve this aim without resulting in any harm to visual or residential amenity and would be acceptable in terms of highway safety. Members may place different weight on the issues raised, nonetheless Staff considered that the proposal would be acceptable in terms of its impact in the streetscene, on residential amenity and highways and therefore recommend that planning permission is granted.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

8.1 None

9. Human Resource Implications:

9.1 None

10. Equalities and Social Inclusion Implications:

10.1 The proposal would enable those using the property including residential occupiers, the children attending the after-school/holiday club and people attending the property for prayers on Fridays and during Ramadan, Eid and Haj to do so with a reasonable level of peace and safety.

BACKGROUND PAPERS

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



Regulatory Services Committee

15 December 2011

Item 19

OUTSIDE STATUTORY PERIOD

Page No.	Application No.	Ward	Address
1-7	P1292.11	Mawneys	6 Collier Row Road, Romford

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REGULATORY SERVICES COMMITTEE

15th December 2011

OUTSIDE STATUTORY PERIOD

APPLICATION NO:	P1292.11	
WARD :	Mawneys	Date Received: 17th August 2011
ADDRESS:	6 Collier Row Road Romford	
PROPOSAL:	Change of use of existing retail shop (A1 Class use) into take-away/restaurant (A3/A5 Class use) and extraction flue system to rear. Additional Plans Received 19.10.201	
DRAWING NO(S):	130.11/04 Revision A Proposed ground floor with site plan 130.11/02 130.11/04 Ordnance Survey map 130.11/01 130.11/03 130.11/05	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

This application has been called in by Councillor Ower due to concerns regarding the impact of noise and parking on local residents.

RECOMMENDATION

It is recommended that planning permission be granted.

BACKGROUND

This application was last brought to the 18th October Regulatory Services Committee. At that meeting, Staff requested the deferral of the application to provide details of refuse collection and to clarify the details of the extraction flue. The main content of the report set out below is the same as that reported on 18th October.

REASONS FOR THE DEFERRAL:

Details of refuse collection

There is an existing arrangement whereby vehicle waste lorries access the unmade road to rear of the site (from Hampden Road) to collect refuse for other units in the parade and this arrangement applies to 6 Collier Row Road.

Extract ducting

The extract ducting would be painted black, which will minimise its visual impact. The siting of the extract duct is somewhat unusual as it would project 1.7 metres beyond the rear façade of the single storey rear projection and would be supported by way of a bracket, which is deemed to be acceptable.

SITE DESCRIPTION

Three storey mid-terrace with a vacant retail shop at ground floor and residential above.

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OUTSIDE STATUTORY PERIOD

Surroundings: Commercial row of shops with dwellings above. The site is located within the retail core of Collier Row Minor District Centre.

DESCRIPTION OF PROPOSAL

The application is for a change of use from retail (A1) to a takeaway/restaurant (A3/A5 use) and extraction flue to rear. It is proposed to use the premises for a pie and mash shop.

Opening hours are proposed to be 08:00 to 23:00 Monday to Saturday and 09:00 to 22:30 on Sundays and Bank Holidays.

The application is accompanied by indicative floor plans which indicate the provision of a seating area, service bar, kitchen, toilets and cold room.

In order to provide suitable extraction to the kitchen area an extraction duct is proposed on the flat roofed single storey rear projection of the building. Part of the ducting would overhang the flat roof of the building and would be supported by brackets. The duct would have dimensions of 5.4 metres in depth by 0.3 metres in width by 1 metre in height.

RELEVANT HISTORY

No relevant planning history.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 40 local addresses. Six letters of objection was received (two of which were from the same address) including a letter from Councillor Trew with detailed comments that have been summarised as follows:

- Lack of parking. The alley way to the rear of the property is congested with delivery lorries and vans.
- Litter.
- Noise.
- There are too many takeaway/restaurants in the immediate area.
- The Council should encourage different types of businesses into the area.
- Anti-social behaviour issues.
- Commented that Council checks are less rigorous for mixed restaurant and takeaway uses.
- Queried as to why opening hours and the type of food to be sold are not stipulated.
- The Council focuses on business rates, as opposed to assessing planning applications.
- Detrimental impact on community shops and services due to additional competition.

In response to the above, comments that the Council should encourage different types of businesses into the area and comments regarding business rates are not material planning considerations, as each planning application is determined on its individual planning merits. The opening hours have been provided by the agent. Comments regarding the type of food sold are not material planning considerations. The remaining issues are covered in the following sections of the report.

Crime Prevention Design Advisor There are no material objections concerning any crime or community safety issues that may be raised by this application.

The Council's Environmental Health Department raise no objection subject to the provision of conditions.

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Highways Authority - No objection. There is currently available uncontrolled on street parking in the immediate vicinity and a Pay & Display car park within a short distance of the site, which is adequate.

RELEVANT POLICIES

Policies DC16, DC23, DC33, DC55, DC61 and DC63 of the LDF Development Control Policies DPD

STAFF COMMENTS

The issues arising from this application are the principle of the development, including the impact of the proposed change of use on the retail vitality and viability of the Minor District Centre, impact on residential amenities and highways/parking.

PRINCIPLE OF DEVELOPMENT

The application site is located within the retail core of Collier Row Minor District Centre. Policy DC16 states that service uses (Classes A2, A3, A4, A5) will be permitted within the retail core only where the following criteria are met:

- The use provides a service appropriate to a shopping area;
- The proposal will not result in a group of three or more adjoining A2-A5 uses;
- Not more than 33% of the length of the relevant frontage will be in non-retail use following implementation of the proposal.

All shop fronts in retail core and fringe areas must be active and maintain the impression of a visual and functional continuity to aid in enhancing the vitality of the town centre.

This policy is intended to maintain the viability and vitality of the town centre by protecting the predominantly retail use so that the range and choice of goods sold are maintained. At the same time, it recognises that uses such as banks, building societies and restaurants provide a complementary service for the shopping public, and it is therefore appropriate to make some provision for them in the centre. The retail core of the town centre has been defined in such a way as to single out the most concentrated areas of shopping for protection. In these areas the policy seeks to restrict the number of non-retail uses and also to prevent their grouping as this would interrupt the continuity of individual shopping frontages thus undermining their contribution to the centre as a whole.

The proposed restaurant and takeaway would provide services appropriate to this Minor District Centre of Collier Row Road and therefore would contribute to the vibrancy and vitality of the locality.

The proposed use would not result in a group of three or more adjoining A2-A5 uses or other non-retail uses. In determining the relevant frontage for the purposes of the above, it is considered that the frontage runs between Nos 2 and 24 Collier Row Road. The frontage begins at the Special Moments Bridal & Evening Wear (No. 2 Collier Row Road) and ends at Barnardos charity shop at No. 24 Collier Row Road. This frontage has a total length of 66 metres.

There are 12 units within this parade. The three non-retail uses comprise No. 8 Chop Suey Centre Chinese takeaway, No. 16-18 - Lloyds TSB Bank and No. 20 Bairstow Eves estate agent. These three non-retail uses with a frontage measuring 20 metres, represents 31.8% of

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the total length of the parade in non-retail use. The proposed change of use at No. 6 Collier Row Road (with a frontage of 5.1 metres) would result in 39.6% of the total length of the parade in non-retail use, exceeding the 33% given in policy.

The agent has advised that as landlords, they took possession of the property from Carlos Cycles Ltd in February 2011. The property has been marketed to let since then. The majority of applicants for lease have been catering companies requiring premises for A3/A5 use. As the premises are within A1 use class, the agent has rejected their approaches. The agent stated that it has become increasingly difficult to attract applicants within use class A1.

Although the change of use would be contrary to Policy DC16, it is considered that on balance, the A3/A5 use would be acceptable, particularly as it would be bringing a vacant A1 retail unit back into use, which would contribute positively to the vitality of Collier Row Minor District Centre. The proposed use would be likely to attract both dedicated customers and those on more general shopping trips. Staff are of the view that the proposal has the potential to make a contribution to pedestrian flows. It is proposed that the premises be open seven days a week during normal shopping hours. For the above reasons, the change of use is a matter of judgement for members.

DESIGN/IMPACT ON STREET/GARDEN SCENE

It is considered that the extraction flue would not adversely affect the streetscene, as it would be located on the flat roofed single storey rear projection of the building.

IMPACT ON AMENITY

Policy DC61 states that planning permission will only be granted where proposals would not result in unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.

With regard to the impact upon neighbouring properties consideration must be given to potential implications in terms of operating hours and noise and disturbance, particularly in view of the fact that some residential properties are located on the upper floors the parade.

The application site is located in an area which is characterised by commercial premises where a certain level of activity and associated noise is to be expected. Staff are of the view that a use such as that proposed is more suitably located within a town centre location than within a predominantly residential setting and that the amenities of residents living within the town centre are not normally expected to be as high as for residents living in purely residential locations. As there is no parking outside the premises, it is expected that patrons would park nearby and/or arrive on foot.

The application property lies within a row of commercial premises which forms part of retail core of Collier Row Minor District Centre. From the site visit it was observed that Collier Row Road is a heavily trafficked road with high ambient noise levels. Given the nature of this road, there is no reason to believe that these observations are unusual. It is reasonable to assume, given the location of the application site that the ambient noise level would remain reasonably high in the evening, Sundays and Bank/Public Holidays.

It is Staff's view that the proposal would not result in significant noise and disturbance from pedestrian movements over and above existing conditions. If minded to grant planning permission, conditions will be placed for the following aspects: opening hours and trading days.

REGULATORY SERVICES COMMITTEE

15th December 2011

OUTSIDE STATUTORY PERIOD

In this instance, opening hours are proposed to be 08:00 to 23:00 Monday to Saturday and 09:00 to 22:30 on Sundays and Bank Holidays.

It is considered that the proposed opening hours would not result in a significant increase in noise and disturbance over and above existing conditions, as the site is located on a relatively busy main road with arguably higher ambient noise levels throughout the week. Consideration has been given to a closing time of 22:30 on Sundays and Bank Holidays, although this time is comparable with other premises in the vicinity of the site.

Although the extract duct would be visible in the rear garden environment, it is considered that it would not result in an adverse visual impact, as it would be located on the flat roofed single storey rear projection of the building. Whilst the layout of the ducting is unusual, it is considered that the extract ducting would not result in a significant loss of amenity to neighbouring properties, as the flue itself would be approximately 10 metres from the residential properties on the first floor of the building. In addition, a condition from Environmental Health will be placed in respect of odours.

HIGHWAY/PARKING

There are two parking spaces for staff to the rear of the site, which are accessed from Hampden Road. The application site has no off-street car parking facilities for customers. There is currently available uncontrolled on street parking in the immediate vicinity and a Pay & Display car park within a short distance of the site, which is adequate. The site is accessible by a variety of transport modes including public transport, walking, cycling and the car. For these reasons it is considered that the proposal would pose no adverse effect on the function of the highway. The Highways Authority has no objection to the proposal. It is considered that the proposal would not result in any highway or parking issues. Servicing would take place from the rear of the unit.

KEY ISSUES/CONCLUSIONS

Although the change of use would be contrary to Policy DC16, it is considered that on balance, the A3/A5 use would be acceptable, particularly as it would be bringing a vacant A1 retail unit back into use, which would contribute positively to the vitality of Collier Row Minor District Centre. It is considered that the opening hours are deemed to be acceptable. It is considered that the proposal would not be detrimental to neighbouring amenity. There are no parking issues as a result of the proposal and it is not considered the proposal would give rise to any other highway issues. Approval is recommended.

RECOMMENDATION

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

1. S SC4 (Time limit) 3yrs
2. S SC32 (Accordance with plans)
3. S SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 23:00 on Mondays to Saturdays and 09:00 and 22:30 on Sundays and Bank Holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

REGULATORY SERVICES COMMITTEE

15th December 2011

OUTSIDE STATUTORY PERIOD

4. S SC58 (Storage of refuse)

5. Non standard condition

Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be designed and certified by a competent engineer and after installation a certificate to be lodged with the Planning Authority. Thereafter, the equipment shall be properly maintained and operated within design specifications during normal working hours.

Reason: To protect the amenity of occupiers of nearby premises.

6. Non standard condition

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

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

7. Non standard condition

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

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

8. Non standard condition

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

Reason: To protect the amenity of occupiers of nearby premises.

1 INFORMATIVES:

1. Reason for approval:

REGULATORY SERVICES COMMITTEE

15th December 2011

OUTSIDE STATUTORY PERIOD

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC16, DC23, DC33, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

2. The applicant should have regard to the following guidance and issues:

Guidance is provided in:

- * The Food Industry Guides to Good Hygiene Practice:
- * Workplace, Health, Safety and; Welfare Approved Code of Practice L24 ISBN 0-7176-0413-6 available to order from book shops.
- * Further information is available at the following web sites:
- * Food safety www.food.gov.uk/foodindustry/
- * Occupational safety & health www.hse.gov.uk

Food premises must be registered with us at least 28 days before opening. It is an offence for premises to trade without registration. A registration form is available from our office or at our website:
online.havering.gov.uk/officeforms/licence_food_business.ofml.

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

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

15 December 2011

Subject Heading:	<p>Application for the Stopping Up of Highway Land South of the A124 Hornchurch Road at RM11 1DL and part of Torrance Close at RM 11 1JT (OS 552973, 187327)</p> <p>(Application received 24th November 2011)</p>
Report Author and contact details:	<p>Anthony Richings, 01708 432466 anthony.richings@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 []
- 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 24th November 2011, to enable the following proposals pursuant to planning reference P0827.11 to be carried out. The planning permission reference P0827.11 dated 1st November 2011 involves the construction of 27 new residential units with landscaping, associated parking, driveways and involving some encroachment on public highway land, both vehicular and pedestrian.

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 areas hatched and edged in black on the plan (entitled "Elmhurst Lodge Stopping Up Plan" with drawing number "BHELMHURST.1/01") ("the Plan") 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 P0827.11 to be carried out.

RECOMMENDATIONS

Subject to the developer paying the Council's reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of 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 P0827.11 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 15th September 2011 the Council resolved to grant planning permission (under planning reference P0827.11) for a development being the construction of a residential development, comprising 21 houses and 6 apartments with associated parking. Planning permission was issued on 1st November 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 highway being a local access road and footway and re-routing of the road and footway to enable the development to be carried out.
- 3.3 The proposed scheme involves building on land which includes areas of adopted highway (footway, maintained verge and access road). 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 with the assistance of the applicant 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 new footway and road will serve the development equally well as that to be stopped up and the new road will have to meet the approval of the Head of Streetcare, including the accessibility requirements before any adoption is confirmed.

5. CONCLUSION

The proposed stopping up relates to an area of highway the stopping up of which is necessary to facilitate the development of 27 dwellings pursuant to planning permission reference P0827.11. It is therefore recommended that the necessary Order is made and confirmed.

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

CHERYL COPPELL
Chief Executive

Background Papers List


1. Report to the Regulatory Services Committee of 15th September 2011 which granted planning permission under planning reference P0827.11
2. Plan (Reference "Elmhurst Lodge Stopping Up Plan # BHELMHURST.1/01") showing the area to be stopped up

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Key:

 **Area of public highway to be stopped-up**


Mayer Brown Limited, Lion House
Orchard Road, Woking, Surrey GU24 0AR
Telephone 01483 750 509 Fax 01483 750 437
wokingoffice@mayerbrown.co.uk www.mayerbrown.co.uk

client **BELLYWAY HOMES THAMES GATEWAY DIVISION**

project **ELMHURST LODGE**

title **STOPPING UP PLAN**

scale	1:500@A3	drawn by	MP	checked by	AP
date	FEBRUARY 2011	cad file	MASTER.DWG		
drawing number	BHELMHURST.1/01			rev.	I

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REGULATORY SERVICES COMMITTEE

REPORT

15 December 2011

Subject Heading:	Draft National Planning Policy Framework
Report Author and contact details:	Patrick Keyes Head of Development & Building Control Patrick.keyes@havering.gov.uk 01708 432720
Policy context:	'Living Ambition' agenda Local Development Framework
Financial summary:	None

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

Ensuring a clean, safe and green borough	<input checked="" type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input 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

On 26 October 2011 Cabinet considered a report on the draft National Planning Policy Framework (NPPF). The Framework, which is considerably more concise than existing national planning policies is seen by Government as providing the opportunity for people and communities to be involved in planning. It is a key part of the Government's wider 'Localism' agenda.

Cabinet agreed three recommendations in the report:

1. To welcome the overall approach in the draft NPPF.
2. Agree that comments in the Cabinet report be submitted to Government as this Council's response to the draft NPPF.
3. Recommend to this Regulatory Services Committee that the draft NPPF can be afforded weight, in particular when schemes do not accord with the Havering Local Development Framework or the Local Plan is silent (ie indeterminate) provided development will not have unacceptable adverse social or environmental impacts.

This report recommends that Recommendation 3 of the Cabinet report should be agreed.

RECOMMENDATIONS

That Committee agree that the draft National Planning Policy Framework can be a material consideration although the weight to be given to it will be a matter for the decision maker's planning judgement in each particular case. Further that it can be afforded weight, in particular when schemes do not accord with the Havering Local Development Framework or the Local Plan is silent (ie indeterminate) provided development will not have unacceptable adverse social or environmental impacts.

REPORT DETAIL

1. Reform of the planning system has been identified by Government as one of the elements of its 'Planning for Growth' agenda, which seeks to identify regulations or policies that impede economic growth. The Government pledged in its pre-election policy paper 'Open Source Planning' to scrap what it saw as the overly bureaucratic planning regime and indicated an early intention to increase the speed and scale of change. Additionally, various Government reviews have set out ambitious proposals to ensure that the planning system does everything possible to support sustainable economic growth alongside housing supply.
2. The Government wishes localism and community to be at the heart of its changes to the planning system.
3. The current national planning system is made up of more than 25 Planning Policy Statements (PPSs) and guidance and explanatory notes that

collectively total more than 1,000 pages. All Local Development Frameworks (LDFs) must conform to these whilst in London LDFs must also be in general conformity with the Mayor's London Plan (2011). Whilst some of the existing Government policy and guidance documents are relatively recent, others are several years old.

4. In July 2011, the Government published for consultation a draft 'National Planning Policy Framework' ('the draft Framework'). It has 58 pages compared to the extensive documents it is intended to replace.
5. The draft Framework has been the subject of extensive media coverage particularly in its potential implications for the Green Belt and countryside.
6. The documents are available at the following Government website :

[http:// www.communities.gov.uk/documents/planningandbuilding/pdf1951811.pdf](http://www.communities.gov.uk/documents/planningandbuilding/pdf1951811.pdf)
7. Government hopes to issue the final Framework later this year/early 2012.

Cabinet's Consideration of Issues and Consultation Response

On 26 October 2011 Cabinet considered the report attached here as Appendix 1. The report is also available electronically through this link:

<http://democracy.havering.gov.uk/documents/s1757/item10%20draft%20planning%20policy.pdf>

That appended report:

- Highlighted the draft National Planning Policy Framework's key elements.
- Reviewed the key issues for Havering and proposed a range of comments in response to the Government's consultation.
- Provided views of some other stakeholders.
- Considered the implications for Havering when dealing with current and forthcoming planning applications.

Cabinet agreed that the comments set out in Section 4 and Appendix 1 of the appended Cabinet report be submitted to Government as Havering's formal response to the Consultation.

The Cabinet report also reviewed (at its paragraphs 32-39) the issues raised for development management.

These are reproduced below:

Development management

8. The draft Framework states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development. Local Authorities should:

- approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so.
 - attach significant weight to the benefits of economic and housing growth.
 - influence development proposals to achieve quality outcomes; and
 - enable the delivery of sustainable development proposals.
9. The draft Framework encourages early engagement to improve the efficiency and effectiveness of the planning application system. It recommends Local Authorities actively promote any pre-application services that they offer as well as encouraging applicants not already required to do so by law to engage with the local community before submitting their applications.
10. Local Plans, incorporating neighbourhood plans where relevant, will be the starting point for the determination of any planning application as the planning system will remain plan-led. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.
11. Local planning authorities should consider using Local Development Orders to relax planning controls for particular areas or categories of development, where the impacts would be acceptable, and in particular where this would boost enterprise and growth. Planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.
12. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. As before, planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
13. Planning obligations should only be sought where they meet all of the following tests:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind of development.
14. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
15. Local planning authorities should avoid unnecessary conditions or obligations, particularly when this would undermine the viability of development proposals.

At section (j) the appended Cabinet report discussed what the draft Framework would mean for development management in Havering. This is duplicated below

(j) What the Framework means for development management and planning decisions in Havering

16. The draft Framework makes clear that in the absence of an up to date Local Plan, consistent with the Framework, planning applications should be determined in accordance with the Framework, including the presumption in favour of sustainable development. Since the publication of the draft Framework, the Planning Inspectorate has issued guidance on this matter for its Inspectors. It states that the draft Framework is 'capable of being a material consideration although the weight to be given to it will be a matter for the decision maker's planning judgement in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.'
17. Recognition of the role of negotiation and pre-application discussions within the development management process is welcomed.
18. There is a risk that the concise nature of the Framework and the absence of a clear and workable definition of sustainable development along with its greater room for subjective interpretation of policy and material planning considerations, may lead to more legal challenges and in some cases, a greater tendency towards planning 'through case law'.
19. The Framework's presumption in favour of sustainable development is likely to increase the number of cases where mediocre proposals have to be negotiated to a better quality position rather than be refused, which will impact on resources.
20. The draft Framework does not address the issue of enforcement and this has been highlighted as a major concern.

The Cabinet recommendation

21. Notwithstanding the above considerations, Cabinet agreed that there is merit in the Council reflecting the draft Framework in its development management role through Regulatory Services Committee as far as it is able, and appropriate, to do so.
22. Therefore, the Cabinet report included a specific recommendation (3) about the Framework being taken into account for development control purposes in the interim period before the Local Plan that will replace the LDF is available.
23. Staff concur with Cabinet's recommendation 3 in that the draft National Planning Policy Framework can be afforded weight. At this draft stage of the Framework such weight will be limited but will particularly apply when

schemes do not accord with the Havering LDF or the Local Plan is silent, otherwise called indeterminate. In all cases this will be provided that the development concerned will not have unacceptable adverse social or environmental impacts.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Government is responsible for the preparation of the National Planning Policy Framework and there are unlikely to be direct financial implications for the Council in this regard. The Government's current finance reforms may also overlap with issues raised by the Framework.

The draft Framework will need to be taken into account from now onwards when the Council is considering proposals for its own land.

If the Framework is published by the Government, then the Council will have to take it into account in the preparation of its replacement Local Development Framework (which will be the Havering Local Plan).

Legal implications and risks:

The provisions of the Planning and Compulsory Purchase Act 2004 cover the status of national planning policy in plan preparation and development management.

The draft National Planning Policy Framework is capable of being a consideration for planning decisions although the weight that can be attached to it for plan making and development management purposes is limited at this stage.

The Planning Inspectorate has said that 'the weight given to it will be a matter for the decision maker in each particular case. The current Planning Policy Statements, Guidance Notes and Circulars remain in place until cancelled'.

Human Resources implications and risks:

At this stage it is not possible to assess the detailed implications of the draft Framework. Staff in the Regeneration service will be responsible for the preparation of the Council's Local Plan which will replace the Havering Local Development Framework. Staff in the Development and Building Control service will have responsibility for implementing the Development Management aspects of the Framework.

Equalities implications and risks:

The draft Framework sets out planning policies that are intended to benefit everyone in the community. A fundamental aim of the Framework is to help create

mixed and inclusive communities. The Government sees the planning system as facilitating social interaction and it wants local planning authorities when implementing the Framework to involve all sections of the community.

The Government has published an extensive Impact Assessment as a companion document to the draft Framework. Under the heading Statutory Equality Duty, it concludes that the draft Framework will benefit everyone – communities, local councils and businesses – because national planning priorities will be more clearly understood across a wider range of people. The impact Assessment particularly highlights the significance of the Framework in this regard to different racial groups, disabled people and older people.

BACKGROUND PAPERS

1. Draft National Planning Policy Framework.
2. Cabinet report 26 October 2011.

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CABINET

26 October 2011

REPORT

Subject Heading:

Draft National Planning Policy Framework – response from London Borough of Havering

Cabinet Member:

Councillor Robert Benham

CMT Lead:

**Cynthia Griffin
Group Director Culture and Community**

Report Author and contact details:

Martyn Thomas
E-mail :
martyn.thomas@havering.gov.uk
Tel : 01708 432845

Policy context:

**‘Living Ambition’ agenda
LB Havering Local Development Framework**

Financial summary:

The Government will finalise the form and content of the Framework for early 2012. Any proposals for Council owned land will need to be brought forward in the context and the aims and objectives of the Framework but the impact cannot be ascertained at this stage. It will need to be reflected in the Local Plan that the Council prepares to replace the Local Development Framework. Costs of preparing the latter will be met from existing budgets.

Is this a Key Decision?

Yes

Is this a Strategic Decision?

Yes

When should this matter be reviewed?

2013

Reviewing OSC:

Partnerships

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

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

SUMMARY

The Government has published its draft National Planning Policy Framework to set out its intended planning policies to deliver economic growth and new homes.

The draft Framework is considerably more concise than the existing documents it will replace and reduces some 1000 pages of policy to less than 60 pages.

The Government sees planning as delivering sustainable development and wants the planning system to help deliver positive growth. It sees the Framework as providing the opportunity for people and communities to be involved in planning and is a key part of its wider 'localism' agenda. It addresses planning for prosperity, people and places. The Framework maintains the overall policy approach of many well understood and supported policies including safeguarding the Green Belt.

This report highlights the key features of the draft Framework and what it may mean for Havering in terms of its plan making and development management roles.

It suggests that the broad thrust of the Framework can be supported and that the focus on economic growth can be welcomed as this will complement the Council's own priorities.

However, it is noted within the report, and in Appendix 1, that there are key concerns about aspects of the draft Framework which should be addressed by Government before it is published.

These include issues such as the need for clarity and consistency on the definition of 'sustainable development', the importance of environmental and other sustainability considerations not being over-ridden in the priority afforded to economic growth, more information being needed on how the new system will be introduced, clarity needed on the respective roles of Local and Neighbourhood Plans and how and when the community may be involved in the latter, and the importance of local interests and priorities being properly taken account of in planning decisions. There is also concern that the draft Framework does not address the particular circumstances of planning in London where the Mayor's

London Plan is a key part of the planning system for all boroughs and where some issues specific to London (such as housing land availability) are unique and particular. The report also identifies that some recent planning guidance from the Government (for example, that on heritage matters) is so slimmed down in the draft Framework that authorities may have to prepare local advice to supplement the Framework. Culture is identified as a theme where the Framework needs further work if it is to help address quality of life issues properly.

The Government has invited comments on the draft Framework and Members will be aware that it has been the subject of extensive media coverage. Section 4 of the report and Appendix 1 set out issues that are recommended for inclusion in this Council's response.

Finally, the report includes a recommendation to the Council's Regulatory Services Committee about how the draft Framework should be used in the determination of planning applications. The report notes in this regard that in specific circumstances it should be afforded weight taking into account the need to secure economic growth providing proposals do not have unacceptable adverse social or environmental impacts.

RECOMMENDATIONS

That Cabinet:

- (1) welcome the overall approach set out in the draft National Planning Policy Framework ;
- (2) agree that the comments in Section 4 of this report (paras. 64 -147) and Appendix 1 be submitted as the Council's response to the draft Framework ;
- (3) Recommend to the Regulatory Services Committee that the draft National Planning Policy Framework can be afforded weight, in particular when schemes do not accord with the Havering Local Development Framework or the Local Plan is silent (ie indeterminate) provided development will not have unacceptable adverse social or environmental impacts.

REPORT DETAIL

(1) Background

(a) Why the draft Framework has been published

1. Reform of the planning system has been identified by the Government as one of the elements of its 'Planning for Growth' agenda, which seeks to identify regulations or policies that impede economic growth. The Government pledged in its pre-election policy paper 'Open Source Planning' to scrap what it saw as the overly bureaucratic planning regime and indicated an early intention to increase the speed and scale of change. Additionally, various Government reviews have set out ambitious proposals to ensure that the planning system does everything possible to support sustainable economic growth alongside housing supply.
2. The Government wishes localism and community to be at the heart of its changes to the planning system and demonstrated this through its early dissolution of the regional planning framework outside London and its intention to foster neighbourhood level plan making.
3. The current national planning system is made up of more than 25 Planning Policy Statements (PPSs) and guidance and explanatory notes, that collectively total more than 1,000 pages. All Local Development Frameworks (LDFs) must conform to these whilst In London LDFs must also be in general conformity with the London Mayor's London Plan (2011). Whilst some of the existing Government policy and guidance documents are relatively recent, others are several years old.
4. In July 2011, the Government published the draft 'National Planning Policy Framework' ('the draft Framework' for consultation. It has 58 pages compared to the extensive documents it is intended to replace. The consultation documents also include a specific document dealing with consultation and a comprehensive Impact Assessment of the draft Framework. The latter outlines some important policy considerations (for example, in regard to previously developed land, car parking standards and the Green Belt).
5. Members will be aware that the draft Framework has been the subject of extensive media coverage particularly in regard to its potential implications for the Green Belt and countryside.
6. Copies of the draft National Planning Policy Framework and its companion documents are in the Members' Resource Room.
7. The documents are also available at the following Government website :

[http:// www.communities.gov.uk/documents/planningandbuilding/pdf1951811.pdf](http://www.communities.gov.uk/documents/planningandbuilding/pdf1951811.pdf)
8. It is expected that the published Framework will reflect the outcome of the consultation undertaken recently on planning policy guidance for travellers. Havering responded to that consultation in August 2011.
9. The Government hopes to issue the final Framework later this year / early 2012.

(b) What this report deals with

10. The report is set out in several sections. **Section 2** looks at the consultation and **Section 3** highlights the key elements of the draft Framework. **Section 4** reviews the key issues for Havering arising from the draft Framework and identifies comments that officers recommend are included in the Councils' formal response (along with those in Appendix 1). **Section 5** looks at what other stakeholders have said about the Framework. Finally, **Section 6** considers the implications for Havering in terms of dealing with current and forthcoming planning applications.

(2) The form of the consultation on the draft National Planning Policy Framework

11. The Government is inviting comments on the draft Framework and has provided a template encompassing questions on the policy and impact implications of the draft Framework.
12. Respondents are invited to indicate whether they agree with the Framework and also have the opportunity to submit comments to explain their responses.

(3) Key points of the draft National Planning Policy Framework

(a) Introduction

13. The Introduction states in para.2 that 'The Government expects the planning system to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural and historic environment. Planning has a key role in securing a sustainable future'.
14. The document addresses delivering sustainable development, plan making and development management. It then has separate sections dealing with planning for prosperity, people and places, respectively.
15. The 'parent' consultation document refers to 'Local Plans' throughout and, whilst not addressed in the Glossary to the main consultation document, it is clarified in the associated Impact Assessment that this encompasses Local Development Frameworks (LDFs) and the various documents within them such as Core Strategies and Area Action Plans). This report explains that the Government intends that these 'Local Plans' will replace the current LDFs. It notes that officers have started work to prepare a new plan for the borough to replace the Havering LDF. This is expected to be in accord with the requirements for Local Plans set out in the Government's consultation document.

(b) Delivering Sustainable Development

16. The coalition Government is keen to put economic growth at the centre of its planning policies and the presumption in favour of sustainable development underpins the draft Framework.
17. The draft Framework defines 'sustainable development' as 'Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.' It regards this as central to the economic, environmental and social success of the country and is the core principle underpinning planning. It sees the delivery of sustainable development as planning for prosperity, people and places, with this encompassing economic, social and environmental roles.
18. The draft Framework states that 'planning must operate to encourage growth and not act as an impediment' and 'significant weight should be placed on the need to support economic growth through the planning system.'
19. The draft Framework urges local planning authorities to plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:
 - prepare Local Plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes
 - approve development proposals that accord with statutory plans without delay; and
 - grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.
20. In accordance with the focus on growth, the draft Framework requires decision-takers at every level to assume that the default answer to development proposals is "yes", except where this would compromise the key sustainable development principles set out in the draft Framework.
21. The Government want to see both plan making and development management as proactive and driven by a search for opportunities to deliver sustainable development rather than barriers. It will do this by placing increased emphasis on the importance of meeting development needs through plans; on the need to approve proposals quickly where they are in line with those plans; and on the role of the Framework as basis for decisions where plans are not an adequate basis for deciding applications.
22. This section of the draft Framework identifies also core planning principles that will underpin both plan-making and development management. These confirm that planning should be plan-led and that Local Plans should set out the long-term vision for an area to pro-actively drive and support the development that this country needs.

23. The draft Framework says planning policies should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability. They should also protect and enhance environmental and heritage assets, make effective use of land, promote mixed use developments to create more vibrant places, manage patterns of growth to make fullest use of public transport, walking and cycling, take account of and support local policies to improve health and well being and secure a good standard of amenity for existing and future building occupants.

(c) Plan-making

24. Development plans have to meet the objective of sustainable development and will have to be consistent with the objectives, principles and policies set out in the Framework including the presumption in favour of sustainable development. Plans are expected to be prepared on the basis that objectively assessed development needs should be met unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

25. Local Planning Authorities will remain responsible for producing Local Plans that can be reviewed in whole or in part to respond flexibly to changing circumstances. They should be aspirational but realistic. The Government want to improve the accessibility of the plan-making process for communities and address the relatively limited local plan coverage that has been achieved. Supplementary Planning Documents may still be produced but only where their production can help to bring forward sustainable development at an accelerated rate.

26. A Local Plan will set out the strategic priorities for the area it covers which should include policies to deliver a range of development (Housing, Economic, Infrastructure etc) and indicate broad locations for strategic development. Where Local Authorities do not have an up-to-date plan (i.e. one that is not consistent with the Framework) planning applications will be determined in accord with it. It will be open to local planning authorities to seek a certificate of conformity with the Framework for an existing plan.

27. Local Plans will still be assessed by an independent inspector and will continue to be subjected to the test of soundness. In addition to the existing tests (Justified, Effective, Consistent with national policy), plans must prove they are 'Positively Prepared' and meet objectively assessed development and infrastructure requirements. Where practical, Local Plans should address unmet requirements from neighbouring authorities with the presumption in favour of sustainable development.

28. The Framework supports the implementation of neighbourhood planning introduced in the Localism Bill. Neighbourhood plans are intended to give communities direct power to plan the areas in which they live. The draft

Framework envisages that these will be prepared by neighbourhood forums and, outside London, parishes.

29. Neighbourhood plans are required to be aligned with the strategic needs and priorities of the wider area and will have to be in general conformity with the strategic policies of the Local Plan. They can be used to develop a shared vision for the Neighbourhood and set planning policies for the development and use of land. (The draft Framework is, however, unclear on the role of local planning authorities in the preparation of these nor does it provide any information on how and when Neighbourhood plans can be prepared in London or what will be involved in a neighbourhood forum).
30. Where proposals are in keeping with the Neighbourhood Plan, neighbourhoods will be allowed to grant planning permission via Neighbourhood Development Orders (NDOs). Neighbourhood plans will need to be in general conformity with the strategic policies of the Council's Local Plan.
31. There is support for a Duty to Co-operate which will come into force in the Localism Bill. The Duty to Co-operate is for local councils and other public bodies across administrative boundaries to plan for the housing, transport and infrastructure that local people need.

(d) Development management

32. The draft Framework states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development. Local Authorities should:
 - approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practical to do so
 - attach significant weight to the benefits of economic and housing growth
 - influence development proposals to achieve quality outcomes; and
 - enable the delivery of sustainable development proposals.
33. The draft Framework encourages early engagement in order to improve the efficiency and effectiveness of the planning application system. It recommends Local Authorities actively promote any pre-application services that they offer as well as encouraging applicants not already required to do so by law to engage with the local community before submitting their applications.
34. Local Plans, incorporating neighbourhood plans where relevant, will be the starting point for the determination of any planning application as the planning system will remain plan-led. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

35. Local planning authorities should consider using Local Development Orders to relax planning controls for particular areas or categories of development, where the impacts would be acceptable, and in particular where this would boost enterprise and growth. Planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.
36. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. As before, planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
37. Planning obligations should only be sought where they meet all of the following tests:
 - necessary to make the development acceptable in planning terms
 - directly related to the development; and
 - fair and reasonably related in scale and kind of development.
38. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.
39. Local planning authorities should avoid unnecessary conditions or obligations, particularly when this would undermine the viability of development proposals.

(e) Planning for prosperity

40. The draft Framework says that the Government is committed to securing sustainable economic growth noting that there is an urgent need to restructure the economy, to build on the country's inherent strengths and to meet the twin challenges of global competition and of a low carbon future.
41. Local Councils should be positive and proactive in encouraging sustainable growth by setting out a clear economic vision and strategy for their area based on an understanding of business needs across their areas.
42. Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres. The 'sequential test' is retained for retail and leisure proposals which do not accord with the Local Plan, which makes town centres the preferred location for such uses. The draft Framework removes offices from the need to follow the Town Centres first approach and expects office proposals to be judged on their merits.
43. The Government also proposes that the time horizon for assessing the impacts of unplanned retail and leisure schemes in edge or out of town centre locations should be extended to 10 years (from 5 years) to enable a

more robust assessment to be made and in recognition that impacts may take time to develop.

44. The Government recognises the important role of transport in facilitating development but also contributing to wider sustainability and health objectives. It wants encouragement to be given to solutions which support reductions in greenhouse gases and to reduce congestion where practical. The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary.
45. Developments are expected, where practical, to be located and designed to accommodate the efficient delivery of goods and supplies, give priority to pedestrian and cycle movements and have access to high quality public transport facilities, create layouts which minimise conflict, incorporate facilities for charging plug-in and other low emission vehicles and consider the needs of disabled people.
46. The Government proposes to remove the existing national maximum non-residential car parking standards for major developments, so that Councils are better able to develop parking policies that are appropriate to local circumstances and communities.

(f) Planning for people

47. The Government's key housing objective is to increase significantly the delivery of new homes. The planning system should deliver a sufficient quantity, quality and range of housing.
48. The draft Framework removes Government targets specifying the level of housing development that should take place and the proportion of development that should take place on previously developed land. Local Authorities will be required to determine their own level of housing need, through a Strategic Housing Market Assessment (SHMAA), and supply, through a Strategic Housing Land Availability Assessment (SHLAA).
49. Current national policy requires 60% of all new housing to be built on previously developed ('brownfield') land. The Government wishes Councils to be able to determine the most suitable sites for homes reflecting local circumstances, and the draft NPPF deletes the brownfield requirement.
50. The draft Framework requires Councils to have a rolling five year supply of deliverable sites to meet their housing needs with at least a 20% additional allowance to create competition and choice in the land market. Councils will be required to identify a supply of specific, developable sites or broad locations for growth for years 6-10 and where possible for years 11-15. Councils must ensure that their Local Plans meet the full demand for market and affordable homes in their areas.

51. The Government proposes that local thresholds for affordable housing will be removed to enable local authorities to seek optimum solutions for their areas.
52. The presumption in favour of sustainable development means that Local Plans should be prepared on the basis that objectively assessed development needs should be met unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
53. Councils are required to deliver a wide choice of quality homes and widen opportunities for home ownership. They are expected to do this with an understanding of demographic trends, tenures and affordable housing.
54. The draft Framework says that the Government attaches great importance to the design of the built environment and sees a strong link between good design and good planning. Sustainable development will be secured through good design securing attractive, usable and durable places. Nevertheless, design policies should avoid unnecessary prescription or detail and should focus on the design 'fit' of new development in relation to neighbouring buildings and the local area more generally.
55. Policies are expected to go beyond aesthetics and address the connections between people and places and the integration of new development into the natural built and historic environment. Innovative design is to be encouraged. Developers will be expected to bring forward proposals that take account of the community's views and proposals that have been developed following engagement with the community should be looked on more favourably.
56. Planning policies are expected to identify specific needs and quantitative or qualitative deficits or surpluses of community facilities, open space, sports and recreational facilities. Open spaces should not be built on unless an assessment clearly shows them to be surplus to requirements or the needs clearly outweigh the loss.
57. The importance of the Green Belt is emphasized and existing policy regarding its aims and purposes and inappropriate development remains. However, the right to alter or replace buildings now applies to all buildings, not just dwellings, and sites which have been previously developed no longer have to be identified through a Local Plan for redevelopment to be allowed. The scope for local transport infrastructure to be located in the Green Belt has been extended beyond park and ride facilities. The Government wants to see a more strategic approach taken to green infrastructure and better protection and management of this. A new designation of Local Green Space is identified to enable land that is valued by local communities to be protected and the draft Framework sets out specific criteria for its designation and the policy approach to taken to development on such areas.

58. The draft Framework is intended to assist in the creation of strong, vibrant and healthy communities. Local communities are expected to have a role in developing a shared vision of the residential environment and the facilities they wish to have. The draft Framework strengthens the protection of community facilities.
59. The Government intends to include the planning policy statement on travellers (which was the subject of recent consultation) in the final Framework. It is seeking stakeholders' views on this approach and the consistency of that statement with the draft Framework.

(g) Planning for places

60. The key objective in regard to the environmental component of the guidance relates to the objective that planning should fully support the transition to a low carbon economy in a changing climate, taking full account of flood risk and coastal change. The Government requires the planning system to secure radical reductions in greenhouse gas emissions and to avoid inappropriate development in areas at risk of flooding. The primary means of achieving these objectives will be through the location of new development and the use of sustainability standards for new buildings. Such standards will be the pre-eminent consideration in evaluating proposals. Local councils will not have to set de-centralised energy targets.
61. The draft Framework broadly maintains the current sequential, risk based approach to flooding in the current guidance whilst suggesting that in the longer term the approach will be to address flood risk through avoidance rather than mitigation.
62. The Government objective is that planning should help deliver a healthy natural environment for the benefit of everyone and safe places which promote well being. There are measures to protect valued landscapes and minimize the impacts on biodiversity and geo-diversity. For noise and pollution, the focus will be on ensuring the right location and relying on other controls to protect amenity. Policies and decisions should aim to avoid noise giving rise to significant adverse impacts on health and quality of life and mitigate and reduce to a minimum other adverse impacts on health and quality of life.
63. The Government wishes to see the historic environment and its heritage assets conserved and enjoyed for the quality of life they bring to this and future generations. The draft Framework incorporates and streamlines existing heritage policy. Councils will be required to set out a strategy for the conservation and enjoyment of the historic environment. The draft Framework says that if proposals affect heritage assets then, in all but exceptional circumstances, they should be refused if they would cause harm or result in loss. Councils are advised to consider if proposals would have an enabling benefit to conserve a heritage asset.

(4) Issues arising from the draft National Planning Policy Framework for Havering

64. This section of the report considers the issues that officers consider arise from the draft Framework in regard to the possible implications for Havering in its plan-making and development management roles. The focus of the review has been the policy themes raised by the draft Framework rather than the Impact Assessment.
65. It is recommended that the *italicised* comments below form the basis of the response from the Council along with the detailed observations on specific issues in the draft Framework set out in Appendix 1.
66. Subject to Member approval, officers will prepare a composite response document setting out the comments below and those in the consultation template and this will be submitted to the Government.
67. The recommended comments (both below and in the Appendix) reflect current Council policies and priorities as set out in its several current planning and regeneration strategies as well as comments that have been made in response to other consultations.

(a) The overall approach behind the draft National Planning Policy Framework

68. The draft Framework generally retains the policy themes within existing planning policy guidance notes and planning policy statements. The draft Framework is, however, much more concise than the current suite of national policy and guidance documents. One of the stated reasons for this approach is to remove the considerable amount of repetition, and sometimes conflict, which currently exists.
69. *It is welcome that the draft Framework reflects much existing practice. In principle, presenting national planning policy in a clear, simplified and concise form is supported*
70. The commitment in the draft Framework to securing economic growth and providing a positive planning culture to enable this to take place can be highly supported particularly where this will help strengthen local businesses as it closely accords with the Council's intentions for ensuring that Havering has a vibrant and thriving economic base. In turn, this will help enhance prosperity in the borough and this will contribute to improved quality of life.
71. There are some contradictions in the draft Framework, some omissions and some loose wording which due to the document's concise nature raise concerns for interpretation. Some topics in the Framework (such as climate change) would benefit from further clarification and explanation albeit it would add to the length of the document. The draft Framework provides no

Framework should properly reflect the importance of good design in contributing to the role of planning in terms of place –making.

80. *Notwithstanding this, in the context of ‘sustainable development’, the focus in the Framework on both the natural and historic environments is to be welcomed since these contribute significantly to the quality of life and well being in many places including Havering.*
81. The Glossary is helpful in setting out what makes up heritage assets and the historic environment. It is welcome that the draft Framework says heritage assets include buildings, monuments, places or landscapes positively identified as having a degree of significance meriting consideration in planning decisions.
82. In order to provide appropriate local protection, it is essential that the Framework makes clear that such matters must be properly taken account of in a balanced manner when issues of sustainable development are being considered.
83. *The Framework should recognise that there may, in appropriate circumstances, be valid reasons for refusal where it is necessary for such assets to be afforded local protection.*

(d) The economic focus of the Framework

84. Notwithstanding the issue of what will constitute ‘sustainable development’, the clear economic growth focus, set out in the draft Framework, together with the commitment to securing new homes will support a careful, and balanced, re-assessment of established planning and regeneration approaches to some of the key areas of Havering including London Riverside and Romford.
85. There is, however, a concern that the focus on economic growth in the Framework may be allowed to override environmental protection and other sustainability considerations, particularly in appeal decisions. With the very clear statement in the draft Framework that authorities ‘.....should approve all individual proposals wherever possible’, the ability of the Council to successfully resist development which it considers out of step with Havering’s priorities may be jeopardised.
86. *This part of the Framework should be expanded to make clear that proposals are to be approved wherever possible, “unless there are serious adverse social or environmental effects which would make the development unsustainable.”*

(e) The role of local plans

87. The Government regards up to date Local Plans as those which will be consistent with the NPPF. Local planning authorities are expected to have

up to date Local Plans in place as soon as practical after the NPPF comes into effect.

88. It is clear that the Government expect Local Plans to be based on a robust and thorough evidence base. This is supported but it must be recognised that a balance will have to be struck between evidence gathering, the timely preparation of plans and the available resources.
89. *The emphasis on Councils co-operating to prepare their plans is supported and is particularly important for a borough like Havering where many shoppers and workers travel across borough boundaries.*
90. The document also states that it will be open to local planning authorities to seek a certificate of conformity with the Framework. However, details on how this process will work have not yet been announced by CLG. The absence of this information may create uncertainty and concern which will be counter to one of the main aims of the Framework.
91. While the certification process for conformity is presented as optional, local authorities may be forced to seek certificates to avoid likely challenges to the status of plans.
92. *Unless the Statement of Conformity process is clarified in the Framework and streamlined in its delivery, it could result in uncertainty in the planning process as authorities 'queue' for their conformity certificate. Any delay from the Statement of Conformity process may directly conflict with the timely delivery of growth-led plans and be counter to achieving the growth that the Government aspires to.*

(f) The plan-led system maintained

93. Members will recall that the Havering Local Development Framework was one of the first LDFs prepared in London. It has formed a robust land use plan for the borough and a strong and successful context for the Council's 'Living Ambition' and regeneration agenda.
94. *Retaining the plan-led focus of planning is consistent with the approach that has been taken to statutory land use planning in Havering and this is strongly supported.*
95. *In the light of the Framework's strong presumption in favour of sustainable development, the default answer to development being 'yes' may be at odds with the plan-led approach emphasised by the Framework.*

(g) The role of other planning documents supporting Local Plans

96. Inevitably, by reason of its brevity, the draft Framework does lose significant detail about how national policy is to be applied and interpreted at a local level. It is unclear from the draft Framework if the intention is that this void

should be filled by Local and / or Neighbourhood Plans, or whether this is considered unnecessary.

97. *It is accepted that local plans should not be overly prescriptive but the Framework should recognise that clear and detailed policies provide certainty for developers and speed up the decision making process and so assist economic growth.*

98. There is also concern that the draft Framework reduces the scope for local authorities to prepare Supplementary Planning Documents (SPDs). SPDs have a useful and positive role in providing guidance on the application and interpretation of planning policies. Members will be aware that this Council has adopted several SPDs to support the LDF dealing with important topics such as design guidance and the protection of areas of specific character such as Hall Lane, Upminster and Emerson Park in recognition of the importance of maintaining and enhancing the distinct character of these areas since they help provide the borough with its high quality environment. In due course, further guidance is expected to be prepared for areas such as Gidea Park because of its significant and long-standing heritage role in Havering.

99. *There will be an important role in the new planning system encompassed within the Framework for SPD-type guidance in interpreting local circumstances if the published Framework retains the simplicity and brevity of the draft.*

(h) Neighbourhood Plans and planning

100. Presently, relatively little has been confirmed by the Government about Neighbourhood Plans including who will be able to prepare them and when this work can take place.

101. Although Neighbourhood Plans should be 'in general conformity with the strategic policies of the Local Plan', officers are concerned that coverage of the borough with a Local Plan prepared by the Council may, over time, be undermined if several Neighbourhood Plans are prepared, particularly as the Government suggests that neighbourhoods will have the power to promote more development than is set out in the strategic policies of the Local Plan.

102. Furthermore, it would appear that local authorities may have to facilitate the preparation of Neighbourhood Plans whilst the individual neighbourhoods themselves will do this work. Whilst the Council is committed to ensuring that plan-making in Havering reflects community priorities, officers consider that the absence of information about who can prepare Neighbourhood Plans and what will be involved in this and when, or what will qualify as a neighbourhood forum, is a major concern. Officers consider that questions remain over the appetite and capacity for neighbourhoods for this activity.

103. It is also possible that there may be significant differences between neighbourhoods in a local authority area and this may impact on the practicality of preparing such Plans.

104. It is also hard to see how Neighbourhood Plans may deal with contentious issues (that may have strategic dimensions) in a local area any more satisfactorily than the plans prepared by a Council. There may also be a resourcing issue in terms of demands placed on Council staff.

105. *The draft Framework should be much clearer about Neighbourhood Plans in regard to their status relative to Local Plans and their preparation. It will be essential for there to be clarity in the Framework on what will qualify as a neighbourhood forum and who in the community can form one. The Framework should also set out the requirements that must be satisfied by any such forum before any work on a Neighbourhood Plan can start.*

(i) What the Framework means for plan making in Havering

106. The Government intends that the new Local Plans referred to in the draft Framework will replace the existing system of Local Development Frameworks. Havering has had its Local Development Framework in place since 2008.

107. Officers have started work to replace the Havering LDF. This is with the intention of Members having a consultation version of a new Local Plan, prepared in accordance with the approach in the Framework, available for consideration in 2012/13. If the draft Framework becomes effective as soon as the Government intends, the Council will be well placed to ensure that its new Local Plan will be a close 'fit' with it (as will be required for it be 'sound').

108. Whilst the detailed content of the new Local Plan for the borough is still to be decided and its form may be influenced by any practical guidance that the Government publishes in support of the draft Framework, the importance of promoting business growth and attracting investment is likely to be a significant priority.

109. The preparation of a growth-led Local Plan for Havering that balances the economic, social and environmental needs of the borough will, in principle, accord with the approach of the Framework and have the potential to closely link the Council's agenda with it.

110. *The overarching principle of the draft Framework and its focus on economic growth is welcomed since the economic strength and vitality of Havering forms the context for the successful and timely delivery of the Council's 'Living Ambition' agenda and maintaining and enhancing the quality of life in Havering. The Council expects that this priority will be*

reflected in the new Local Plan for Havering which will, in due course, replace the existing Havering Local Development Framework.

(j) What the Framework means for development management in Havering

111. The draft Framework makes clear that in the absence of an up to date Local Plan, consistent with the Framework, planning applications should be determined in accordance with the Framework, including the presumption in favour of sustainable development. Since the publication of the draft Framework, the Planning Inspectorate has issued guidance on this matter for its Inspectors. It states that the draft Framework is 'capable of being a material consideration although the weight to be given to it will be a matter for the decision maker's planning judgement in each particular case. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.'

112. Recognition of the role of negotiation and pre-application discussions within the development management process is welcomed.

113. There is also a risk that the concise nature of the Framework and the absence of a clear and workable definition of sustainable development along with its greater room for subjective interpretation of policy and material planning considerations, may lead to more legal challenges and in some cases, a greater tendency towards planning 'through case law'.

114. *The Framework's presumption in favour of sustainable development is likely to increase the number of cases where mediocre proposals have to be negotiated to a better quality position rather than be refused, which will impact on resources.*

115. *The draft Framework does not address the issue of enforcement and this is a major concern.*

116. The issue of the immediate implications of the draft Framework for development management are addressed in Section 6 (below).

(k) The provision of new homes

117. In accordance with the London Plan, the Council has sought to maximise housing supply in Havering.

118. *The focus on the provision of new homes that underpins the draft Framework is also supported in principle although it is the delivery of new homes that should be the focus rather than supply.*

119. *The Framework should recognise that demand and need across London will almost always be greater than supply, particularly in boroughs like Havering with a relatively constrained urban area and a commitment to safeguarding the Green Belt. Moreover, in some cases, decisions have to*

be taken over whether it is more important for sites to be used for housing or employment uses, as the latter may contribute more to the economic growth which the Government wishes to see.

120. *Boroughs like Havering should be able to take account of the opportunity presented by windfall sites as these have formed an important, and reliable, component of housing in Havering over the years and they form an important part of the particular circumstances of the London situation.*

121. *In a London context, it is unrealistic to expect a five year land supply to be maintained, nor is it reasonable to require an additional allowance of 20% on the specific deliverable sites ('ready to go') in so far as there is no justification /explanation for this figure.*

(l) Heritage

122. *The existing national guidance on Heritage issues is quite recent compared to other aspects of the overall suite of national planning policy guidance.*

123. *The Framework's guidance on heritage issues rather than simplifying matters may make discussions around proposals involving heritage more complex and protracted thus slowing down the delivery of development. This may be a particular problem where heritage led regeneration proposals are under consideration.*

124. *The 'generalist' nature of the heritage section of the Framework is likely to require local planning authorities themselves to undertake considerable work on these matters. This may have significant implications for how successfully 'heritage' can be resourced within Councils. How, and the extent to which Councils tackle this, is likely to be variable across the country and it may result in disparate approaches to protecting and enhancing heritage especially in relation to statutorily protected buildings and sites which may be, in the longer term, detrimental to the nation's heritage assets.*

(m) Transport

125. *The draft Framework streamlines the core current approach rather than brings about fundamental changes. Many aspects of it reflect the Council's approach as set out in the draft Local Implementation Plan.*

126. *It is encouraging that in the Framework, the Government has taken a balanced approach and understands that people will wish to have choice about how they travel and that transport solutions will vary from location to location and in different communities. It is also helpful that overall need to reduce car usage should be done 'where practical'. The recognition afforded to the provision of transport infrastructure to support economic growth is helpful and reflects what the Council has pushed hard for at London*

Riverside which is a major regeneration priority for the Council and the London Mayor.

127. Havering continues to have strong competition from centres such as Lakeside and Bluewater (both with several thousand 'free of charge' car parking spaces) as well as from Stratford Westfield which opened recently with very good public transport linkages to / from the wider East London area and beyond.

128. *The proposal in the Impact Assessment that maximum non-residential car parking standards be deleted so that Councils may set their own standards to take account of local circumstances and priorities is welcomed. It accords with the wider 'localism' agenda and will afford businesses and their customers flexibility and choice. Along with the other comprehensive initiatives being implemented, it will enable the Council and its partners to respond positively to the competition elsewhere.*

(n) Out of centre offices

129. The Framework proposes a less restrictive approach to out of centre office development. This approach is being considered as part of the Mayor's Outer London Commission work.

130. *Provided this is accompanied by public transport provision, this may assist the economic regeneration of outer London boroughs like Havering.*

(o) Well-being and quality of life

131. The Framework sees the principle of sustainable development as enabling people to enjoy a better quality of life. Several references are made in it to the 'well-being' of the community and its health. Local planning authorities, says the draft Framework, should work with health organisations, plan for creative industries, set policies to meet leisure needs, ensure access to open spaces and recreational facilities and plan positively for facilities such as meeting places and places of worship. The introduction of a new designation of Local Green Space is noted but greater clarity should be provided on the protection to be afforded to these. These were identified in the Coalition Agreement as being 'similar to SSSIs (Sites of Special Scientific Interest). The draft Framework is ambiguous about the protection afforded to these saying 'local communities will be able to rule out new development other than in very special circumstances' and, later, 'local policy for managing development in these should be consistent with the policy for Green Belts'.

132. Officers acknowledge the role of these in contributing to well-being and quality of life. Many of these are reflected in the Council's own policies and will help deliver the 'Living Ambition' agenda in Havering with its focus on a high quality of life.

133. Many of these topics embrace what has previously been seen as 'culture' and will be taken forward through the Council's emerging Culture Strategy and other linked strategies.

134. *The Framework should explicitly recognise the importance of issues such as the need for arts facilities (including performance facilities), libraries, galleries and opportunities for the interpretation of local history through facilities such as museums. It should also highlight the particular importance of the appropriate provision of play spaces for children. It is a concern that there is no indication in the draft Framework that 'recreation' encompasses anything other than physical activity as all references to it are linked to 'sports' and this interpretation is too narrow.*

135. *'Culture' should be explicitly recognised in the published Framework since this will benefit individuals, assist in the delivery of vibrant and inclusive communities and places, enhance town centres and contribute towards the economic growth underpinning the Framework.*

136. *The opportunity to designate Local Green Space is noted. As announced in the Government's Coalition Agreement document, these were expected to have similar status to SSSIs. However, the draft Framework is ambiguous about the protection afforded to these and provides a mixed message about the circumstances where development may be allowed. The published Framework should clarify the circumstances in which development may be allowed.*

(p) Gypsies and traveller issues

137. The Government is seeking views about the relationship between the Framework and the recently published draft Planning Policy Statement on travellers, even though the Framework does not explicitly address this matter.

138. The section on Green Belt policy is consistent with the recent statement although these groups are not specifically mentioned. The draft Framework identifies a commitment to creating sustainable, inclusive and mixed communities. It is unclear how the final published Framework with its focus on brevity will accommodate the policy section of the recent draft Government statement on travellers published in summer 2011 which ran to 6 pages.

139. The Council's response on this matter in summer 2011 addressed several issues and it is recommended that these be re-submitted to the Government as part of the response to the draft Framework to re-affirm its approach to this issue. In summary, the Council's response said that it wished to see the distinction in the policy between gypsies and travellers and travelling show people maintained, it supported the removal of the needs assessment and its replacement with a robust evidence base for assessing local needs and it supported targets for pitches being set by local planning authorities

alongside other planning policies and priorities. The Council disagreed with local needs being assessed in the light of historical demand and did not support having to plan for a 5 year supply of pitches. The Council wished to see the policy approach be consistent with the established approach in Planning Policy Guidance Note 2 (Green Belts) and said it did not agree with planning policy for these groups being aligned with other forms of housing.

140. *The final, published Framework should include the Government's policy on gypsies and travellers as it would be most unhelpful and contradictory for this to remain in a separate free-standing policy document.*

(q) The draft Framework and the London Plan

141. The draft Framework does not address the issue of the London Plan which forms an important part of the planning process for all London Boroughs in terms of their plan-making and development management roles. The London Plan is part of the development plan system, together with the Framework and Havering's own Local Plan, that proposals will have to be tested against. It is a particular concern that the absence of any reference to the London Plan means that issues with a strategic significance for London such as minerals and waste are not addressed.

142. The London Mayor published his latest London Plan in summer 2011 just before the draft Framework was published. GLA officers have informally indicated that they consider the London Plan to be in accordance with the draft Framework.

143. Setting aside its formal role in the development plan system, the London Plan may help address for London Boroughs any 'gaps' in policy coverage resulting from the 'thinning down' of national policies. On the other hand, there is a concern that aspects of the Framework fail to recognise the specific circumstances of London.

144. The Mayor has indicated that notwithstanding the recent publication of the London Plan he may bring forward early reviews of elements of it along with the preparation of further guidance.

145. Officers consider that Boroughs may need to become more closely involved in setting future priorities for further versions of the London Plan if it is to have a role in providing a London-wide interpretation of the Framework.

146. It is understood that the Mayor is considering the Framework along with possible implications for London Plan policies, in terms of any response he submits to it.

147. *The Framework should recognise the importance of the Mayor's London Plan in land use planning terms and its role in setting a context for other Mayoral strategies. It should provide clarity about the respective roles of the*

Framework and the London Plan and in appropriate circumstances it should address issues with a strategic significance for London such as waste and minerals.

(5) Other stakeholders' views

148. Members will be aware that the draft Framework has generated extensive media coverage and put planning high on the agenda for many organisations and commentators.

149. The Government has already responded to several of the comments raised in order to provide guidance and clarity on how it wishes the Framework to be implemented. For example, the Prime Minister has written to the National Trust in response to its concerns on the Green Belt and countryside aspects of the draft Framework.

150. At the time of preparing this report, the position of many stakeholders was still being finalised. It is clear also that most stakeholders will focus their responses on issues that are particularly of relevance to themselves.

(a) London Councils

151. London Councils are expected to generally welcome the simplification of the existing 'voluminous' (their words) guidance but to raise concerns about specific aspects of the draft NPPF.

London Councils are expected to urge boroughs to prepare and adopt Local Plans in recognition of the importance of there being an up to date Local Plan in place. London Councils are also expected to raise concern about the 'gaps' that may arise in planning policy from such a significant editing of current policy but have noted that the London Plan may have a role for London Boroughs in this regard. It expects boroughs to have to be more closely involved in future London Plan work to ensure that it meets their requirements. It is understood that London Councils are concerned that the proposals are 'anti-localist' as there will be an emphasis on local authorities and objectors having to prove disbenefits of proposals. London Councils are also expected to question the potential savings that the Government sees the Framework as delivering and has noted that the current system already achieves a significant number of planning approvals (in the region of 85%).

(b) The Association of London Borough Planning Officers

152. The Association of London Borough Planning Officers (ALBPO) has responded to the Government on behalf of planning officers across London. Its comments have been endorsed by the Planning Officers Society (an umbrella group representing Chief Planning Officers), the London Thames Gateway Development Corporation and the Olympic Delivery Authority. ALBPO has commented on several aspects of the draft Framework.

153. ALBPO welcomes 'the direction that the Government has taken in reducing the amount of guidance and level of prescription in national planning policy'. It supports the pre-eminent role of sustainable development sitting within the context afforded by up to date Local Plans.

154. ALBPO has expressed concern about the lack of understanding given to the cumulative impacts of development. It has stressed the importance of the role of the London Plan being properly recognised and the need for transitional arrangements being in place so that Councils can transfer between the current system and the new one. It is concerned about the reduced role for Supplementary Planning Documents.

155. ALBPO supports the Government's objectives around economic growth but wants a balanced perspective which takes account of the medium and longer term as well as short term market pressures.

156. Whilst ALBPO supports the housing focus of the draft Framework, it raises concerns that the housing section of the draft Framework does not recognise the specific circumstances of London.

157. ALBPO has concerns about the 'design' aspects of the draft NPPF and wants to see 'design' included as a Core Principle.

The approach of the draft Framework to heritage is broadly supported by ALBPO but it wishes to see greater recognition of the role of heritage led regeneration.

(c) Greater London Authority

158. The formal views of the Greater London Authority had not been published at the time of preparing this report. It is understood from GLA officers that there is concern that the London plan is not mentioned given its importance for the land-use planning in London and that it forms the overarching strategy for several other Mayoral strategies, at the adverse implications for localism, the absence of any recognition of the special (and unique) circumstances that form the context for regeneration and planning in London, the lack of rigour about the definition of 'sustainable' development, the strong case for 'brownfield' development in London to avoid other areas (such as the Green Belt) being subject to intense development pressures, the potential merit (in appropriate circumstances) of increasing locational flexibility towards offices and the need to achieve a proper balance between housing and employment land. It is understood that the GLA may also comment on the approach in the draft Framework to housing land availability and need for an integrated approach to be taken to parking and traffic management. Finally, it is expected that the GLA may highlight the continued importance of monitoring and the importance of a realistic approach being taken to the research and evidence gathering that must underpin Local Plans.

(6) What the draft Framework means for decisions on planning applications in Havering

159. Notwithstanding these considerations, Officers consider that there is merit in the Council reflecting the draft Framework in its development management role through Regulatory Services Committee as far as it is able, and appropriate, to do so.

160. Therefore, this report includes a specific recommendation about the Framework being taken into account for development control purposes in the interim period before the Local Plan that will replace the LDF is available.

(7) Conclusion

161. The existing planning system has been refined progressively over the past 60 or so years and has survived a number of economic downturns. The draft Framework represents an important and thorough overhaul of the existing system with a very clear focus on the delivery of economic expansion and new homes within a very positive planning for growth culture.

162. Much in the draft Framework can be supported and it is recommended that Havering broadly welcomes it. There are clear parallels between the approach of the Framework and the Council's own priorities particularly those aimed at ensuring that Havering is a prosperous and dynamic borough where people wish to live and businesses want to invest. There will be opportunities for the Local Plan that replaces the Havering Local Development Framework in the next 2-3 years to take these forward.

163. Nevertheless, some elements of the Framework require clarification and further work if it is to deliver the Government's agenda and ensure that proper regard is had to social and environmental considerations at the local level. Submitting a response to the Government along the lines recommended (in Section 4 and Appendix 1) provides the opportunity for Havering to be involved in the extensive debate taking place on the draft Framework.

164. Finally, the draft Framework will need to be taken into account in dealing with planning applications. The report has set out those circumstances and how much weight it should be afforded.

REASONS AND OPTIONS

Reasons for the decision :

To ensure that Havering's views on the draft National Planning Policy Framework are taken into account by the Government when it finalises the Framework.

Other options considered :

The National Planning Policy Framework will set out the Government's planning policies and, importantly, will also set out very clearly how 'planning' should take place to best deliver economic growth.

As such, it will provide a context for the Council's own planning and regeneration policies and programmes and the assessment of development proposals. It is important that Havering responds to the consultation on the draft Framework and the option of not responding has been discounted.

IMPLICATIONS AND RISKS

Financial implications and risks:

The Government is responsible for the preparation of the National Planning Policy Framework and there are unlikely to be direct financial implications for the Council in this regard. The Government's current finance reforms may also overlap with issues raised by the Framework.

The draft Framework will need to be taken into account from now onwards when the Council is considering proposals for its own land.

If the Framework is published by the Government, then the Council will have to take it into account in the preparation of its replacement Local Development Framework (which will be the Havering Local Plan). The preparation of this will be met from the existing, and future, provision in the Development and Transport Planning Group budget.

Legal implications and risks:

The provisions of the Planning and Compulsory Purchase Act 2004 cover the status of national planning policy in plan preparation and development management.

This report confirms (in Section 6) that the draft National Planning Policy Framework is capable of being a consideration for planning decisions although the weight that can be attached to it for plan making and development management purposes is limited at this stage.

The Planning Inspectorate has said that 'the weight given to it will be a matter for the decision maker in each particular case. The current Planning Policy Statements, Guidance Notes and Circulars remain in place until cancelled'.

Human Resources implications and risks:

At this stage it is not possible to assess the detailed implications of the draft Framework. Staff in the Regeneration service will be responsible for the preparation of the Council's Local Plan that will replace the Havering Local Development Framework. Staff in the Development and Building Control service will have responsibility for implementing the Development Management aspects of the Framework.

Equalities implications and risks:

The draft Framework sets out planning policies that are intended to benefit everyone in the community. A fundamental aim of the Framework is to help create mixed and inclusive communities. The Government sees the planning system as facilitating social interaction and it wants local planning authorities when implementing the Framework to involve all sections of the community.

The Government has published an extensive Impact Assessment as a companion document to the draft Framework. Under the heading Statutory Equality Duty, it concludes that the draft Framework will benefit everyone – communities, local councils and businesses – because national planning priorities will be more clearly understood across a wider range of people. The impact Assessment particularly highlights the significance of the Framework in this regard to different racial groups, disabled people and older people.

BACKGROUND PAPERS

None

Appendix 1

In addition to the points highlighted in Section 4 as forming the basis of the recommended response to the consultation, set out below are more specific comments which should also be submitted.

A. Policy questions

Q. No	Section	Consultation Question
1a	Delivering sustainable development	<p>The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>
1b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>Overall</p> <p>Havering supports the general principle of stimulating economic growth and planning having a key role in delivering growth.</p> <p>There are inconsistencies in the draft Framework in respect of the definition of ‘sustainable development’ – in its later pages, it appears to comprise mainly ‘economic’ development.</p> <p>Havering considers that within ‘sustainable development’, the guidance should better balance short and medium term growth with the longer term and ensure that this is not at the expense of the social and environmental aspects of sustainable development.</p> <p>The draft Framework should explicitly state that the presumption in favour of development only applies to development which is socially and environmentally as well as economically sustainable, in relation to the matters highlighted in the Framework.</p>
2a	Plan-making	<p>The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/</p>

Q. No	Section	Consultation Question
		<p>It is unclear as to how Neighbourhood Plans will be taken forward in London where boroughs do not have parishes.</p> <p>The Framework should provide clear information about who can prepare Neighbourhood Plans and what will be involved in this and when, and what will qualify as a neighbourhood forum and who in the community can form one.</p> <p>The Framework should also set out the requirements that must be satisfied by any such forum before any work on a Neighbourhood Plan can start.</p>
2c 2d	Joint working	<p>The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>Para. 44 / 48 - The expectation for cross boundary working between authorities is welcome but may be optimistic. It may not necessarily deliver the outcomes expected (for example, where neighbouring authorities have conflicting views on housing provision).</p> <p>However, Havering has worked successfully with the Greater London Authority on the preparation of the published London Plan. This encompassed several matters but particularly the work around housing capacity issues in the SHLAA as part of confirming annual housing targets. Havering also maintains a very positive and open dialogue with GLA officers in regard to major planning applications.</p> <p>Similarly, Havering is working closely with other east London Boroughs on the preparation of a Joint Waste Development Plan and this is close to being ready for adoption.</p>
3a	Decision taking	<p>In the policies on development management, the level of detail is appropriate.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>

Q. No	Section	Consultation Question
3b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>Overall</p> <p>There is some concern that the emphasis appears to be on achieving more development, rather than on good or appropriate development.</p> <p>It is essential that there is an appropriate balance achieved between securing development to promote growth and ensuring that the essential characteristics of places like Havering which provide the reason for people wanting to live here and invest here are not compromised.</p> <p>The Framework should explicitly emphasise the importance of local considerations local in local planning decisions and should require Inquiry Inspectors to give them due weight alongside the Framework rather than stating that it (the Framework) will always take precedence.</p> <p>It is a very strong concern that Enforcement is not dealt with in the draft Framework. PPG18 Enforcement has informed the Council's own policy work and Enforcement Code.</p> <p>Paras. 10 and 13 are contradictory as the latter places more emphasis on the economic aspects of development.</p> <p>Para. 14 'without delay' should be defined.</p> <p>Para. 19 - The overall approach of the draft Framework to 'design' is supported but it should include this in the Core Principles.</p> <p>Bullet point 3 - 'takes into account.....market signals such as land prices, commercial rents' is too vague. (See also later comment in town centres section).</p> <p>Bullet point 5 - 'reduce pollution' is not appropriate for a section dealing with heritage issues.</p> <p>Para. 57 - needs to be more positively worded to say that developers who engage in the pre-application process are likely to benefit from speedier decisions.</p> <p>Para. 74 - this places a significantly onerous burden on local</p>

Q. No	Section	Consultation Question
		<p>planning authorities and may have adverse costs implications following Appeals.</p> <p>Para. 75 - 'long term' should be defined.</p> <p>Para. 83 - 'where reasonable to do so' is vague and weakens the policy.</p> <p>Para. 110 - other policies may need to be taken into account.</p> <p>Para. 120 - 'should' to be replaced with 'encouraged to' as not all authorities will wish to have design reviews.</p> <p>Para. 142 - it would be sensible for these paragraphs to be headed 'Development in Green Belts'.</p> <p>Para. 146 - what does 'elements' refer to?</p>
4a		<p>Any guidance needed to support the new Framework should be light-touch and could be provided by Organisations outside Government.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>It is contradictory to indicate that the Framework will be supplemented by further guidance when this guidance (eg on heritage issues) exists and has been edited out of the Framework in the drive to shorten it.</p> <p>It is unclear as to who could produce such guidance.</p>
4b		<p>What should any separate guidance cover and who is best placed to provide it?</p> <p>See comments above (4(a)).</p>
5a	Business and economic development	<p>The 'planning for business' policies will encourage economic activity and give business the certainty and confidence to invest.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>
5b		<p>Do you have comments? (Please begin with relevant</p>

Q. No	Section	Consultation Question
		<p>paragraph number)</p> <p>Overall</p> <p>In general, these policies are broadly supported as the Council is committed to ensuring that Havering has a strong and vibrant economy as part of its 'Living Ambition' agenda. This will help foster further investment and benefit residents and their quality of life and well being.</p> <p>Havering has a started work on replacing its LDF with a Local Plan that will accord with the requirements of the Framework. The importance of promoting business growth and attracting investment is likely to be a significant priority. The preparation of a growth led plan that balances the economic, social and environmental needs of the borough will, in principle, accord with the approach set out in the Framework and have the potential to link the Council's agenda to it.</p> <p>Nevertheless, there is a concern that the focus in the Framework may be allowed to over-ride environmental protection and other sustainability considerations particularly in Appeal decisions. The comment that authorities '..... should approve all individual proposals wherever possible' should be expanded so that proposals are approved wherever possible 'unless there are serious adverse social or environmental effects which would make the development unsustainable'.</p> <p>Opportunities for commercial office development to be in locations other than town centres are supported in principle provided that these are accessible / well served with public transport since this accords with the more flexible approach that the London Mayor is investigating with his Outer London Commission work.</p> <p>Para 75 - 'Planning policies should avoid the long term protection of employment land or floorspace ...' This approach runs counter to London Plan and Borough policies on Strategic Industrial Locations (SILs). The new London Plan strengthens the protection of SILs and states that proposals should normally be refused unless for industrial or ancillary uses.</p> <p>Para. 75 - The Framework should set out what 'market signals' are and avoid a short term, knee-jerk reaction which may result in the loss of valuable employment land so that local planning authorities can make proper planned provision for 'sustainable' economic growth.</p>

Q. No	Section	Consultation Question
		<p>Overall</p> <p>The brevity of the guidance is welcome and the main topics are addressed albeit some important detail that may have benefitted other stakeholders is absent.</p> <p>There is no mention of the sequential approach to minerals as set out in MPS1. This encouraged the use of secondary aggregates (recycled material) over the extraction of primary aggregates.</p> <p>Formal site monitoring should be referred to and Minerals Planning Authorities advised that they can undertake chargeable site monitoring visits.</p> <p>Reference should be made to landfilling and waste planning guidance as this should be considered when dealing with applications for minerals extraction.</p> <p>Further detail should be provided on the ‘aftercare’ of sites and it should be defined in the Glossary.</p> <p>‘Landbank’ should also be dealt with as above.</p> <p>There is no mention of Residents Liaison Committees which provide an opportunity for stakeholders to address issues arising from minerals planning permissions.</p> <p>Para. 102 - the reference to ‘unacceptable’ in regard to noise limits is a major concern. It infers a large move away from normally acceptable criteria. It will be more appropriate for it to be replaced with ‘adverse significant impact’ as this would link better to environmental impact assessment methodology and terminology (and consistent with para. 173 of the draft Framework). Similar considerations apply in respect of para. 164.</p>
10a	Housing	<p>The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>
10b		<p>Do you have comments? (Please begin with relevant paragraph number)</p>

Q. No	Section	Consultation Question
		<p>Overall</p> <p>The emphasis in this section is on boosting housing supply and this is supported in principle.</p> <p>Para. 109 - It must be recognised that demand and need across London will almost always be greater than supply, particularly in boroughs like Havering with a relatively constrained urban area and a commitment to maintaining the Green Belt. Moreover in some cases, decisions have to be taken over whether it is more important for sites to be used for housing or employment uses as the latter may contribute more to economic growth which the Government wishes to see.</p> <p>Bullet point 2 - In a London context, it is unrealistic to expect a five year land supply to be maintained, nor is it reasonable to require an additional allowance of 20% on the specific deliverable sites. The Framework sets out no justification for this figure in any event.</p> <p>Bullet point 4 - In the London context, it is proper that Councils should be able to take account of housing opportunities on 'windfall' sites and this must be recognised in the Framework.</p> <p>Bullet point 7 -The continued support for empty property activity is welcomed.</p> <p>Additional points :</p> <p>It is noted that the issue of gypsies and travellers is not specifically addressed in the draft Framework but that the Government wishes stakeholders to comment on this matter in the light of any response provided to the earlier DCLG consultation on planning for travellers.</p> <p>The Council's response on this matter in summer 2011 said, in summary, that it wished to see the distinction in the policy between gypsies and travellers and travelling show people maintained, supported the removal of the needs assessment and its replacement with a robust evidence base for assessing local needs and supported targets for pitches being set by local planning authorities alongside other planning policies and priorities. It disagreed with local needs being assessed in the light of historical demand and did not support having to plan for a 5 year supply of pitches. The Council wished to see the policy approach be consistent with the established approach in</p>

Q. No	Section	Consultation Question
		<p>Planning Policy Guidance Note 2 (Green Belts) and did not agree with planning policy for these groups being aligned with other forms of housing.</p> <p>The Council strongly considers that the policy for these groups should be set out within the published National Planning Framework rather than in a separate free-standing document. It is encouraged that the Impact Assessment supporting the draft Framework says this is the intention (para. 37).</p>
11a	Planning for schools	<p>The policy on planning for schools takes the right approach.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>
11b		<p>Do you have comments? (Please begin with relevant paragraph number)</p> <p>None.</p>
12a	Design	<p>The policy on planning and design is appropriate and useful.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p> <p>Do you have comments or suggestions? (Please begin with relevant paragraph number)</p>
12b		<p>Havering recognises the importance of high quality design and takes a proactive and robust approach to ensuring that proposals meet its design requirements. This is to help ensure that the essential character and appearance of the borough is maintained and enhanced for the benefit of residents and to provide the best setting for further investment.</p> <p>Design should be included in the Core Principles (Para. 19).</p>
13a	Green Belt	<p>The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.</p> <p>Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree</p>

Q. No	Section	Consultation Question
		<p>development process.</p> <p>It is likely to result in local planning authorities having to undertake considerable additional work at a time of limited resources and constrained budgets. It is likely to result in variable quality heritage guidance and advice nationally and this will be to the detriment of the overall national heritage assets.</p> <p>CLG should seek to substantively increase the number of terms defined in the Glossary, this would improve the usability of the NPPF without significantly altering its overall content</p>
17a	Impact Assessment	<p>The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment. If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question:</p> <p>Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?</p>

B: Impact assessment questions

QA1	We welcome views on this Impact Assessment and the assumptions/ estimates contained within it about the impact of the National Planning Policy Framework on economic, environmental and social outcomes. More detailed questions follow throughout the document.
QA2	Are there any broad categories of costs or benefits that have not been included here and which may arise from the consolidation brought about by the National Planning Policy Framework?
QA3	Are the assumptions and estimates regarding wage rates and time spent familiarising with the National Planning Policy Framework reasonable? Can you provide evidence of the number of agents affected?
QA4	Can you provide further evidence to inform our assumptions regarding wage rates and likely time savings from consolidated national policy?

	development will have on the housing land supply in your area? Are you minded to change your approach?
QB3.2	Will the requirement to identify 20% additional land for housing be achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?
QB3.3	Will you change your local affordable housing threshold in the light of the changes proposed? How?
QB3.4	Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?
QB3.5	How much resource would it cost local councils to develop an evidence base and adopt a community facilities policy?
QB3.6	How much resource would it cost developers to develop an evidence base to justify loss of the building or development previously used by community facilities?
QB3.7	Do you think the impact assessment presents a fair representation of the costs and benefits of the Green Belt policies set out in the Framework?
QB4.1	What are the resource implications of the new approach to green infrastructure?
QB4.2	What impact will the Local Green Space designation policy have, and is the policy's intention sufficiently clearly defined?
QB4.3	Are there resource implications from the clarification that wildlife sites should be given the same protection as European sites?
QB4.4	How will your approach to decentralised energy change as a result of this policy change?
QB4.5	Will your approach to renewable energy change as a result of this policy?
QB4.6	Will your approach to monitoring the impact of planning and development on the historic environment change as a result of the removal of this policy?

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