



# Havering

L O N D O N B O R O U G H

## REGULATORY SERVICES COMMITTEE AGENDA

**7.30 pm**

**Thursday  
12 January 2012**

**Council Chamber -  
Town Hall**

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:**

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## **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 - 26)**

To approve as a correct record the minutes of the meeting of the Committee held on 17 November 2011, 1 December and 8 December 2011 and to authorise the Chairman to sign them.

### **5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 27 - 38)**

Applications within statutory period

- 6     **P1641.11 - GARAGE COURT TO REAR OF 13 PRESTON ROAD, HAROLD HILL**  
(Pages 39 - 54)
  
- 7     **P1801.11 - GARAGE COURT TO THE REAR OF NO. 39 MASEFIELD CLOSE**  
(Pages 55 - 70)
  
- 8     **P1744.11 - LAND ADJ 196-200 STRAIGHT ROAD, HAROLD HILL** (Pages 71 - 86)
  
- 9     **P1743.11 - LAND ADJ 184 -188 STRAIGHT ROAD, HAROLD HILL** (Pages 87 - 102)
  
- 10    **PLANNING APPLICATIONS - SEE INDEX AND REPORTS** (Pages 103 - 138)  
  
Applications outside statutory period

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

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# Public Document Pack Agenda Item 4

**MINUTES OF A MEETING OF THE  
REGULATORY SERVICES COMMITTEE  
Havering Town Hall, Main Road, Romford  
17 November 2011 (7.30 - 10.45 pm)**

**Present:**

**COUNCILLORS:** 11

**Conservative Group** Barry Oddy (in the Chair) Jeffrey Brace,  
Frederick Osborne, Garry Pain, Steven Kelly,  
Eric Munday and Billy Taylor

**Residents' Group** Linda Hawthorn and Ron Ower

**Labour Group** Paul McGeary

**Independent Residents  
Group** +David Durant

Apologies were received for the absence of Councillors Barry Tebbutt, Robby Misir, Sandra Binion and Mark Logan

+ Substitute members Councillor Eric Munday (for Barry Tebbutt), Councillor Billy Taylor (for Robby Misir), Councillor Steven Kelly (for Sandra Binion) and Councillor David Durant (for Mark Logan)

Councillors Lynden Thorpe and Paul Rochford were also present for parts of the meeting.

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.

## 158 **DECLARATION OF INTERESTS**

Councillor Ron Ower declared a personal interest in item P1245.11. Councillor Ower advised that he knew and was a close personal friend of the applicant. Councillor Ower left the room during the discussion of the report and took no part in the voting.

159 **MINUTES**

The minutes of the meeting of the Committee held on 4 October 2011 were agreed as a correct record and signed by the Chairman.

160 **P1499.11 - 13 FARNHAM ROAD, HAROLD HILL**

It was RESOLVED that consideration of the item be deferred to allow staff to consider Highways' representation.

161 **P1493.11 - GARAGE COURT ADJACENT 102 HARROW CRESECENT, ROMFORD**

The report before members detailed an application relating to a Council owned garage court. The application proposed the demolition of the existing 7 garages and the erection of 1 bungalow with associated parking and amenity.

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

In accordance with the public participation arrangements, the Committee was addressed by an objector with no response from the applicant.

During discussions it was noted that there existed an access point to a property in Harrow Crescent which was not allowed for in the submitted plans.

Officers confirmed that they could enter into dialogue with the applicant to see if the access point could be incorporated into the proposed development.

It was **RESOLVED** to Delegate to Head of Development and Building Control authority to grant planning permission subject to an additional external lighting condition and Provided That a revised access point to No.102 Harrow Crescent could be satisfactorily accommodated within the development. In the event a revised access point could not be accommodated the application was to be brought back to the Committee for further consideration and determination.

162 **P0927.11 - HAVERING ISLAMIC CC 91 WATERLOO ROAD - USE OF PREMISES AS A COMMUNITY CENTRE ON A PERMANENT BASIS BETWEEN THE HOURS OF 04:00 AND 23:00 ON ANY DAY TO ENABLE PRAYER**

Members considered a report that sought planning permission to vary condition 4 of planning permission P1285.06 to enable the centre to operate on a permanent basis throughout the year between the hours of 0400 and 2300 on any day.

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

In accordance with the public participation arrangements, the Committee was addressed by an objector with no response from the applicant.

During the debate members discussed issues relating to parking and the possible breaches of a condition that restricted no more than fifteen people on the premises at any one time.

Mention was also made of an event that had taken place in the summer where approximately three hundred people had been in attendance and the Police had had to be called.

Members also raised concerns that the centre was becoming more popular and perhaps was situated in an unsuitable area.

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 create unacceptably intrusive levels of noise and disturbance including highway/parking problems materially harmful to living conditions of Bridge Close residents.

The vote for the motion to refuse planning permission was carried on the Chairman's casting vote after the voting record was 5 in favour and 5 against with 1 abstention. Councillors Osborne, Taylor, Hawthorn, Ower and McGeary voted for the motion. Councillors Oddy, Brace, Kelly, Munday and Pain voted against the motion. Councillor Durant abstained from voting.

The resolution to refuse planning permission was passed by 7 votes to 2 with 2 abstentions. Councillors Oddy, Brace, Osborne, Taylor, Hawthorn, Ower and McGeary voted for the resolution. Councillors Munday and Pain voted against the resolution. Councillors Kelly and Durant abstained from voting.

163 **P1495.11 - 77-79 BUTTS GREEN ROAD - SINGLE STOREY REAR EXTENSION**

The report before members detailed an application that sought full planning permission for a single storey rear extension to an existing vacant shop premises in order to increase the retail floor area. The proposed extension would enable the premises to be occupied by a Tesco Express store.

It was noted that there had been 25 letters of representation received.

It was noted that the application had been called in by Councillors Steven Kelly, Roger Ramsey and Ron Ower on the following grounds; scale of development proposed on the site, affects of development on the surrounding residential uses, impact on traffic and level of parking.

With its agreement, Councillor Paul Rochford addressed the Committee. Councillor Rochford commented that the highway issues were not material because of a previous application that had been refused planning permission by the Planning Inspectorate but only on impact on residential amenity.

During the debate, members discussed several traffic issues mainly to do with deliveries to the store and the lack of parking for customers.

Mention was also made of the fact that the proposed extension had only been altered slightly and had increased in height.

Officers advised that if the Committee was minded to refuse planning permission it would strengthen the Council's stance regarding the possibility of winning an appeal if full investigations of the highway issues had been carried out prior to refusing planning permission.

The report recommended that planning permission be granted subject to the applicant entering into a Section 106 agreement but following a motion it was **RESOLVED** that consideration of the report be deferred to allow staff to provide further information including a distillation of the various highway and parking considerations comprising width of Butts Green Road, bus stop arrangements, the accuracy of the applicants traffic assessment, impact of the proposed loading bay on the footway and clarification of cycle and trolley storage arrangements.

164 **P1413.11 - COPSEY, 178 CROW LANE, ROMFORD - CANOPY**

The report detailed an application for a canopy which was partially completed. The application had been referred to the Committee as there have been a number of planning applications, planning enforcement and appeals history and the applicant was a relative of a Councillor.

Members noted that the site was within the area identified in the Local Development Framework as Metropolitan Green Belt.

During the debate members discussed the suitability of such a building on a Green Belt site and its impact on the on the industrial nature of the surrounding area.

Officers explained that in order to achieve the purposes of the Metropolitan Green Belt it was essential to retain and protect the existing rural character and openness of the area and that new buildings would only be permitted in the Green Belt outside the existing built up areas in the most exceptional circumstances.

Officers also explained that it was for the applicant to make a case for special circumstances to support a case that retrospective planning permission be granted.



It was **RESOLVED** that consideration of the report be deferred to allow an opportunity for applicant to fully explain the case they wished to promote for very special circumstances. An opportunity for staff to more fully explain the two stage Green Belt assessment and how the in principle harm and any other harm must be outweighed by very special circumstances. The deferral would also allow staff to explain why the physical condition/appearance of land does not diminish its Green Belt function or status.

The vote for the resolution to defer the granting of planning permission was passed by 9 votes to 1 with 1 abstention. Councillor Durant voted against the resolution. Councillor Munday abstained from voting.

165 **P1414.11 - COPSEY, 178 CROW LANE, ROMFORD - STEEL CLAD BUILDING**

The Committee considered the report and, without debate, **RESOLVED** to defer consideration of the report to allow an opportunity for applicant to fully explain the case they wished to promote for very special circumstances. An opportunity for staff to more fully explain the two stage Green Belt assessment and how the in principle harm and any other harm must be outweighed by very special circumstances. The deferral would also allow staff to explain why the physical condition/appearance of land does not diminish its Green Belt function or status.

The vote for the resolution to defer the granting of planning permission was passed by 10 votes to 1. Councillor Durant voted against the resolution.

166 **P0336.11 - GRAVEL PIT COPPICE, BENSKINS LANE - RETENTION OF USE OF LAND AS A PRIVATE GYPSY AND TRAVELLER CARAVAN SITE COMPRISING OF SIX PITCHES**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. With the addition of the following change Condition 1 (temporary planning permission) expiry to 17 November 2014 and to add a sewage details condition with wording to be settled by the Head of Development and Building Control.

The vote for the resolution to grant planning permission was passed 9 votes to 2. Councillors Munday and Taylor voted against the resolution to grant planning permission.

167 **P1517.11 - LAND REAR OF 55-57 AMERSHAM ROAD - DEMOLITION OF EXISTING 30 GARAGES AND ERECTION OF 2 X 2 STOREY SEMI-DETACHED DWELLINGS AND 1 BUNGALOW WITH ASSOCIATED PARKING AND GARDEN AREAS**

The report before members detailed an application relating to a Council owned garage court. The application proposed the demolition of the existing 30 garages and the erection of 2 two storey semi-detached dwellings and 1 detached bungalow with associated parking and garden areas.

During a brief debate members discussed issues relating to access to the site and possible boundary treatments.

It was **RESOLVED** that planning permission be granted subject to the conditions set out in the report and to include two further conditions relating to the installation of a domestic sprinkler system and a further condition related to contaminated land use.

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

168 **P0769.11 - RAPHAEL'S PARK AND LODGE FARM, MAIN ROAD, ROMFORD - RESTORATION AND EXTENSION OF THE FORMER PARK KEEPER'S LODGE TO FORM A FACILITY FOR PARK VISITORS, INCLUDING A CAFE, TOILETS, COMMUNITY MEETING SPACE AND ACCOMMODATION FOR PARK STAFF. NEW SERVICE YARD WITH VEHICULAR ACCESS FROM MAIN ROAD. PROVISION OF 5 METRE HIGH LIGHTING COLUMNS AND ADDITIONAL FENCING IN LODGE FARM PARK CAR PARK**

The Committee considered the report, and noted that a letter of support for the scheme had been received from Councillor Andrew Curtin, and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

169 **P0406.08 - HARROW LODGE, HYLAND WAY, HORNCHURCH - ERECTION OF 44 DETACHED, SEMI DETACHED AND TERRACE HOUSES AND ASSOCIATED ACCESS**

The Committee considered the report and without debate, **RESOLVED** that the Section 106 agreement dated 6 June 2008 to enable the financial contribution to the improvement of Hylands Park to be spent in the manner set out below by the Deed of Variation under Section 106A of the Town and Country Planning Act (as amended) be approved:

The contribution of £25,000 and any accrued interest (referred to in the Section 106 Agreement dated 6 June 2008 as the Hylands Park

contribution) to be used by the Council for the purposes of works, including repairs and resurfacing, to the tennis courts within Hylands Park.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 6 June 2008 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 6 June 2008 would remain unchanged.

The planning obligations recommended in the report had been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations were 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

170 **P1419.11 - CHAFFORD SCHOOL, LAMBS LANE SOUTH - INSTALLATION OF ELECTRICITY PRODUCING SOLAR PHOTOVOLTAIC PANELS ON THE ROOF OF THE MAIN SCHOOL BUILDING**

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

171 **P1502.11 LAND REAR OF 121-127 AMERSHAM ROAD - DEMOLITION OF EXISTING 14 GARAGES AND ERECTION OF 1 X 5 BEDROOM BUNGALOW WITH ASSOCIATED PARKING**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report with the addition of one additional condition covering the installation of a domestic sprinkler system.

172 **P0954.11 - FORMER EDWIN LAMBERT SCHOOL - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE TO CREATE 35 THREE BEDROOM HOUSES, PLUS ASSOCIATED ROADS, PATHS, CAR PARKING, GARAGES AND LANDSCAPING**

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 Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision on site of 11% of the houses within the development as affordable housing in accordance with Policy DC6 of the LDF Development Control Policies Development Plan Document.
- The payment of a financial contribution of £12,250 towards the cost of health care provision within the Borough in accordance with Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document
- A financial contribution of £35,000 towards highway improvements within the vicinity of the site in accordance with Policy DC32 of the LDF Development Control Policies Development Plan Document.
- All contribution sums should include interest to the due date of expenditure and indexation from the date of the agreement to the date of payment.
- The Council's reasonable legal fees for preparation of the agreement.

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

173 **P1448.11 - 36 HIGH STREET, ROMFORD - CHANGE OF USE FROM CLASS A1 (RETAIL) TO FORM DROP-IN SUPPORT FACILITY FOR THE ELDERLY**

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

174 **P1334.11 - 142 SOUTH STREET - CONVERSION OF EXISTING FIRST AND SECOND FLOOR OFFICE SPACE (CLASS B1) TO 2 RESIDENTIAL UNITS**

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

175 **P1245.11 - 23 CORBETS TEY ROAD, UPMINSTER - CHANGE OF USE FROM A1 TO D1. PREDOMINANT USE FROM HEARING AND RETAIL TO DIAGNOSIS AND ASSESSMENT OF HEARING AND BALANCE DISORDERS INCLUDING NHS CLIENTS**

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

*As stated at the beginning of the minutes, Councillor Ron Ower declared a personal interest in the application. Councillor Ower advised that he knew and was a close personal friend of the applicant. Councillor Ower left the room during the discussion of the report and took no part in the voting.*

176 **P1375.11 HACTON HOUSE, HACTON LANE, UPMINSTER - ERECTION OF 2 CYCLE/STORAGE BUILDINGS, HARD STANDING AND DRIVE, CROSSOVER AND JUNCTION ONTO LITTLE GAYNES LANE. EXTERNAL ALTERATIONS, REPLACEMENT WINDOWS AND DOORS, FRONT AND REAR DORMER WINDOWS, INCREASE IN ROOF HEIGHT, NEW ROOF AND CHIMNEYS.**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report subject to an additional condition requiring obscure glazing of the flank windows.

177 **ALLEGED BREACH OF PLANNING CONTROL AT CRANHAM HALL FARM, THE CHASE, UPMINSTER**

The Committee considered the report and without debate, **RESOLVED** that it was expedient that the Enforcement Notices be issued and served to require within two months:

- i) To stop using the land for residential purposes.
- ii) To remove from the land all structures, fencing other than those that have planning approval.
- iii) To remove from the land all unauthorised outbuildings.
- iv) To remove from the land all machinery, equipment, apparatus, tools, scrap and waste brought onto the land associated with the unauthorised use and to comply with requirements within (i) and (ii) above.

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.

178 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

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**Chairman**  
**12<sup>th</sup> January 2012**

# Public Document Pack

**MINUTES OF A MEETING OF THE  
REGULATORY SERVICES COMMITTEE  
Havering Town Hall, Main Road, Romford  
1 December 2011 (8.05 - 10.50 pm)**

**Present:**

**COUNCILLORS:** 10

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

**Residents' Group** Linda Hawthorn and Ron Ower

**Labour Group** Paul McGeary

**Independent Residents  
Group**

An apology for absence was received from Councillor Sandra Binion.

Substitute members Councillor Steven Kelly (for Sandra Binion)

The Committee member for the Independent Residents group was not present during the meeting. The Committee noted the absence of a substitute member from the Independent Residents Group.

A Committee member requested that the minutes of the meeting make specific reference to the regular failure of the Independent Residents group to ensure the attendance of a group member at meetings of the Committee. The same Committee Member also highlighted the regular failure of the Independent residents Group to provide the Committee with apologies or an explanation for the non-attendance of a group member.

Councillors Andrew Curtin, Linda Trew and Pat Murray were also present for parts of the meeting.

28 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.

179 **DECLARATION OF INTERESTS**

Councillors Ron Ower and Linda Hawthorn declared a personal interest in item P1505.11. Councillor Ower advised that he was a member of the Hornchurch Football Club Supporters Club. He confirmed that his membership of the Supporters Club was not prejudicial and that he would remain for the item. Councillor Hawthorn advised that she was related to the Vice President of Hornchurch Football Club. Councillor Hawthorn left the room during the discussion and took no part in the voting on that item.

Prior to the presentation of item P1195.11 Councillors Barry Tebbutt, Ron Ower and Barry Oddy declared a personal interest in the item. The respective Councillors advised that they knew the objector, who would be speaking against the application. The respective Councillors confirmed that their personal interest was not prejudicial.

180 **P1596.11 - GARAGE COURT TO THE REAR OF 17 DORKING ROAD, ROMFORD - CONSTRUCTION OF 2 DWELLINGS WITH ASSOCIATED CAR PARKING**

The report before members detailed an application relating to a Council owned garage court. The application proposed the construction of 2 dwellings with associated parking.

Members noted that two letters of representation had been received.

In accordance with the public participation arrangements, the Committee was addressed by an objector without a reply from the applicant.

During the debate members discussed issues relating to possible overlooking, access to the site and ownership of adjacent strips of land to the edge of the access point.

It was **RESOLVED** that planning permission be granted subject to the conditions set out in the report and to include two additional conditions covering the submission of existing and proposed site levels and the submission of a scheme to be agreed, implemented and maintained to prevent any material overlooking from ground floor flank windows.

It was also agreed that the Head of Development and Building Control investigate the ownership of the adjacent strips of land to the edges of the access way into the site and clarify responsibility for maintenance.

The vote for the resolution was passed by 9 votes to 0 with 1 abstention. Councillor McGeary abstained from voting.



181 **P1518.11 - LAND REAR OF 13-33 DUDLEY ROAD, HAROLD HILL - DEMOLITION OF EXISTING 16 GARAGES AND ERECTION OF TWO 2 STOREY 4 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The report before members detailed an application relating to a Council owned garage court. The application proposed the demolition of the existing 16 garages and the erection of two 2 storey dwellings with associated parking and garden areas.

It was noted that 15 letters of representation had been received.

In accordance with the public speaking arrangements, the Committee was addressed by an objector without a response from the applicant.

During the debate members discussed issues relating to overlooking and ownership of the land adjacent to the entrance road to the site.

A motion was proposed to defer consideration of the report to allow officers to contact the applicant regarding the possible overlooking aspect of the development.

The vote for the motion to defer consideration of the report was lost by 7 votes to 3. Councillors McGeary, Hawthorn and Ower voted for the motion.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include a further two conditions covering details of existing and proposed site levels and a 1.8m fence to be erected along the flank of the access road. It was also delegated to the Head of Development and Building Control to verify the proposed ownership and maintenance of the strips of land to the edge of the access road.

It was also agreed that the Head of Development and Building Control investigate the ownership of the adjacent strips of land to the edges of the access way into the site and clarify responsibility for maintenance.

The vote for the resolution to grant planning permission was passed by 7 votes to 3. Councillors McGeary, Hawthorn and Ower voted against the resolution to grant planning permission.

182 **P1592.11 - GARAGE COURT ADJACENT TO 66 AYLSHAM LANE, ROMFORD - DEMOLITION OF 11 GARAGES FOR ERECTION OF 2 DWELLINGS WITH ASSOCIATED CAR PARKING**

Members considered a report that detailed an application which related to a Council owned garage court. The application proposed the demolition of 11 existing garages and the erection of 2 dwellings with associated parking.

Members noted that three letters of representation had been received.

In accordance with the public speaking arrangements, the Committee was addressed by an objector without a response from the applicant.

During the debate members discussed the high level of garage use on the site and possible boundary treatment.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition covering submission, approval, implementation and maintenance of a scheme of boundary treatment.

The vote for the resolution to grant planning permission was passed by 7 votes to 3. Councillors McGeary, Hawthorn and Ower voted against the resolution to grant planning permission.

183 **P1195.11 - 50 MAIN ROAD - CHANGE OF USE FROM RESIDENTIAL INSTITUTION (USE CLASS C2) TO CHILDREN'S DAY NURSERY (USE CLASS D1) GROUND FLOOR REAR EXTENSIONS AND REPLACEMENT PORCH PARKING TO REAR OF PROPERTY AND NEW CROSSOVER FROM ERROLL ROAD. REMOVAL OF TREES**

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

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

Existing preserved trees would be removed and replaced by 10 new trees and other landscaping would be provided including hedging to the rear garden area and grass.

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

A Travel Plan had been submitted with the application.

Members noted that 6 letters of representation had been received and a letter of support had been received from the Council's Social Care and Learning Support Team.

It was noted that the application had been called in by Councillor Andrew Curtin on grounds relating to traffic movements and car parking problems at a busy junction with the Main Road particular reference was made to a similar application at the junction of Kingston Road and Main Road having been refused on the grounds of traffic impact a few years ago.

With its agreement Councillor Curtin addressed the committee. Councillor Curtin asked members to give careful consideration to the scheme considering the previously rejected application.

In accordance with the public speaking arrangements, the Committee was addressed by an objector without a response from the applicant.

During a lengthy debate members discussed the possible numbers of children attending the nursery and the impact this could have on the amenity of neighbouring properties.

Mention was also made of the possible traffic movements within a busy area and the possibility of displaced parking.

A motion was proposed for refusal of planning permission which was lost by 6 votes to 3 with 1 abstention. Councillors Misir, Hawthorn and Ower voted for the motion. Councillors Brace, Kelly, Oddy, Osborne, Pain and McGeary voted against the motion. Councillor Tebbutt abstained from voting.

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 7 votes to 2 with 1 abstention. Councillors Brace, Kelly, Oddy, Osborne, Pain, Tebbutt and McGeary voted for the resolution to grant planning permission. Councillors Hawthorn and Ower voted against the resolution to grant planning permission. Councillor Misir abstained from voting.

184 **P1317.11 - KING GEORGE'S PLAYING FIELD, EASTERN AVENUE WEST, ROMFORD - NEW PROPOSED ALL-WEATHER FOOTBALL FACILITY, INCLUDING NEW ARTIFICIAL TURF PITCHES, FENCING, FLOODLIGHTS, CLUBHOUSE WITH TERRACE. WIDENING OF SITE ACCESS AND LAYING OUT OF PARKING. RELOCATION OF EXISTING SKATEBOARD PARK AND GAMES AREA AND MODIFICATION OF EXISTING PLAY PARK**

The report before members detailed an application for provision of an all-weather football facility within King George's Playing Fields. The application included the laying out of a number of artificial turf pitches, with floodlighting, fencing and a clubhouse. Alterations would be made to the existing site access and additional parking created, as well as some relocation of existing play facilities within the park.

Officers advised that Sport England had removed their objections to the proposals however the Environment Agency had requested an additional condition concerning the implementation of a buffer zone and treatment along the River Rom.

With its agreement, Councillor Linda Trew addressed the Committee. Councillor Trew advised that she was speaking as a ward Councillor and as the Chairman of the King George Playing Fields Committee. Councillor Trew commented that she was in full support of the application as it would provide a much needed sports facility to the area and would be a valuable asset to the community.

During the debate members discussed possible parking controls and issues relating to the proposed floodlights.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an extra condition to provide a buffer zone and treatment to the River Rom. It was also agreed that the Head of Development and Building Control write to the Heads of Service for Culture and Leisure and StreetCare to notify them of the Regulatory Services Committee's wish that they monitor future parking conditions and put in place any measures deemed necessary to address these.

185 **APPLICATION FOR THE STOPPING UP OF HIGHWAY AT LAND EAST OF DAVENTRY ROAD, ROMFORD RM3 7QT BETWEEN NO 2 AND 174**

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

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 shown hatched and edged black on the plan attached to the report (reference 2-174 Daventry Road, RM3 7QT Footway Stopping UP) as the land is required to enable development for which the Council has granted planning permission granted under planning reference P0652.11 to be carried out.
2. In the event that no relevant objections were made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.
3. In the event that relevant objections were 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 could proceed to confirm the order.
4. In the event that relevant objections were 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 was withdrawn.

186 **P1401.11 - FORMER RUSKINS SITE, ST. MARY'S LANE, UPMINSTER - DEMOLITION OF EXISTING CLASS B8 WAREHOUSE AND ASSOCIATED HARD SURFACES AND ERECTION OF THREE DETACHED DWELLINGS WITH DETACHED GARAGES AND LANDSCAPING**

Members considered a report that detailed a variation to a development that required a legal agreement to revoke a previous planning permission on the site.

During a brief debate members discussed the planning gain presented by the application as the developer was offering to remove an unsightly building on the site.

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 revocation of planning permission P1810.10 to include the removal of the existing barn, the removal of the ancillary hard standing and the placement of restrictions on the future use of the site.
- Agreement that no compensation shall be sought by the developer in respect of the revocation of planning permission P1810.10 to include the removal of the existing barn, the removal of the ancillary hard standing and the placement of restrictions on the future use of the site.

- Agreement that part of the site reverted to its prior authorised use as an area of open Green Belt to be used for agricultural purposes.

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 for the resolution to grant planning permission was passed by 8 votes to 2. Councillors Brace and Kelly voted against the resolution to grant planning permission.

187 **P1505.11 - ACCESS TO HORNCHURCH STADIUM OFF BRIDGE ROAD - INSTALLATION OF TWO 6 METRE HIGH STREET LIGHTING COLUMNS**

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

*As stated at the beginning of the minutes, Councillor Linda Hawthorn declared a personal interest in item P1505.11. Councillor Hawthorn advised that she was related to the Vice President of Hornchurch Football Club. Councillor Hawthorn left the room during the discussion and took no part in the voting on that item.*

188 **P1519.11 - LAND TO THE REAR OF 20-24 LEYBURN CRESCENT, HAROLD HILL - DEMOLITION OF EXISTING 22 GARAGES AND ERECTION OF TWO 2 STOREY 4 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

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 to include an additional condition covering details of existing and proposed site levels. The Head of Development and Building Control also undertook to verify the proposed ownership and maintenance of the strips of land to the edge of the access road.

It was also agreed that the Head of Development and Building Control investigate the ownership of the adjacent strips of land to the edges of the access way into the site and clarify responsibility for maintenance.

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

189 **P1488.11 - LAND BETWEEN 10 & 11 YELVERTON CLOSE, HAROLD HILL - CONSTRUCTION OF TWO 3 BEDROOM SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARDEN AREAS**

The application before members related to a Council owned garage court. The application proposed the construction of two 3 bedroom, 2 storey dwellings with associated parking and garden areas on an existing area of hard standing.

It was noted that one letter of representation had been received and that a Councillor had raised an objection regarding over development of the area.

Following a brief debate 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 9 votes to 0 with 1 abstention. Councillor Hawthorn abstained from voting.

190 **P1593.11 - GARAGE COURT TO THE REAR OF 106 WHITCHURCH ROAD, ROMFORD - ERECTION OF 3 DWELLINGS WITH ASSOCIATED CAR PARKING**

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

191 **P1594.11 - GARAGE COURT TO THE REAR OF 69 WIGTON ROAD, ROMFORD - DEMOLITION OF 16 GARAGES FOR ERECTION OF 2 DWELLINGS WITH ASSOCIATED CAR PARKING**

The Committee considered the report and, without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report and to include an additional condition covering details of the existing and proposed site levels.

It was also agreed that the Head of Development and Building Control investigate the ownership of the adjacent strips of land to the edges of the access way into the site and clarify responsibility for maintenance.

192 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

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**Chairman**  
**12<sup>th</sup> January 2012**



# Public Document Pack

**MINUTES OF A MEETING OF THE  
REGULATORY SERVICES COMMITTEE (MONITORING)  
Havering Town Hall, Main Road, Romford  
8 December 2011 (7.30 - 8.15 pm)**

**Present:**

**COUNCILLORS:** 10

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

**Residents' Group** Ron Ower and Linda Van den Hende

**Labour Group** Paul McGeary

**Independent Residents  
Group**

An apology for absence was received from Councillor Linda Hawthorn

Substitute member Councillor Linda Van den Hende (for Linda Hawthorn)

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.

**193 P0783.11 THE OLD FORGE HALL LANE, UPMINSTER - FACTORY TO  
BE DEMOLISHED AND CONSTRUCTION OF FOUR 3 BEDROOM  
DWELLINGS (2 SEMI-DETACHED)**

The report before members detailed an application for the demolition of an existing light industrial building and the construction of 4 houses arranged as two pairs of semi-detached houses.

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

During a brief debate members considered possible overlooking and the improvement that the development would lend to the openness of the Green Belt.

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 0 with 2 abstentions. Councillors Ower and Van den Hende abstained from voting.

194 **P1433.11 WHITE HART PUBLIC HOUSE HACTON LANE, UPMINSTER - CHANGE OF USE TO A DWELLING (C3 DWELLING HOUSES)**

Members considered a report that detailed a proposal for the conversion of a pub into a single dwelling house with 4 bedrooms. The proposal involved the conversion of the ground floor of the pub into living accommodation to include a kitchen, dining room and a bedroom with en suite. in to bedrooms, bathroom and a study. The proposal would make the existing pub garden into the garden for the house.

Members noted that the application had been called in by Councillor Ron Ower on the grounds that the property was in close proximity to the Green Belt.

During the debate officers confirmed that the existing pub car park would be returned to the Green Belt use as an orchard themed seasonal garden and that this garden would lie outside the newly defined residential curtilage of the house.

Officers also confirmed that there were two amendments to the conditions contained in the report:

- Amend Condition 5 to lead in with words *"Before the house hereby permitted is first occupied .....*".
- Amend Condition 12 to relate to residential curtilage to fresh drawing number: *"The residential curtilage of the new dwelling shall be restricted to the area north of the dashed line indicated as residential boundary on drawing No.2744\_SK03A."*

It was **RESOLVED** that planning permission be granted subject to the conditions set out in the report and to include the amendments mentioned above.

195 **P1574.11 - EPSTICKS FARM WARWICK LANE, RAINHAM - REPLACEMENT OF EXISTING BUILDING CREATING A SINGLE DWELLING (APPROVED FOR CONVERSION INTO A SINGLE DWELLING APPLICATION NO P1954.08)**

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

196 **P1376.11 - 23-27 HIGH STREET HORNCURCH - RESTORATION OF EXISTING BUILDING AND CONVERSION OF THE GROUND FLOOR TO A DENTISTS SURGERY. CONSTRUCTION OF A DETACHED BLOCK TO THE REAR OF THE SITE COMPRISING 4 TWO BEDROOM FLATS**

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 Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £12,000 towards highway improvements within the vicinity of the site in accordance with Policy DC32 of the LDF Development Control Policies Development Plan Document.
- Payment of the Council's legal fees associated with the preparation of the agreement.
- All contributions would be subject to indexation using the appropriate Index. All contributions would be spent within 7 years of receipt of the final payment relating to the specified contributions and to include any interest earned prior to spending.

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.

197 **P1223.11 - UNIT 6 ALBRIGHT INDUSTRIAL ESTATE, FERRY LANE NORTH, RAINHAM - EXTENSION OF EXISTING WASTE MANAGEMENT FACILITY. DEMOLITION OF EXISTING WASTE RECYCLING BUILDING. ERECTION OF ENLARGED WASTEMANAGEMENT FACILITY. INSTALLATION OF WEIGHBRIDGE & WEIGHBRIDGE OFFICE AND ANCILLARY ACTIVITY**

The Committee considered the report and without debate, **RESOLVED** that the Head of Development and Building Control be authorised to grant planning permission subject to the conditions set out in the report.

198 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The report updated the Committee on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to prior completion or a planning obligation. This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2011.

The Committee **NOTED** the report and the information contained therein.

199 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 20 August 2011 and 18 November 2011

The report detailed that 35 new appeals had been received since the last meeting of the Monitoring Committee in March 2011.

The Committee **NOTED** the report and the results of the appeal decisions received.

200 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in September 2011.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

201 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

202 **EXCLUSION OF THE PUBLIC**

**The Committee decided on the motion of the Chairman that the public should be excluded from the remainder of the meeting on the ground that it was likely that, in view of the nature of the business to be transacted, if members of the public were present there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 and it was not in the public interest to publish the information.**

203 **CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION**

Attached to the report was a schedule listing, by Ward, all the complaints received by the Planning Control Service over alleged planning contraventions for the period from 20 August 2011 and 18 November 2011.

The Committee **NOTED** the report and **AGREED** the actions being taken.

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**Chairman**  
**12<sup>th</sup> January 2012**

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# Havering

LONDON BOROUGH

## Regulatory Services Committee

12 January 2012

### INSIDE STATUTORY PERIOD

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-10	P1741.11	Squirrels Heath	Land adjacent 3 Manor Avenue Hornchurch

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**REGULATORY SERVICES COMMITTEE**

**12th January 2012**

**WITHIN STATUTORY PERIOD**

<b>APPLICATION NO:</b>	<b>P1741.11</b>	
<b>WARD :</b>	Squirrels Heath	<b>Date Received:</b> 21st November 2011
<b>ADDRESS:</b>	land adj 3 Manor Avenue Hornchurch	
<b>PROPOSAL:</b>	Construction of a detached 2 storey building with accommodation in the roof comprising of 9No. 2 bedroom flats with garages to rear of site  Revised & Additional Plans Received 15.12.2011	
<b>DRAWING NO(S):</b>	1046/02 1046/03 1046/04 1046/V2 1046/V1 1046/01	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**CALL-IN**

No call in.

**SITE DESCRIPTION**

The application site lies to the north side of Manor Avenue, approximately 80m east of The Drill roundabout. The site is currently cleared, having been densely vegetated and previously contained the garden area of a detached 1930's dwelling, which has now been separated from the site and is currently under renovation.

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

**DESCRIPTION OF PROPOSAL**

Permission is sought for the construction of a detached two storey building with accommodation in the roof space, comprising No. 9, 2 bedroom flats. The building would be arranged in an L shape and measures 14.2m wide, a maximum of 26m deep, 5.3m to the eaves and 9.7m to the ridge.

At ground floor there is a communal entrance which opens onto a shared corridor, of which units 1-4 are accessed. All units on at ground floor are single level.

At first floor there are units 5-8. Units 6-8 are single level, whilst unit 5 is a duplex, where bedroom 2 plus en-suite are located in the roof space. Within the roof space is unit 9.

A set of garages and cycle store is proposed to the rear of the site, access to these is via a new driveway which runs between the site and the existing No. 3 Manor Avenue. A total of 9 parking spaces are proposed with two allocated on the front driveway with the remaining 7 to the rear.

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This equates to one parking space per unit.

Bin stores are located to the front by the public highway.

#### **RELEVANT HISTORY**

P1039.11 - Demolition of existing dwelling and erection of three detached dwellings - approved.

#### **CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 20 properties. One representation had been received at the time of writing this report, stating the following objection:

- insufficient off street car parking
- overdevelopment of the site
- out of keeping with surrounding properties.

#### **RELEVANT POLICIES**

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC20 (Access to recreation and Leisure Including Open Space), DC33 (Car Parking), DC36 (Servicing), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document, the Supplementary Planning Document for Residential Design and government guidance contained in Planning Policy Statement 3 (Housing) are considered relevant to the determination of this application.

#### **STAFF COMMENTS**

Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 9700 per year) to be built on sites which are not designated for other purposes. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for housing development in principle subject to the detailed design of proposals. PPS3 encourages high quality residential development with access to a good range of facilities. The site is currently vacant and the re-use of previously developed land is also encouraged.

Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 61 square metres for a 2 bed, 3 person flat and 70 square metres for a 2 bed, 4 person flat. The flats have an internal floor space of between 61 and 120 square metres which is acceptable.

#### **DENSITY/SITE LAYOUT**

Policy DC2 states that development in this location should have a density between 30-50 dwellings per hectare. The site covers an area of 0.22 hectares. The dwellings proposed represent a density of 64 dwellings per hectare; this is above the stated density. However, this is only one measure of acceptability. In this particular context Staff consider that this density would be acceptable for the location and would make efficient use of the site, in close proximity to Gidea Park Station and also on a par with similar approved developments. No. 5 Slewins Lane lies to the east of the site (application reference P0877.11) and approved 8 No. 2 bedroom flats with a density of 63 dwellings per hectare.

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The adopted Residential Design Supplementary Planning Document (SPD) does not provide prescribed levels of amenity space, but instead expects balconies and communal spaces to be provided for flatted schemes.

No space standards for communal spaces are provided; the area for the flats would measure 535 square metres and this is allocated via a patio to the rear of units 2-3 and a lawned area to the rear of the site. Staff consider that with a landscaping scheme, to be submitted via condition, that the communal spaces would be acceptable.

In terms of private amenity spaces, balconies are provided only to units 6 and 7 on the first floor rear elevation. The balcony to unit 6 measures 4 square metres and to unit 7, 3.5 square metres, both would be below the 5 square metres as recommended in the SPD. However, their provision is considered to be in addition to the communal amenity space and in this instance provides additional amenity for future residents. No other balconies have been provided, however, this is considered preferable given the design of the building and character of Manor Avenue where balconies are not characteristic. To the rear, these would not be visible and therefore raise no concern.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

National policy guidance set out in PPS1 and PPS3 recognises the need for high quality design in residential development. In particular, PPS1 states that good design can help promote sustainable development; improve the quality of the existing environment; attract business and investment; and reinforce civic pride and a sense of place. As a consequence Council policy and guidance seeks to ensure that new residential development responds to the distinctive local building forms and patterns of development and respects the scale, massing and height of the surrounding physical context.

The character of the area surrounding the application site is drawn predominantly from two storey dwellings of varying architectural styles and design. The proposed building would be of a two storey construction with hipped and gabled roof over allowing accommodation within the roof space. A design statement has been submitted with the application. This explains that the height of the building has been designed to be compatible with that of adjacent residential development. It is intended that the proposed block would be finished in facing brickwork. Members may agree that subject to a condition regarding materials the design of the proposed building would be of an acceptable appearance.

In respect of scale and bulk of built form, the proposed flatted block has been designed to appear as a large detached L shaped dwelling and has a frontage width of 14.2m, which is similar to that of the larger dwellings in Manor Avenue such as No. 1 and 10. It would also be of an acceptable scale when compared to No. 3 with a frontage width of 9.3m and No.s 5 Manor Avenue which has a 23.5m frontage.

Although Staff consider the building to be of an acceptable scale and bulk, it would remain highly prominent in the streetscene. In terms of architectural relief, the front elevation is presented with tiled canopy over the main entrance, headers are incorporated over the windows to the gabled projection and quoin detailing has been incorporated which resembles that of No. 3. The bay windows which serve units 1 and 4 add some articulation to the elevations and is considered to be of an acceptable appearance.

The L shaped arrangement of the building allows the front projection to follow the building line established by No s 1 and 3 Manor Avenue, whilst the set back would accord with the adjacent

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property No.5-7 Manor Avenue. This is considered acceptable and would retain the varied building line to this edge of the highway.

The western flank elevation is broken up with a recess that provides windows to the second bedroom of units 1 and 2. This recess is two storeys in height and introduces articulation into the elevation which Staff consider successfully reduces the massing of the flank elevation.

The eaves line of the building is similar to that of No. 3 Manor Avenue and would be slightly below that of No. 5-7 Manor Avenue. The ridge line is 0.2m higher than No. 3 and 0.5m taller than No.5-7 which raises no objection given the variation of properties in the street.

The introduction of a front gable is considered acceptable. Approved application P1039.11 includes gables on the front elevations of the dwellings and there are a number of gables within the streetscene. Within the roof space are single side dormer windows to each flank roof slope, these are finished with hipped roofs. The dormer to the eastern flank elevation serves the bathroom of unit 9 and is set back from the front elevation by 6.58m. The dormer located in the western roof slope serves the communal staircase and is set back from the front gabled projection by 9.9m. These set backs from the front elevation are considered to minimise their impact within the roof space and overall appearance within the Manor Avenue streetscene.

Beyond the building to the rear of the site would be three detached garages. These are located 2m from the boundary with No. 5 and 3m from the northern boundary shared with properties in Pincroft. These garages have traditional timber doors facing east with hipped roofs above. They would be prominent within the garden scene; however, Staff do not consider that they would be of an unacceptable appearance subject to samples of materials.

To the rear boundary is the proposed cycle storage for the flats. This is arranged as a timber structure with opening doors. Staff consider this would be of minimal impact in the garden scene.

To the front of the site is proposed a bin store, this is to allow for convenient access for collection. The bin store would be located adjacent to Manor Avenue, and is provided in a timber structure surrounded by planted areas. Doors into the bin store would be located to the east and west elevations. Whilst this would be visible within the streetscene, the impact is considered to be minimal given the planting, which is to be secured via condition.

In terms of landscaping the site has been cleared with the removal of all trees to the front of the site. The original line of trees to the rear remain in place. A front driveway would be provided with 2 parking spaces, this would be headed with an area of soft landscaping providing a buffer between the driveway and front elevation. Another soft landscaped area is provided to the front of unit 1 and the bin store beyond. To the rear a patio is provided with soft landscape buffer strips which line the edge of the driveway, where beyond a further communal soft landscaped area would be provided. The applicant has indicated that these boundaries would be screened with tree cover, details of which are requested as part of a landscaping plan.

### **IMPACT ON AMENITY**

The western elevation is set between 3-3.7m away from the flank elevation of No. 3 Manor Avenue and projects back 5.5m, where the building has a chamfered corner. This is considered to be of an acceptable relationship which would not result in a physically overbearing impact. Staff acknowledge that there would be an element of overshadowing during the course of the day due to the northerly orientation of the gardens, however, given the separation distance, this

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raises no objections in this instance.

The eastern rear corner of the building would be set 1.5m rearward of that of the extended No.5-7 Moreland care Home. This has substantial extensions approved under reference P1826.07 and is currently under construction with the majority of the ground works already completed at the time of writing the report. The set back from this building is considered acceptable.

Flank windows to the western elevation at ground floor serve the second bedroom of units 1 and 2; these are set within the recess of western elevation and overlook a planted area. There are no ground floor flank windows to No. 3 Manor Avenue and there would be no direct inter-looking between these two windows and they are considered acceptable. It is noted that the recessed positioning of these windows would mean that they would receive lower levels of light, and whilst not ideal, Staff note that these are secondary bedrooms to the flats and that there would be an element of 'buyer beware' which future occupants would accept. A bathroom window to unit 2 is located further along the elevation, this raises no concern as it can be conditioned so that it remains obscure glazed and non-opening with the exception of a top hung fan light.

At first floor on the western elevation there is the same pattern of windows. The window serving the kitchen of unit 5 would face onto the secondary bedroom window of the existing No. 3 Manor Avenue. This does not raise objection from Staff, provided it is obscure glazed and non-opening with the exception of a top hung fan light.

The window serving the second bedroom to unit 6 opposite would face Manor Avenue and would not result in overlooking. The bathroom window adjacent to this would be obscure glazed as before.

At second floor level on the western elevation a side dormer window is provided this serves the staircase to give access to units 9, as this is not a habitable space, Staff raise no concern with regard to this window.

Turning to the eastern elevation facing Moreland Care Home, ground floor flank windows are provided that serve the second bedroom to units 3 and 4, this would look onto the high level fence that divides the two sites and raises no concern from Staff. It is noted that there would be a reduced level of light and outlook from these windows, however, as per units 1 and 2, these are not the primary bedrooms of the flats and there would again be an element of 'buyer beware' where future occupants would accept this relationship.

At first floor units 7 and 8 have windows that serve the second bedroom in the same position as the ground floor; these would face onto Moreland Care Home. However, a review of their approved plans P1826.07 shows that these windows would face onto a shower room and W.C which would be obscure glazed. This relationship is therefore not considered to result in overlooking or loss of amenity. The bedroom windows to Moreland Care Home are located away from the proposed bedroom windows of the flats proposed here.

To the rear the windows overlook the communal areas provided. The balconies to units 6 and 7 would overlook this space. It is not considered that there would be any harmful with regard to overlooking. The balcony to unit 6 would be set 7.4m from the boundary with No. 3, and the balcony to unit 7 would be adjacent to the flank elevation of Moreland Care Home.

The front windows of unit 1 would look across the highway where the bin store is located. This bin store has been separated from this flat by an area of soft landscaping which would create a buffer. The doors of the bin store open into the site, rather than onto the highway, this would

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mean that refuse is carried in away from unit 1.

The main parking is located to the rear of the site, where vehicles would use an access track between No. 3 Manor Avenue and the proposed block. The proposed tarmac finish is less noisy than gravel for example and is considered acceptable. Vehicles travelling in and out of the site could result in noise and disturbance to future occupiers of No. 3 and the proposed 9 flats, however, with soft landscaping any potential impact can be minimised. The recessed windows to the western elevation that serve units 1 and 2 would be screened with soft landscaping and railing. This should alleviate any impact from passing car headlights for example.

Staff consider that the scheme is acceptable as it stands. Flats do not benefit from permitted development rights and as such any future alterations to the building would require planning permission, over which the Council would have control.

**HIGHWAY/PARKING**

The density matrix of Policy DC2 requires that new development makes off street parking provision for between 2-1.5 spaces per dwelling. No.9 parking spaces have been provided, allocating 1 space per flat. 2 spaces are provided to the front of the site and 7 spaces are provided to the rear within the garages. A turning area that measures 9m as a minimum and 11m as a maximum is provided to the front of the garages and this would allow for vehicles to turn around within the site and leave in a forward gear. The width of this turning area exceeds the normal 6m that Highways require and as such would allow for some additional parking if required.

An allocation of 1 parking space per flat is slightly below that of the requirements in DC2, Staff note that the London Plan (adopted July 2011) recommends far lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states 1-2 bedroom units should provide less than 1 parking space per unit, as a maximum.

Access to the parking would be via a tarmac finished access road between No. 3 Manor Avenue and the proposed block and measures between 3-3.7m wide. As the majority of the parking is provided to the rear a road lighting condition is considered necessary to ensure safe access into the rear of the site; this is to be secure via condition.

**OTHER ISSUES**

Biodiversity and Ecology:

An ecology report has been submitted with the application. The site previously has been covered with heavy tree screening and numerous protected trees. Their removal was considered acceptable under P1039.11 due to the poor and dangerous condition of these trees. There are no known protected species that are based within the site, which has since been cleared since the granting of the previous planning permission. Staff consider that the site is therefore of little ecology value.

Secured by Design:

The Metropolitan Policy CPDA has indicated that if planning permission is granted, suitable conditions would need to be attached in order to ensure that this development meets this standard. Representations received have requested that controlled gates are installed at the access drive in order to control activity within the rear of the site and access into the garages.

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Amended plans have been requested to this affect.

Refuse and recycling:

A refuse and recycling point has been provided to the front of the site. This would allow for convenient access for collection to which Staff raise no objection.

**KEY ISSUES/CONCLUSIONS**

In conclusion, it is considered that residential development on this site is acceptable. The block comprising 9 self contained units is of an acceptable design in the streetscene. Each unit would each have acceptable levels of amenity and parking, which although a slight reduction from that normally required, in context would be acceptable.

In all other respects the proposal is considered to comply with the objectives of the Local Development Framework and as such the application is recommended for approval subject to conditions.

**RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs

2. SC05A (Number of parking spaces)

Before the building(s) hereby permitted is first occupied, provision shall be made within the site for 9 car parking spaces and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

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

3. S SC08 (Garage) - restriction of use

4. M SC09 (Materials)

5. M SC11 (Landscaping)

6. S SC32 (Accordance with plans)

7. SC34B (Obscure with fanlight openings only)

The proposed bathroom windows serving all units and kitchen window to Unit 5 as shown on drawing No. 1046/02 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.

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8. M SC62 (Hours of construction)

9. M SC63 (Construction Methodology)

10. M SC13 (Screen fencing)

Before any of the buildings hereby permitted is first occupied, screen fencing of a type to be submitted to and approved in writing by the Local Planning Authority, 2 metres (6ft. 7ins.) high shall be erected to all boundaries and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

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

11. Non standard condition

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

Reason:

In the interest of residential amenity and creating safer, sustainable communities.

12. Non standard condition

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

Reason:-

In the interests of highway safety.

13. Non standard condition

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:-

To ensure the interests of the travelling public are maintained.

14. Non standard condition

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

Reason:-

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



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Document Policy DC61.

**15. Non standard condition**

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

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

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

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

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

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

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

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

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

Reason:

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

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**WITHIN STATUTORY PERIOD**

**16.** Non standard condition

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.

**1** INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC3, DC33, DC36, DC61, DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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

**2** 1. In aiming to satisfy condition 11 The applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of Havering Development and Building control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ. It is the policy of the Local Planning Authority to consult with the Borough CPDA in discharging of community safety condition(s)

2. 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 a 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.

3. Due to the layout proposed, the applicant is advised that the Council will give little weight to the amenity of the flank windows to bedroom 2 of units 1, 2, 3, 4, 6, 7 and 8 in the event of the redevelopment of the adjoining sites.

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

12 January 2012

<b>Subject Heading:</b>	P1641.11 – Garage court to rear of 13 Preston Road, Harold Hill.  Demolition of existing garages and erection of 1 No. detached dwelling with associated parking and garden areas (Application received 30 <sup>th</sup> November 2011)
<b>Report Author and contact details:</b>	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
<b>Policy context:</b>	Local development Framework
<b>Financial summary:</b>	None

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

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

**SUMMARY**

This application relates to a Council owned garage court. This application proposes the demolition of the existing 13 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. 8430-96-1000 (received 26<sup>th</sup> 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 '8430-96-Preston Road materials) and '8430-96-1000' received 26<sup>th</sup> 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. 8430-96-1004) 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 prior to first occupation 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 fire safety.

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

## **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 Preston Road, access into the site is between No's 13 and 15. The site is bound on all sides by residential properties, the gardens of which enclose the garage court. 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 640 square metres in size. Ground levels slope north to south, where the garage court is set at a lower level than Preston Road by approximately 2.5m.
- 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 13 garages on the site and erect 1 No. detached dwelling with associated parking and garden area.
- 2.2 The dwelling is set centrally within the site and has an east-west orientation with windows and doors towards the front and rear. There are no first floor flank windows proposed to the southern elevation, northern flank windows are proposed at ground floor to serve a kitchen/ dining area and living room and at first floor, a bathroom.
- 2.3 The dwelling has a width of 6.4m and depth of 10.2m. The development is two storeys in height measuring 5m to the eaves and 8.1m to the ridge. The main entrance to the property is located on the western elevation.
- 2.4 At ground floor, there is a kitchen and dining room, W.C and living room, at first floor there are 4 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 3m wide with a pedestrian pathway taking the width to 4m. 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 126 square metres. The amenity area would be screened by a 1.8m high close boarded timber fence.
- 2.7 Garage/ rear garden access is retained for properties: No's 5, 7, 11 and 17 Preston Road. The existing garages that lie to the rear of properties No's 124-126 Whitchurch Road also retain access through the site.

### **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. The Mayor has set these at 100 square metres for a 4 bed, 5 person and 107 square metres for a 4 bed, 6 person two storey dwelling. The dwelling has an internal floor space of 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 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 126 square metres. Access to the garden area is through the dwelling.

6.3.3 Amenity spaces in the local area are similarly arranged to the rear of properties and vary in size. Gardens in Preston Road measure between 70 square metres to in excess of 120 square metres. Properties to the south on Whitchurch Road measure between 140 to in excess of 160 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 15 dph, this is below the stated density ranges however, Staff are of the opinion that the density is acceptable in this instance given the constraints of the site.

### 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 terraced with hipped and mansard roofs. Materials in the locality

include facing brick and render and some elements of cladding. 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 slopes from north to south, where the property would be set 2.5m lower than no. 9 Preston Road. Given these change in levels and set back from the highway, Staff consider that the proposed dwelling would not result in a visually intrusive or overbearing appearance.
- 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 flank elevation is set a minimum of 18.9m south of No's 11-13 Preston Road. The front corner of the western elevation is also set 18.9m south of No. 15 Preston Road and 10m from the rear garden boundary of No. 136 Whitchurch road. The southern flank boundary is located approximately 23.5m north of No's 128-134 Whitchurch Road. The southern corner of the western front elevation is located 16m from No. 136 Whitchurch Road. The nearest properties to the eastern rear elevation are located over 36m in Woodbridge Lane. 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 property is set 2.5m lower than those in Preston Road to the north. Staff consider that these existing properties would not result in an over dominant or intrusive impact given the separation distances listed above. The difference in orientation would also mean that any view of these properties would be limited.
- 6.5.4 The development would have ground floor flank windows to the northern elevation, which serve the kitchen/ dining room and living room; these would not result in adverse overlooking of adjacent occupiers given the surrounding boundary enclosures and distances between properties. A single first floor flank window is proposed, also facing north, this serves a bathroom and raises no objection as it can be conditioned so that it is obscure glazed and non-opening with the exception of a top hung fan light for ventilation purposes. No windows in the southern flank elevation are proposed.
- 6.5.5 The dwelling is arranged with primary windows on the west (front) and east (rear) elevation. At ground floor the windows would overlook the parking to the front and garden area to the rear which raises no objection. The first floor front windows serve two bedrooms and face in the direction of gardens to the west on Whitchurch Road. It is not considered that these would result in adverse overlooking given the lower level of the property and dividing boundary landscaping. The rear bedroom windows of the properties would share an orientation with No. 11 Woodbridge Lane, although this is considered an acceptable relationship given the 36 minimum separation distance. There would be no direct overlooking from the property to neighbouring dwellings, and therefore raises no objection from Staff.
- 6.5.6 In terms of additional noise and disturbance, it is not considered that the addition of single family dwelling would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 6.5.7 There would be 2 parking spaces. These are located to the eastern 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 southern and western 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 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 which is acceptable.

6.6.2 The existing 13 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 3m and widens to 4m including the pavement 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 With regard to refuse storage, an area for refuse would be required on the access road, similar to that of other approved garage court developments. 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 a single detached dwelling would be of an acceptable appearance, it would be largely screened by existing development in Preston 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 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 30/11/2011.

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**

12 January 2012

<b>Subject Heading:</b>	P1801.11 – Garage court to the rear of No. 39 Masefield Close  Redevelopment of the site to provide 1 No. 4 bedroom bungalow with associated parking (Application received 1 <sup>st</sup> December 2011)
<b>Report Author and contact details:</b>	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
<b>Policy context:</b>	Local development Framework
<b>Financial summary:</b>	None

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

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

**SUMMARY**

This application relates to a Council owned garage court. This application proposes the redevelopment of the existing site to provide 1 No. 4 bedroom bungalow with associated parking and garden area.

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

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 as shown on drawing 8430-002-1000 received 1<sup>st</sup> December 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 bricks for walls and Marley Eternit Modern Interlocking Tile (Old English Dark Red) for roof tiles in accordance with the details supplied on Drawing '8430-2-Masefield Crescent Materials' and '8430-002-1000'

(received 1<sup>st</sup> December 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) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made for 2 x No. cycle storage spaces in accordance with the approved plans Drawing No. 8430-002-1004 thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

Reason:

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

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

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

15) Road Surface Lighting: Before the dwelling 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 prior to first occupation and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.

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

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

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

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

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

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

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

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



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

Reason:

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

17) Domestic Sprinklers: Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system. 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 DC2, DC3, DC7, DC33, DC36, DC55, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

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

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

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

5. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or

a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

6. In aiming to satisfy Condition 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 located to the rear of no. 39 Masefield Close. The site is currently covered in hard standing all previously existing garages on site have been demolished.
- 1.2 The site for residential development is approximately 381 square metres in size. Ground levels are relatively flat.
- 1.3 The character of the surrounding area is predominantly residential and is typified by two storey semi-detached dwellings set behind front gardens. Masefield Close has parking bays but no specific parking control.

### 2. Description of proposal

- 2.1 This application seeks permission for the erection 1 No. 4 bedroom bungalow, arranged in an L shape. This measures a minimum of 10.8m and maximum of 14.8m deep, 9.5m wide, 2.2m to the eaves and 5.5m to the ridge in height. The dwelling would be finished in facing brick with UPVC windows and tiled hipped roof.
- 2.4 The dwelling is arranged around a central hallway with kitchen, living room and 4 bedrooms. The living room has direct access into the garden.
- 2.5 Access to the dwelling is via the existing garage court access adjacent to no. 39 Masefield Close and No. 9 Masefield Crescent which would be retained as a shared surface road (for pedestrians and vehicles). This

measures 3.5m wide and 5.4m wide, including the pavement adjacent to no. 39.

- 2.6 A private garden is provided to the side and rear of the property covering an area of 85 square metres; this is enclosed by a 1.8m timber fence.
- 2.7 The bungalow is arranged to meet the Lifetime Homes Standard and be constructed using a timber frame system, which would make the construction process faster than conventionally built brick developments. Overall, the development would meet Code Level 3 for Sustainable Homes.
- 2.8 This application is a resubmission of P1678.11 which was withdrawn due to an incorrect site address on the plans. This application is resubmitted with a correct site address and there are no changes to the proposals.

### **3. Relevant History**

- 3.1 P1377.11 – Redevelopment of the site to provide 2 houses with associated car parking – withdrawn.
- 3.2 P1678.11 – Redevelopment of the site to provide 1 bungalow with associated parking – withdrawn.

### **4. Consultations/Representations**

Neighbour notification letters were sent to 28 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 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 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. This policy does not provide figures for bungalows; however, the bungalow has an internal floor space of 117 square metres, which is above the minimum standards quoted for a 4 bed 6 person dwelling at 113 square metres. The internal space provided is therefore 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.

### **6.3 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 A private amenity area of 85 square metres is provided mainly to the side of the property with access from the rear. The width of the garden to the side changes due to the staggered boundary of adjacent residential properties and measures between garden measures 8m deep and the rear portion of the garden measures between 6.2 and 11.4m wide. The garden has a maximum depth of 21m. This amenity space is directly accessible from the living room. The garden would be enclosed by a 1.8m close boarded fence

which would improve the overall security of the site for prospective occupiers.

6.3.3 Amenity space in the local area is similarly arranged to the rear of properties and varies in size. Adjacent gardens in Masefield Close measure approximately 71-80 square metres, while gardens to the south on Masefield Crescent measure between 127 and 175 square metres. The garden here is smaller and unconventionally shaped, however, Staff are of the opinion that the 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 25 dph. This is below the stated density ranges, however, density is only one measure of acceptability and Staff consider that given the constrained nature and shape of the site, a single dwelling is considered acceptable in this location.

#### 6.4 Impact on Local Character and Streetscene.

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

6.4.2 The surrounding area has no prevailing architectural style, but there is an established pattern of development with defined building frontages and heights, two storeys with pitched roofs. In terms of materials there is a mixture of brick, render, cladding which results in a varied streetscene. The proposed dwelling would be partially visible from the access road but as it set back from the public highway by over 35m, it is considered that it would be of a limited impact in the Masefield Close and Masefield Crescent streetscene.

6.4.3 These proposals for a single dwelling on this plot is considered to resolve the cramped appearance of the previous scheme (1377.11) and provide a more generous setting for the bungalow, where there is a reduced area of hard standing from the previous scheme and more scope for soft landscaping. The revision to create a traditional bungalow with pitched roof has reduced the ridge height from 8.5m to 5.5m and the eaves height reduced from 5.2 to 2.3m. This has reduced the overall bulk of the dwelling which is acceptable.

- 6.4.4 It is proposed to be finished in a mixture of materials including facing brickwork, concrete roof tiles and UPVC windows. Staff consider these materials to be acceptable within the locality and comparable with those on surrounding dwellings. Details of materials have been submitted with the application which Staff consider to be acceptable. A condition requiring the development be carried out in accordance with this is attached. There would also be a clearly defined entrance with canopy over which reinforces the principle elevation of the dwelling within the garage court. The inclusion of soft front landscaping and pathways would also soften the appearance of the dwelling and improve the general appearance of this back land site.
- 6.4.5 Ground levels rise are relatively flat although the ground level does marginally dip across the site. In terms of height, the bungalow would be approximately 3.4m lower than No. 9 Masefield Crescent to the south. No accommodation is proposed within the roof space and this has enabled the height of the bungalow to be reduced from the previous proposals, as such would not be visible over No. 39 Masefield Close.
- 6.4.6 The development of housing on the site would improve the quality of the existing garage court and would therefore be an enhancement to the character and appearance of the surrounding area in general.
- 6.4.7 It is considered that the development of a single family dwelling in this location would have an acceptable impact on the character and appearance of this location. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development within the rear garden environment and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.
- 6.5 Impact on Amenity
- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.5.2 There are no longer prescribed back to back distances between properties. However, the front south west corner of the bungalow would have a minimum distance of 19m to the rear elevation of No's 39 Masefield Close, this increases to 21.7m when measured by the proposed front entrance. The front kitchen projection is set at a minimum distance of 24.7m to the rear elevation from No's 9 Masefield Crescent. No's 55-57 Byron Way to the north would be located approximately 17m away at a minimum. These distances are considered acceptable given the single storey nature of the dwelling, where no roof accommodation is proposed. Surrounding properties would be separated by residential gardens, boundary fencing and the parking area, Staff consider that this is acceptable.

- 6.5.3 With regard to noise, Staff consider that the addition of a single dwelling would not give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. The dwelling would be built using a timber frame; this would speed up the construction process over traditionally constructed brick buildings.
- 6.5.4 There would be 2 parking spaces provided. These are located to the north of the application site. 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.
- 6.5.5 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. Staff consider the impact of a single dwelling to be acceptable, however, it is recommended that permitted development rights are removed in order that Staff can control any extensions or alterations to the property in future. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

## 6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. The development would provide a total of 2 parking spaces. The level and arrangement of parking is therefore acceptable and practical. A turning head is provided in site and would allow for vehicles to exit the site in a forward gear.
- 6.6.2 The previous garages on site have all been demolished, leaving an area of hard standing. From Masefield Close and Masefield Crescent the access into the garage court is gated and therefore not accessible by car at present. There is no objection to the redevelopment of this former garage court to provide family housing is considered acceptable where it is no longer in use. It is also considered that the provision of a single dwelling would not result in any highway safety or parking issues.
- 6.6.3 The access road would is not proposed to change and has a width of 3.5m with a pedestrian pathway located on the western edge. An area is provided for refuse storage set back 12m from the public highway. This has been considered acceptable by StreetCare and therefore Staff raise no objection on this basis.
- 6.6.4 The development provides storage for 2 x no. cycle spaces to each dwelling which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.

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

## 6.7 Other issues

6.7.1 The plans submitted show an area for refuse storage in the access road and householders would need to carry their black sacks to this refuse point on collection days. This has been considered acceptably by StreetCare and raises no objection. Specific details as to the refuse storage are attached via condition.

6.7.2 The site is located over 35m back from the public highway. The plans submitted state that private domestic sprinkler systems are to be installed for the property.

## 7. Conclusion:

7.1 Overall, Staff are of the opinion that the proposals to provide a single bungalow would be of an acceptable appearance which address the concerns raised within the previous application. The dwelling would be partially visible from Masefield Close/ Crescent but given its set back from the public highway is considered to be of a limited impact. 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 given its single storey nature. There are no highways issues raised with regard to the provision of parking for the dwelling, although a garage access would be lost to neighbouring occupiers, this is not to be detrimental to the extent to justify a refusal of the application. The provision and arrangement 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 1/12/2011.

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**

12 January 2011

<b>Subject Heading:</b>	P1744.11 – Land adj 196-200 Straight Road, Harold Hill  Demolition of existing garages and construction of a three storey extension to the existing building to provide 3 no. 2 bedroom flats (Application received 1st December 2011)
<b>Report Author and contact details:</b>	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
<b>Policy context:</b>	Local development Framework
<b>Financial summary:</b>	None

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

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

**SUMMARY**

This application relates to a Council owned garage court. This application proposes the demolition of the existing 4 garages and the erection of a three storey extension comprising 3 no. 2 bedroom self contained flats with associated amenity areas.

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

## RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

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

Reason:

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

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

Reason:

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

3) 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.

4) 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

5) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made for 3 x No. cycle storage spaces in accordance with the approved plans Drawing Nr. 10.6861.2600 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.

6) 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.

7) 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.

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

Reason:

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

9) 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.

10) 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

11) 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.

12) 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

13) Obscure glazed windows: The proposed windows on ground, first and second floors within the southern elevation, serving the hallway, bathroom and kitchen as indicated on Drawing Nr.10.6861.2601 shall be permanently glazed with obscure glass with the exception of a top hung fanlight 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.

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

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

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

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

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

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

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

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

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

Reason:

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

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

## REPORT DETAIL

### **1. Site Description**

- 1.1 The application site is a garage court located to the rear of Straight Road, this serves the flats known as 196-200 Straight Road. This is a three storey detached 'T' shaped block constructed in facing brick with timber panels and hipped roofs.
- 1.2 This flatted block forms part of a group of 5 detached 'T' shaped three storey blocks surrounded by soft landscaping fronting the highway. These are staggered resulting in no constant building line. Beyond is a mixture of residential properties including terraced two storey dwellings and further flatted blocks.
- 1.3 The soft landscaping to the front of the site creates a pleasant open character, which mitigates the impact of height of the building in the locality. The rear is less open in character and is typified by garages, fencing and the rear entrances to properties on Myrtle Road.
- 1.4 Ground levels are generally flat.

### **2. Description of proposal**

- 2.1 This application seeks permission to demolish the existing garages on the site and erect a three storey extension to the rear of the exiting building, comprising 3 No. 2 bedroom flats. There would be 1 flat on each floor.
- 2.2 Connecting the flats with the existing building would be a three storey flat roof extension with a communal entrance and staircase providing access to each flat. Soft landscaping is provided to the north building with an area reserved for cycle storage and refuse storage. The dwellings would have windows to all elevations facing north (serving bedrooms and living room), east (living room) and south (hallway, kitchen and living room). The flats would be self contained and independently accessed from the existing block.
- 2.3 The link extension measures 6m wide, 2.3m deep and 8m high. This is finished with timber boarding. The depth of the flats measures 7m wide, 11.6m deep, 8m high to the eaves and 12m high to the ridge, to give a total extension depth of 13.9m and overall building length of 31m. This would be finished in facing brick with timber boarding vertically between windows.
- 2.4 Each flat has two bedrooms, open plan kitchen and living room and bathroom. These are accessed via a central corridor.
- 2.5 Each flat is provided with private amenity space. The ground floor flat has a enclosed terrace measuring 5.5 square metres with private enclosed garden

measuring 71 square metres. The first and second floor flats have balconies measuring 5.5 square metres.

- 2.7 The flats are arranged to meet the Lifetime Homes Standard and be constructed using a timber frame system, which would make the construction process faster than conventionally built brick developments. Overall, the development would meet Code Level 4 for Sustainable Homes.

### **3. Relevant History**

- 3.1 None

### **4. Consultations/Representations**

- 4.1 Neighbour notification letters were sent to 28 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), 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, Policy 3.5 (quality and design of housing developments), 3.8 (housing choice), 6.13 (parking) of the London Plan, PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

### **6. Staff Comments**

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

- 6.2 Principle of development

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

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

that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 61 square metres for a 2 bed, 3 person flat and 70 square metres for a 2 bed, 4 person dwelling. Each dwelling has a floor area of 68 square metres which is acceptable.

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

### 6.3 Site Layout/ Amenity Space

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

6.3.2 Each flat is provided with private amenity space. The ground floor unit has an enclosed terrace measuring 5.5 square metres with a garden beyond measuring 71 square metres. The first and second floor flats have a balcony also measuring 5.5 square metres. All terraces and balconies are located on the northern elevation with direct access from the living room. This provision of amenity space is considered acceptable and in accordance with the SPD for Residential Design.

6.3.3 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 100 dph. This density is significantly higher than the range provided above; however, the site is located surrounded by large three storey blocks of flats with similar densities. Staff consider the proposals to be of an appropriate density for the area.

6.3.4 In terms of layout, the extension is located to the rear of an existing flatted block, and would be surrounded by soft landscaping to the north and south and Myrtle Road to the east. The block would be positioned a minimum 5.3m north to the nearest flatted block (no's 190-194 Straight Road) to the south and a minimum of 19.8m west from No's 74-76 Myrtle Road. In all, Staff consider that the proposed block of flats would not appear cramped within the locality.

6.4 Impact on Local Character and Streetscene.

- 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The surrounding area has no prevailing architectural style, the application site and wider group of flatted blocks have an established staggered positioning with defined open spaces which create a spacious setting. The extensions would extend the existing blank eastern elevation rearward and would be screened from Straight Road by the existing buildings front elevation and adjacent block no's 190-194 Straight Road which is back from the application site by 18.6m.
- 6.4.3 When viewed from the rear on Myrtle Road the block would be visible within this streetscene. Staff consider that this extended elevation would not appear intrusive or overly dominant as it would be surrounded by soft landscaping and be set 4.8m rearward of the rear elevation of no. 190-194. This would retain the staggered building line of group of flatted blocks and is considered acceptable.
- 6.4.4 In terms of design, development is arranged in two elements, the linking communal entrance and main flats. The communal entrance is arranged with a flat roof and is set back from the flank elevations of the building by 0.4m. This recess and flat roof design of the building, combined with its all timber boarded elevations creates a visual break in the extended elevation and is considered to reduce the overall massing of the building as a whole.
- 6.4.5 The main flatted block is three storeys in height with a pitched roof to match that of the existing building, this would be finished in facing brick with timber boarding between the windows as per the existing block. This is acceptable and continues the repeated design of the group of flatted blocks as a whole. Staff consider that the proposed design is 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.
- 6.4.6 The existing rear elevations of these blocks are blank and front onto fencing and areas of hard standing. This creates a blank streetscene with limited natural surveillance. The development of flats in a repeated design on the site with inclusion of soft landscaping would improve the quality of the existing garages and would therefore be an enhancement to the character and appearance of the surrounding area in general and introduce an active frontage onto Myrtle Road. The garden of the ground floor flat would be enclosed by a boundary fence creating a private space. This is not typical of the area, which has open communal space, however, where the existing garages enclose the boundary and the area is hard standing, the proposed fence with garden would have a softer appearance which raises no Staff

concern and would improve the general appearance of the locality. There are a number of trees inside the application site, these are located away from the building and would not be affected by the proposals. These trees would provide further screening to the extensions.

6.4.7 The inclusion of balconies to the building represents a departure from the existing building and wider group of flats. These would be glass fronted and located on the northern flank elevation. These would not be visible from Straight Road due to the width of the existing building. When viewed from the rear on Myrtle Road these are not considered to be intrusive in character. The glass enclosure is lightweight in nature and is considered acceptable. An enclosed terrace and two balconies on this elevation would also be read in combination with the adjacent site (no. 184-188 Straight Road application reference P1743.11) which are also located on the northern flank elevation and would therefore form an individual character in this rear portion of the site and reinforce the new residential frontage to this portion of the street, rather than a rear servicing/ access road.

6.4.8 It is considered that the development of three storey extension to provide 3 dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed block and neighbouring blocks, Staff are of the opinion that the proposals would not appear as a cramped form of development within the locality and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

## 6.5 Impact on Amenity

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

6.5.2 The proposed three storey block is surrounded by adjacent three storey blocks. Ground levels are fairly level. Due to the spacing between these blocks, a three storey development here is not considered to result in any loss of light to neighbouring occupiers.

6.5.3 The development would have flank windows to all levels on the northern and southern elevations. On the southern elevation these serve the hallway, bathroom and kitchen, where these can be conditioned so that they are obscure glazed and non-opening with the exception of top hung fan lights for ventilation. To the northern elevation are windows serving both bedrooms and the living rooms doors which provide access onto the balcony and ground floor terrace, these are located at a minimum of 31m south of No's 1a-5a Myrtle Road and is not considered to result in direct overlooking given the separation distance and dividing boundary screening.

- 6.5.4 The windows serving the bedrooms are on the rear elevation are located approximately 19m at a minimum from No's 76 Myrtle Road, this is not considered to result in overlooking given dividing boundary screening. The Residential Design SPD does not prescribe back to back distances, and given the staggered positioning between blocks here, it is considered that the block would not result in a loss of amenity through overlooking or loss of privacy.
- 6.5.5 The extensions would be closest to the flank northern elevation of no's 190-194 at a minimum distance of 5.3m. This elevation however, is blank and Staff consider that there would be no loss of amenity. The windows in this elevation facing the site are located 11.5m away which raises no objection.
- 6.5.6 In terms of additional noise and disturbance, it is not considered that the addition of 3, 2 bedroom flats would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. The flats would be built using a timber frame; this would speed up the construction process over traditionally constructed brick buildings. A condition is also attached which restricts the hours of construction.
- 6.5.7 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.
- 6.6 Highway/Parking/Access
- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. The development does not provide any off street or allocated parking. This is contrary to the provisions of DC33, Staff note however, that the London Plan (adopted July 2011) recommends far lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states 1-2 bedroom units should provide less than 1 parking space per unit, as a maximum.
- 6.6.2 Whilst a car free development is unusual in this location, outside of the town centres, Staff do not consider this would be unacceptable in context, where the existing flatted block and adjacent flatted blocks (45 flats in total) do not have any parking provision. These collective flats have not resulted in significant on street parking demand and an additional 3 (plus the 2 proposed under P1743.11 – creating 6 flats in total) are not considered to materially alter the locality. It is also noted that Myrtle Road and surrounding streets to the rear of the site has no parking control. It is likely that residents with cars would utilise this area of highway for parking. It is not considered to be detrimental to the overall function of the highway in this instance,

where Myrtle Road is characterised by the rear of properties, where cars are not usually parked. This is an isolated case, where it is considered that a car free scheme is acceptable; however, Members are invited to apply their judgement in this respect.

- 6.6.3 According to information provided by the applicant, the existing garages are in a poor condition and all are vacant. The loss of these garages in favour of the proposal to provide new accommodation is therefore considered acceptable and would not result in any highway safety or parking issues through displacement parking.
- 6.6.4 The site would be serviced by Myrtle Road which is considered acceptable as this is an existing fully functioning servicing road which serves the existing blocks of flats. With regard to refuse storage, an area has been set aside within the site for the flats. This is considered acceptable; however, details of such storage are attached via condition.
- 6.6.5 The development provides storage for 1 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 1 space per flat.
- 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.

## **7. Conclusion:**

- 7.1 Overall, Staff are of the opinion that the proposals to provide 3, 2 bedroom flats would be of an acceptable appearance, they would be largely screened from the Straight Road and would be of an acceptable appearance in Myrtle Road. It is also considered that the proposal presents an acceptable degree of spacing between the surrounding blocks of flats and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. Whilst there is no parking provision allocated for the flats, Staff note that the existing flats do not benefit from allocated parking, where, it is considered that there are no grounds on which to base a refusal. The provision of amenity space for each flat is also acceptable and approval is recommended accordingly.

## **IMPLICATIONS AND RISKS**

**Financial implications and risks:** None

**Legal implications and risks:**



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

**Human Resources implications and risks:** None.

**Equalities implications and risks:**

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

## **BACKGROUND PAPERS**

Application forms and plans received 1/12/2011

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**

12 January 2011

<b>Subject Heading:</b>	P1743.11 – Land adj 184-188 Straight Road, Harold Hill  Demolition of existing garages and construction of a three storey extension to the existing building to provide 3 no. 2 bedroom flats (Application received 1st December 2011)
<b>Report Author and contact details:</b>	Helen Oakerbee, 01708 432 800 Helen.oakerbee@havering.gov.uk
<b>Policy context:</b>	Local development Framework
<b>Financial summary:</b>	None

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

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

**SUMMARY**

This application relates to a Council owned garage court. This application proposes the demolition of the existing 4 garages and the erection of a three storey extension comprising 3 no. 2 bedroom self contained flats with associated amenity areas.

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

## RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

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

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

Reason:

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

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

Reason:

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

3) 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.

4) 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

5) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made for 3 x No. cycle storage spaces in accordance with the approved plans Drawing Nr. 10.6861.2700 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.

6) 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.

7) 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.

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

Reason:

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

9) 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.

10) 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

11) Noise insulation: The building(s) shall be so constructed as to provide sound insulation of 45 DnT w, 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.

12) 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

13) Obscure glazed windows: The proposed windows on ground, first and second floors within the southern elevation, serving the hallway, bathroom and kitchen as indicated on Drawing Nr.10.6861.2701 shall be permanently glazed with obscure glass with the exception of a top hung fanlight 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.

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

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

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

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

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

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

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

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

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

Reason:

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

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

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site is a garage court located to the rear of Straight Road, this serves the flats known as 184-188 Straight Road. This is a three storey detached 'T' shaped block constructed in facing brick with timber panels and hipped roofs.
- 1.2 This flatted block forms part of a group of 5 detached 'T' shaped three storey blocks surrounded by soft landscaping fronting the highway. These are staggered resulting in no constant building line. Beyond is a mixture of residential properties including terraced two storey dwellings and further flatted blocks. South of the group of flatted blocks is the McDonalds' restaurant.
- 1.3 The soft landscaping to the front of the site creates a pleasant open character, which mitigates the impact of height of the building in the locality. The rear is less open in character and is typified by garages, fencing and the rear entrances to properties on Myrtle Road.
- 1.4 Ground levels are generally flat and there are no trees within the site.

### 2. Description of proposal

- 2.1 This application seeks permission to demolish the existing garages on the site and erect a three storey extension to the rear of the existing building, comprising 3 No. 2 bedroom flats. There would be 1 flat on each floor.
- 2.2 Connecting the flats with the existing building would be a three storey flat roof extension with a communal entrance and staircase providing access to each flat. Soft landscaping is provided to the north building with an area reserved for cycle storage and refuse storage. The dwellings would have windows to all elevations facing north (serving bedrooms and living room), east (living room) and south (hallway, kitchen and living room). The flats would be self contained and independently accessed from the existing block.
- 2.3 The link extension measures 6m wide, 2.3m deep and 8.2m high. This is finished with timber boarding. The depth of the flats measures 7m wide, 11.6m deep, 8.2m high to the eaves and 12m high to the ridge, to give a total extension depth of 13.9m and overall building length of 31m. This would be finished in facing brick with timber boarding vertically between windows.
- 2.4 Each flat has two bedrooms, open plan kitchen and living room and bathroom. These are accessed via a central corridor.

2.5 Each flat is provided with private amenity space. The ground floor flat has a enclosed terrace measuring 5.28 square metres with private enclosed garden measuring 83 square metres. The first and second floor flats have balconies measuring 5.28 square metres.

2.7 The flats are arranged to meet the Lifetime Homes Standard and be constructed using a timber frame system, which would make the construction process faster than conventionally built brick developments. Overall, the development would meet Code Level 4 for Sustainable Homes.

### **3. Relevant History**

3.1 None

### **4. Consultations/Representations**

4.1 Neighbour notification letters were sent to 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), 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, Policy 3.5 (quality and design of housing developments), 3.8 (housing choice), 6.13 (parking) of the London Plan, PPS1 (Delivering Sustainable Development) and PPS3 (Housing) and the Residential Design Supplementary Planning Document are relevant.

### **6. Staff Comments**

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

6.2 Principle of development

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

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 61 square metres for a 2 bed, 3 person flat and 70 square metres for a 2 bed, 4 person dwelling. Each dwelling has a floor area of 68 square metres which is acceptable.

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

### 6.3 Site Layout/ Amenity Space

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

6.3.2 Each flat is provided with private amenity space. The ground floor unit has an enclosed terrace measuring 5.28 square metres with a garden beyond measuring 83 square metres. The first and second floor flats have a balcony also measuring 5.28 square metres. All terraces and balconies are located on the northern elevation with direct access from the living room. This provision of amenity space is considered acceptable and in accordance with the SPD for Residential Design.

6.3.3 The residential density range for this site is 30-50 dwellings per hectare. The proposal would result in a density of approximately 100 dph. This density is significantly higher than the range provided above; however, the site is located surrounded by large three storey blocks of flats with similar densities. Staff consider the proposals to be of an appropriate density for the area.

6.3.4 In terms of layout, the extension is located to the rear of an existing flatted block, and would be surrounded by soft landscaping to the north, east and south. Beyond it would be flanked by the rear projections of two existing flatted blocks. The block would be positioned a minimum 7.1m north to the nearest flatted block (no's 178-182 Straight Road) to the south and a minimum of 34.2m west from No's 84 Myrtle Road. In all, Staff consider that the proposed block of flats would not appear cramped within the locality.

#### 6.4 Impact on Local Character and Streetscene.

- 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The surrounding area has no prevailing architectural style, the application site and wider group of flatted blocks have an established staggered positioning with defined open spaces which create a spacious setting. The extensions would extend the existing blank eastern elevation rearward and would be screened from Straight Road by the existing buildings front elevation and adjacent block no's 190-194 and no's 178-182 Straight Road.
- 6.4.3 When viewed from the rear on Myrtle Road the block would be visible within this streetscene. Staff consider that this extended elevation would not appear intrusive or overly dominant as it would be surrounded by soft landscaping and be set 2m rearward of the rear elevation of no. 178-182. This would retain the staggered building line of group of flatted blocks and is considered acceptable.
- 6.4.4 In terms of design, development is arranged in two elements, the linking communal entrance and main flatted accommodation. The communal entrance is arranged with a flat roof and is set back from the flank elevations of the building by 0.4m. This recess and flat roof design of the building, combined with its all timber boarded elevations creates a visual break in the extended elevation and is considered to reduce the overall massing of the building as a whole.
- 6.4.5 The main flatted block is three storeys in height with a pitched roof to match that of the existing building, this would be finished in facing brick with timber boarding between the windows as per the existing block. This is acceptable and continues the repeated design of the group of flatted blocks as a whole. Staff consider that the proposed design is 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.
- 6.4.6 The existing rear elevations of these blocks are blank and front onto fencing and areas of hard standing and vacant garages. This creates a blank streetscene with limited natural surveillance. The development of flats in a repeated design on the site with inclusion of soft landscaping would improve the quality of the existing garages and would therefore be an enhancement to the character and appearance of the surrounding area in general and introduce an active frontage onto Myrtle Road. The garden of the ground floor flat would be enclosed by a boundary fence creating a private space. This is not typical of the area, which has open communal space, however,

where the existing garages enclose the boundary and the area is hard standing, the proposed fence with garden would have a softer appearance which raises no Staff concern and would improve the general appearance of the locality.

6.4.7 The inclusion of balconies to the building represents a departure from the existing building and wider group of flats. These would be glass fronted and located on the northern flank elevation. These would not be visible from Straight Road due to the width of the existing building. When viewed from the rear on Myrtle Road these are not considered to be intrusive in character. The glass enclosure is lightweight in nature and is considered acceptable. An enclosed terrace and two balconies on this elevation would also be read in combination with the adjacent site (no. 196-200 Straight Road application reference P1744.11) which are also located on the northern flank elevation and would therefore form an individual character in this rear portion of the site and reinforce the new residential frontage to this portion of the street, rather than a rear servicing/ access road.

6.4.8 It is considered that the development of three storey extension to provide 3 dwellings in this location would have an acceptable impact on the character and appearance of the locality. In light of sufficient separation distances between the proposed block and neighbouring blocks, Staff are of the opinion that the proposals would not appear as a cramped form of development within the locality and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

## 6.5 Impact on Amenity

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

6.5.2 The proposed three storey block is surrounded by adjacent three storey blocks. Ground levels are fairly level. Due to the spacing between these blocks, a three storey development here is not considered to result in any loss of light to neighbouring occupiers. The existing block to the south no's 178-182 cause an element of shadowing over the garages at present, however, the garages are built up to the site boundary, where as the extensions are located centrally, where no loss of light from existing development is considered to occur.

6.5.3 The development would have flank windows to all levels on the northern and southern elevations. On the southern elevation these serve the hallway, bathroom and kitchen, where these can be conditioned so that they are obscure glazed and non-opening with the exception of top hung fan lights for ventilation. To the northern elevation are windows serving both bedrooms and the living rooms doors which provide access onto the balcony and ground floor terrace, these are located at a minimum of 16.9m

south of 190-194 Straight Road and is not considered to result in direct overlooking given the separation distance, the balconies specifically would also overlook the highway rather than this neighbouring building due to its larger set back from the public highway.

- 6.5.4 The windows serving the bedrooms are on the rear elevation are located approximately 34.1m at a minimum from No's 84 Myrtle Road, this is not considered to result in overlooking given the separation distance. The Residential Design SPD does not prescribe back to back distances, and given the staggered positioning between blocks here, it is considered that the block would not result in a loss of amenity through overlooking or loss of privacy.
- 6.5.5 The extensions would be closest to the flank northern elevation of no's 178-182 at a minimum distance of 7.1m. This elevation however, is blank and Staff consider that there would be no loss of amenity. The windows in this elevation facing the site are located 12.8m away which raises no objection.
- 6.5.6 In terms of additional noise and disturbance, it is not considered that the addition of 3, 2 bedroom flats would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. The flats would be built using a timber frame; this would speed up the construction process over traditionally constructed brick buildings. A condition is also attached which restricts the hours of construction.
- 6.5.7 It is considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

## 6.6 Highway/Parking/Access

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type nature. The development does not provide any off street or allocated parking. This is contrary to the provisions of DC33, Staff note however, that the London Plan (adopted July 2011) recommends far lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states 1-2 bedroom units should provide less than 1 parking space per unit, as a maximum.
- 6.6.2 Whilst a car free development is unusual in this location, outside of the town centres, Staff do not consider this would be unacceptable in context, where the existing flatted block and adjacent flatted blocks (45 flats in total) do not have any parking provision. These collective flats have not resulted in significant on street parking demand and an additional 3 (plus the 2

proposed under P1744.11 – creating 6 flats in total) are not considered to materially alter the locality. It is also noted that Myrtle Road and surrounding streets to the rear of the site has no parking control. It is likely that residents with cars would utilise this area of highway for parking. It is not considered to be detrimental to the overall function of the highway in this instance, where Myrtle Road is characterised by the rear of properties, where cars are not usually parked. This is an isolated case, where it is considered that a car free scheme is acceptable; however, Members are invited to apply their judgement in this respect.

- 6.6.3 According to information provided by the applicant, the existing garages are in a poor condition and all are vacant. The loss of these garages in favour of the proposal to provide new accommodation is therefore considered acceptable and would not result in any highway safety or parking issues through displacement parking.
- 6.6.4 The site would be serviced by Myrtle Road which is considered acceptable as this is an existing fully functioning servicing road which serves the existing blocks of flats. With regard to refuse storage, an area has been set aside within the site for the flats. This is considered acceptable; however, details of such storage are attached via condition.
- 6.6.5 The development provides storage for 1 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 1 space per flat.
- 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.

## **7. Conclusion:**

- 7.1 Overall, Staff are of the opinion that the proposals to provide 3, 2 bedroom flats would be of an acceptable appearance, they would be largely screened from the Straight Road and would be of an acceptable appearance in Myrtle Road. It is also considered that the proposal presents an acceptable degree of spacing between the surrounding blocks of flats and is not considered to appear as unacceptably dominant or visually intrusive. It is considered that the proposal would not have any detrimental impact on neighbouring properties. Whilst there is no parking provision allocated for the flats, Staff note that the existing flats do not benefit from allocated parking, where, it is considered that there are no grounds on which to base a refusal. The provision of amenity space for each flat is also acceptable and approval is recommended accordingly.



## IMPLICATIONS AND RISKS

**Financial implications and risks:** None

**Legal implications and risks:**

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

**Human Resources implications and risks:** None.

**Equalities implications and risks:**

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

## BACKGROUND PAPERS

Application forms and plans received 1/12/2011

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**

**12 January 2012**

**OUTSIDE STATUTORY PERIOD**

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-4	P1350.11	Hylands	39 Edison Avenue Hornchurch
5-12	P1370.11	Romford Town	12-16 Craigdale Road Romford
13-18	P1398.11	Brooklands	Romford & Gidea Park RFC Crow Lane Romford
19-24	P1453.11	Gooshays	71-73 Farnham Road Harold Hill Romford
25-34	P1718.11	Brooklands	2 Cherry Street Romford

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**REGULATORY SERVICES COMMITTEE**

**12th January 2012**

**OUTSIDE STATUTORY PERIOD**

<b>APPLICATION NO:</b>	<b>P1350.11</b>	
<b>WARD :</b>	Hylands	<b>Date Received:</b> 5th September 2011
<b>ADDRESS:</b>	39 Edison Avenue Hornchurch	
<b>PROPOSAL:</b>	Retention of ground floor rear extension	
<b>DRAWING NO(S):</b>	GA-01 Rev A	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**SITE DESCRIPTION**

The subject dwelling is a gabled roof, semi-detached house located on the east side of Edison Avenue. One off-street parking space is available, and two wheel, off-road parking bays exist in the vicinity. The surrounding area comprises mixed residential properties. No trees will be affected by the development and the ground is fairly level.

**DESCRIPTION OF PROPOSAL**

The application now under consideration is for retrospective planning permission for a ground floor rear extension which is 6.4m wide by 4m deep with a flat roof 3m high.

**RELEVANT HISTORY**

P1493.02 - Single storey side and rear extension - Approved  
P1225.09 - Hip to gable roof conversion, 2 storey side, single storey front and rear extensions and rear dormer window - Withdrawn  
P1573.09 - Ground and first floor side extension, ground floor front and rear extensions and rear dormer window - Refused  
D0010.10 - Certificate of Lawfulness for two storey rear extension, single storey rear and side extensions and front porch - Planning not required  
P1155.10 - Ground floor rear extension - Approved  
D0187.10 - Certificate of Lawfulness for two storey rear extension, single storey rear and side extensions and front porch, hip to gable loft conversion and rear dormer window - Planning not required  
P0581.11 - Retrospective planning permission for 1m additional depth to the existing ground floor rear extension - Approved

**CONSULTATIONS/REPRESENTATIONS**

Comments within the objection letter expresses concern regarding loss of light to flank windows and the general proximity of the development. The objector also referred to the inaccuracy of the plans in relation to previous applications.

**RELEVANT POLICIES**

Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Residential Extensions and Alterations SPD.

**STAFF COMMENTS**

By way of background, this property has been the subject of six applications in the recent past,

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which have been a combination of applications for planning permission and Certificates of Lawfulness Development.

The first planning application P1225.09, proposed development which included a two storey side extension, which was not acceptable due to the impact on the windows of the bungalow next door. Following negotiations with the applicant, this application was withdrawn.

The second application, reference P1573.09 proposed a ground and first floor side extension, ground floor front and rear extensions and rear dormer window. This application was refused planning permission due to its proximity to the bungalow next door as it would appear dominating and visually intrusive; would result in loss of light to habitable rooms; the differing roof slopes would appear as an unacceptably discordant and visually intrusive feature in the street scene and finally inadequate on-site car parking.

The third application was a Certificate of Lawfulness, D0010.10, for a two storey rear extension, single storey rear and side extensions and front porch. The certificate was granted. Extensions to the rear were both 3m deep.

The fourth application was a planning application, reference P1155.10 for a 4m deep, ground floor rear extension only. This was granted planning permission but the applicant was advised by means of an Informative attached to the permission that construction of this 4m deep extension would nullify the 3m deep ground and first floor extensions permitted under the Certificate of Lawfulness application D0010.10.

The fifth application for a Certificate of Lawfulness, D0187.10, was for a two storey rear extension, single storey rear and side extensions and front porch, hip to gable roof conversion and rear dormer window. The depth of the single storey rear extension was to be 3m and the Certificate was granted.

However, the applicant constructed the whole development with a 4m deep rear extension at ground level and a further (sixth) application, reference P0581.11 was submitted to regularise the additional 1m depth. That application was granted planning permission.

Following an Enforcement investigation it was found that the development had not been constructed in accordance with approved plans. In particular it was evident that the common boundary between the subject dwelling, No.39 and the non-attached neighbouring property No.33 had not been accurately represented on the submitted plans giving a misleading representation as to the potential impact of the development upon the neighbouring property.

Detailed measurements of the relationship between the two properties have now been taken and the acceptability of the development is discussed below.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The single storey rear extension now under consideration is not visible from the front street scene, therefore no issues arise in this respect.

In the rear garden environment, staff consider the extension relates satisfactorily to the subject dwelling in terms of bulk, scale and design and no undue environmental or visual impact issues arise due to its construction.

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**IMPACT ON AMENITY**

Staff consider the potential impact of the development on adjoining neighbours to be the most sensitive issue in this case and care will need to be exercised.

The attached neighbour, No.41, lies to the south of the subject dwelling and has structures to its rear to a width of 600m by depth of 1.2m close to the party boundary with a deeper (1.8m) extension alongside. The single storey rear extension at the subject dwelling is to a depth of 4m and a height of 3m which complies with criteria contained within Supplementary Design Guidance. It is considered this neighbour will suffer from no undue loss of light or amenity due to the extension now under consideration.

Staff consider the immediate non-attached neighbour, No.33 to be the property potentially most affected by the development. No.33 is a bungalow property set to the north of the subject dwelling. It is built up to the slightly oblique common boundary and has been extended to the rear to project over 2m further into the rear garden area than the extended subject property. No.33 contains two flank windows which are located on the boundary line.

The case officer has established that the window closest to the rear extension under consideration, is the one most likely to be affected. From investigation and discussion with the relevant neighbour, it appears that this window is not original to the bungalow but was apparently constructed in the 1960's. It is glazed with obscure glass and serves a dining room, which, for the purpose of assessment of this application, is classed as a habitable room. Whilst undoubtedly this flank window is a significant light source to this room, it also receives referred light through a wide archway from the kitchen at the rear.

It is clear from inspection that the development results in significant light loss to this window. Indeed, application of a simple "Rule of Thumb" notional 45 degree line constructed from the sill of this window shows that the development impedes light. Consideration has therefore been given to a refusal of planning permission on this basis.

On the other hand, the window in question is not original (albeit it has been in position for many years). Moreover, in cases where planning control exists, such a window would not normally be permissible on the boundary with an adjoining property since invariably it would give rise to neighbourliness issues such as overlooking and loss of privacy and would also claim light solely from land over which the occupier has no control. Mindful, of these factors and taking into account that the affected dining room is also served via a secondary referred light source; staff consider, on balance, that only limited weight can be given to light loss to the window in question and that a refusal of planning permission on this basis alone would be unreasonable and unlikely to be supported at any appeal (which would almost certainly follow given that the development has already been constructed).

With reference to the potential impact upon the second window located further towards the front of the property. This window appears to be an original window serving a bedroom and is most affected by earlier works undertaken with the benefit of permitted development rights and not those the subject of this application. Given these circumstances consideration cannot be given to such light loss within the terms of this application.

The objector has been advised to consult with a solicitor to ascertain whether there may be separate redress under "Right to Light" legislation but this is not a matter that can be considered as part of the determination of this application.

In response to the objector's concerns that submitted plans accompanying previous applications have been inaccurate. The onus is always upon the applicant to ensure that plans are

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accurately drawn and the site surveyed, as failure to do so could render any planning permission invalid. In this case the applicant, in undertaking works which were not wholly in accordance with the specifications and details as shown on the submitted drawings, did so at his own risk and did not prevent the full and proper consideration of the application.

In summary, staff recognise that in recommending the grant of retrospective planning permission in this case that the development results in light loss to a neighbouring window. However on the basis of judgement and mindful of the particular merits and circumstances of this case as set out above, on balance, the development is not considered unacceptable from the neighbourliness point of view.

#### **HIGHWAY/PARKING**

The proposal does not affect present parking arrangements and results in no additional bedrooms being provided, therefore no highway issues arise.

#### **KEY ISSUES/CONCLUSIONS**

It is considered on balance, that the single storey rear extension element of the development as constructed accords with the aims and objectives of Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Residential Extensions and Alterations SPD. Retrospective planning approval is therefore recommended.

DATE PASSED TO DC MANAGER: 24th November 2011

#### **RECOMMENDATION**

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

1. S SC10 (Matching materials)
2. S SC32 (Accordance with plans)
3. SC46 (Standard flank window condition)
4. S SC48 (Balcony condition)

#### **1 INFORMATIVE:**

Reason for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of the Residential Extensions and Alterations SPD and Policy 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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<b>APPLICATION NO:</b>	<b>P1370.11</b>	
<b>WARD :</b>	Romford Town	<b>Date Received:</b> 7th September 2011
<b>ADDRESS:</b>	12-16 Craigdale Road Romford	
<b>PROPOSAL:</b>	Demolition of existing buildings and construction of 3 no. three bedroom houses  Revised Plans Received 02.11.2011	
<b>DRAWING NO(S):</b>	511-14D	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**SITE DESCRIPTION**

The application site is located towards the western side of Craigdale Road and east of Kyme Road, approximately 70 metres from the junction with Brentwood Road, Hornchurch. The site consists of a mixture of single and 2-storey buildings and its last lawful use was for a car mechanics and spray shop. The site measures approximately 477sq metres in area with a frontage width of 16.6m and depth of 29m. The site can be accessed from Craigdale and Kyme Road.

The surrounding street scene is characterised by 2-storey residential terraced and semi-detached dwellings. Towards Brentwood Road are some commercial buildings.

**DESCRIPTION OF PROPOSAL**

The Council is in receipt of a planning application seeking permission to demolish the existing buildings on the site and construct 3 x 2-storey terrace dwellings with accommodation in the roofspace.

The dwellings would extend the full width of the plot, measuring 16.4m (as previously) in width. The development would be 2-storey in height, measuring 8.6m (previously 7.9m) to the top of the ridge. The main roof design would be pitched with gabled ends (previously hipped to northern plot). Fenestration would mainly be towards the front and rear. The dwellings would front onto Craigdale Road, where the main pedestrian entrances would be.

The main body of each dwelling would have a depth of 7.5m (as previously) with all three dwellings having a rear element extending beyond the main pitched roof. Those to the flanks would have a 2-storey rear extension with a mono-pitch roof sloping down towards the existing side boundaries of the application site. The middle dwelling would have a mansard-style roof between the two tunnel-back properties to either side. The two flank properties would have a dormer window to the rear roof slope elevation.

Vehicular access would be directly from Kyme Road to the rear of the application site with hardstanding provided for 2 vehicles to each dwelling.

A garden would be provided to the rear of each property and each be approximately 64sq metres in size.

The main changes since the approval (P0173.11) in mid-2011 are:

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The relocation of the tunnel-back sections to the boundary of the middle property and increase in height to two-storey for that on northern plot

removal of tunnel back and provision of a mansard-style roof to the middle-property adjoining the flank tunnel-back sections

The provision of dormer windows to the rear elevation of the two flank properties

rearrangement of roof to provide gables to both flank elevations (previously one hipped and one gabled)

increase in ridge height from 7.9m to 8.6m

increase in bedrooms from all 2-bed to 2, 3-bed and 1, 4 bed dwellings

An obscure-glazed, fixed-shut, first floor bathroom window to the southern elevation of the southern plot

Internal changes

#### **CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to 25 neighbouring properties. One piece of correspondence was received objecting that a party garden wall is not shown which the objector would like to be retained.

Thames Water have written to remind the developer that it is their responsibility to make proper provision for drainage of surface water.

English Heritage confirm that due to the limited known potential nearby and the extent of obvious disturbance at the applicaiton site, they do not need an archaeological investigation at the site.

The Crime Prevention Design Advisor has written to request, due to the higher than Havering average crime in the Romford Ward, that a condition and informative is attached to any planning approval to require submission of details for crime prevention through design.

The London Fire and Emergency Planning Authority write to advise that they are satisfied with the proposal.

#### **STAFF COMMENTS**

The issues to be considered in this case are the principle of the development, the design and scale of the proposal, its impact in the street scene and upon the residential amenities of neighbouring properties and parking/highways.

#### **PRINCIPLE OF DEVELOPMENT**

The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of a residential redevelopment of this existing commercial site has previously been 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. There are no changes to legislation/policy since the previous approval to indicate otherwise and this scheme is therefore also acceptable in principle.

#### **DENSITY/SITE LAYOUT**

In terms of the density of the development, the residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 63 units per hectare. Although the proposed density is above the range recommended in Policy DC2 of the Council's LDF, it is only one measure of the acceptability of the scheme. The main consideration is whether the scheme would result in harm or whether it is of a high standard of design and

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layout.

The dwellings would front onto Craigdale Road with their gardens beyond. Parking/vehicular access is proposed from the rear; directly from Kyme Road. This is characteristic of the existing properties which lie either side of the application site.

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

The proposed gardens would measure approximately 64sq metres each at the rear of each dwelling with 2m close-boarded timber fencing. Access to the gardens would be either directly from each house or via the proposed vehicular hardstanding areas off Kyme Road. Staff are of the opinion that the proposed gardens would be adequate as it would be of an acceptable size, located towards the rear of the dwelling and available for private use by the occupants. The gardens would be screened from public views and is therefore considered to be practical for day to day use. The amenity space provision is consistent with the provisions of the Residential Design SPD.

Staff are of the opinion that the proposal represents an acceptable layout and scale which is compatible with the character of the surrounding area. Notwithstanding the recommended density range, the proposal is not considered to appear as a cramped form of development and does not represent an overdevelopment of the site. Staff consider this aspect of the proposal to be acceptable.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

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

The character of Kyme Road and Craigdale Road is mainly 2-storey terraced and semi-detached dwellings of Victorian character. The proposal has been designed to be in keeping with the character of the existing dwellings in the streetscene view and will reflect a similar design as the existing residential development to Craigdale Road.

Staff are of the opinion that the proposal's ridge height at 8.6m would be acceptable in relation to those properties adjacent to the application site. The proposal would front onto Craigdale Road and would extend the full width of the plot. The proposal's front building line would be in line with other dwellings along this road and would therefore be in keeping with the street scene character.

While 18 Craigdale Road has a hipped roof, 10 Craigdale Road has a gable to its side elevation. The proposal would have gables to both sides which are considered to be acceptable and in character with other existing development such that it is considered that the proposal would have

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an acceptable impact on visual amenity in the streetscene to Craigdale Road.

According to the Council's Residential Extensions and Alterations SPD, two-storey rear extensions should be set in from the common boundary with any attached dwelling by not less than 2 metres, and should project no more than 3 metres. In exceptional local circumstances rear extensions of a greater depth up to a maximum of 4 metres may be acceptable where, for example, this would be sympathetic with the character of the local area and/or rear extensions of a similar depth already exist at neighbouring properties.

Two of the dwellings would have a 2-storey rear projection (Tunnel-backs), similar to other dwellings along Craigdale Road. The middle dwelling would have a different approach with a mansard-style roof giving larger accommodation at roof level. While this design is novel in the streetscene to Kyme Road, Staff consider that it would not appear so out of character as to justify a refusal of permission. In terms of their design, the proposed rear projections are considered to be acceptable.

Overall, the proposal is considered to be acceptable in terms of its layout, scale, bulk, height and design such that the dwellings would be compatible with the existing street scene character and therefore comply with the aims and objectives of Policy DC61 of the LDF.

**IMPACT ON AMENITY**

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

In terms of overlooking, the only windows proposed in flank walls would serve either landing areas or bathrooms. These windows can be conditioned to be fixed shut and obscure glazed. The bathroom windows can have top hung fanlights for ventilation. All other windows would be towards the front or rear of the dwellings and it is not considered to result in any levels of overlooking which would be harmful to neighbouring amenity.

The nearest existing dwellings are 10 and 18 Craigdale Road. The only dwelling which could be affected by overshadowing would be No. 10. The proposal however has a similar footprint compared to its neighbouring properties and would extend beyond No. 10 at 1st floor level only for the tunnel-back section which is located adjacent to the middle property boundary. The roof of the tunnel-back section is mono-pitch, sloping upwards and away from this neighbouring property's shared boundary. It is therefore not considered that the proposal would have any harmful impact in terms of appearing overbearing or overshadowing on relation to this neighbouring dwelling. The application is considered to be acceptable in this respect.

In terms of general noise and disturbance, it was noted upon site inspection that the majority of neighbouring properties have outbuildings in their rear gardens, closest to the Kyme Road boundary. The rear of the application site would be utilised as gardens with parking spaces accessed from Kyme Road. It is not considered that the addition of 6 parking spaces for 3 dwellings would give rise to any unreasonable levels of noise and disturbance. It is further considered that any potential noise would be less than that of the site's existing lawful use as a M.O.T centre.

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 dwellings may result in harm to

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the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that Permitted Development Rights for any extensions or alterations to the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.

#### **HIGHWAY/PARKING**

Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL of 1 - 2 and therefore requires 2 parking spaces per unit. In this application, the hardstanding towards the rear would be able to accommodate parking space for two vehicles for each dwelling. The provision of a total of 6 off-street parking spaces is considered sufficient and would not have a detrimental impact on traffic congestion and parking issues along Craigdale Road or Kyme Road.

In light of the above, the proposal is in accordance with the provisions of Policies DC2 and DC33 of the LDF and is not considered to result in any parking or highway safety issues.

#### **OTHER ISSUES**

With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse/recycling bags close to the highway on collection days.

#### **KEY ISSUES/CONCLUSIONS**

Overall, it is considered that the proposed dwelling by reason of its design, scale and siting, would result in an acceptable development within the street scene. It is not considered that the proposal would give rise to any overlooking or loss of privacy and or other loss of amenity for adjoining existing residential occupiers. Parking would meet requirements for this locality and there are no other highway concerns. Staff therefore consider that the development would be acceptable and that it would accord with the relevant Policies of the LDF Core Strategy and Development Control DPD.

#### **RECOMMENDATION**

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

1. S SC4 (Time limit) 3yrs
2. S SC5 (Parking standards)
3. M SC09 (Materials)
4. M SC11 (Landscaping)
5. S SC32 (Accordance with plans)
6. SC34A (Obscure and fixed glazing)

The proposed windows at 1st floor level, serving the landing area, shall be permanently glazed with obscure glass and thereafter be maintained and permanently fixed shut to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy, and in order that the development accords with the

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**7.** SC34B (Obscure with fanlight openings only)

The proposed windows on 1st floor level serving the bathroom to each of the dwellings 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.

**8.** SC46 (Standard flank window condition)

**9.** M SC62 (Hours of construction)

**14.** M SC63 (Construction Methodology)

**15.** M SC45A Removal of permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C and D and E no extensions, roof extensions or alterations, porches, curtilage buildings/enclosures or containers 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.

**10.** Non standard condition

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

Reason:

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

**11.** Non standard condition

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:

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

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

Reason:

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

**13.** Non standard condition

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

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

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

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

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

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

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

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

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contamination proposals.

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

Reason:

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

**2**      **INFORMATIVE:**

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. In aiming to satisfy Condition 12 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

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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<b>APPLICATION NO:</b>	<b>P1398.11</b>	
<b>WARD :</b>	Brooklands	<b>Date Received:</b> 27th September 2011
<b>ADDRESS:</b>	Romford & Gidea Park RFC Crow Lane Romford	
<b>PROPOSAL:</b>	2 new floodlights, relocation of 2 existing and new lights to existing columns additional Statement & Plan Received 23.11.2011	
<b>DRAWING NO(S):</b>	Site location plan 2010-328-01 - 0 2010-328-02 - 0 2010-328-03 - 0 2010-328-04 - 0	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**CALL-IN**

Councillor Tebbut has called in the application.

**SITE DESCRIPTION**

The application site lies to the southern edge of Crow Lane and covers 5.8 hectares of designated Metropolitan Green Belt land. The site is accessed by a gated track off the main highway where it opens onto a large car parking area. The club house is situated adjacent to the car park on the north west of the site. The remainder of the site, used as rugby pitches is open and flat in character and runs down to Meadow Road to the south, there is further open land to the east and west. The overall site is highly visible from all boundaries.

There is a boundary hedge which runs around the south of the site, with the properties on Meadow Road highly visible. The Crow Lane frontage has some vegetation, and a fence of around 1.2m high, which is highly visible from the highway. There is some existing temporary lighting and floodlighting to the rugby pitches.

**DESCRIPTION OF PROPOSAL**

Planning permission is sought for 2 new flood light columns, the relocation of 2 existing flood light columns and new lights to existing columns.

The new lamp columns are to measure 15m in height. There would be a total of 6 columns with lights on the site. The existing 20 lights across 4 columns would be reduced to 14 lights across 6 columns.

**RELEVANT HISTORY**

P0140.09 - Use of overspill car park on an unrestricted basis (deletion of condition 14 attached to planning permission P2155.06) - approved.

P2155.06 - Proposed extensions and alterations to existing club house with associated parking - approved.

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P0277.10 - 18 no. security lights and 8 no. cctv cameras to existing car park - refused.

P0919.10 - Variation of Condition 9 of P2155.06 - withdrawn.

P0963.11 - 2 new flood lights, relocation of 2 existing floodlights and new lights to existing columns - refused.

**CONSULTATIONS/REPRESENTATIONS**

Neighbour notification letters were sent to 79 properties. 11 representations were received, stating the following objections:

- Works have already been carried out
- Lights are contrary to Green Belt policy
- The Rugby Club has not followed planning conditions in the past.

A site notice was displayed advertising a development within the Green Belt.

**RELEVANT POLICIES**

PPG2 (Green belts), PPG17 (Planning for Open Space, Sport and Recreation), CP14 (Green Belts), DC18 (Protection of Public Open Space, Recreation, Sports and Leisure Facilities), DC45 (Green Belt), DC56 (Light), DC61 (Urban Design), DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies DPD.

**STAFF COMMENTS**

The issues for Staff to consider relate to the impact the extensions and alterations to the dwelling would have upon the open character of the Metropolitan Green Belt, streetscene, neighbouring residential amenity, highway and parking.

Principle of Development.

The site lies within the designated Metropolitan Green Belt. The objective of Green Belt designation is to protect the open nature of the countryside by preventing urban sprawl. Green Belt development is generally restrictive, and where development is contrary to the provisions of PPG2 and DC45, or where development is judged to be harmful to the character of the Green Belt, the applicant should provide very special circumstances to justify the proposal.

Paragraph 3.15 of PPG2 states that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of land including land in the Green Belts, might be visually detrimental by reason of their siting, materials and design.

Paragraph 19 of PPG17 states that local authorities should seek opportunities to improve the value of existing open space, sport and recreational facilities, whilst avoiding any significant loss of amenity to residents. Policy DC18 echoes this and states that the Council will seek enhancement of all recreation, sports and leisure facilities that are in private and public ownership.

This application is a resubmission of P0963.11 which was refused for the following reasons:

1. The site is within the area identified in the Core Strategy and Development Control

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Submission Development Plan Document Policy Plan as Metropolitan Green Belt. The Core Strategy and Development Control Submission Development Plan Document Policy and Government Guidance as set out in Planning Policy Guidance Note 2 (Green Belts) states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new building will only be permitted outside the existing built up areas in the most exceptional circumstances. No special circumstances to warrant a departure from this policy have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the Development Control Policies Development Plan Document Policy.

2. The proposed development would, by reason of the lamp columns height appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

The proposal has been resubmitted with further information and a very special circumstances case in order to justify the development which ordinarily Staff would find unacceptable. The justification put forward by the club is discussed later in the report.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The lighting columns would be situated centrally within the site and be well spaced apart. Staff previously raised concern that the additional light columns would amount to additional clutter within the site and be too high for the locality.

Additional information has been submitted which states that the existing lighting columns are 15m in height and that the two additional columns would match those existing. The positioning of the columns to the centre of the site, away from the most visible part of the site from the highway would not result in additional clutter.

The front boundary is planted with railings but this is minimal and appears untidy. Alterations to this front area would off set the appearance of the light columns in the playing field. A landscaping scheme has been offered by the applicant which is attached via condition.

The slender appearance of the columns is considered acceptable.

#### **IMPACT ON AMENITY**

PPG17 states that development should not cause any significant loss of amenity to residents. Whilst a light spill plan has been provided, indicating that lights will be positioned to face into the development, rather than out, the specification of the lighting submitted does not indicate any screening or alternative method to avoid light spill to the rear.

Policy DC56 states that lighting should not have a negative impact on the amenity of residents. The nearest residential properties are no's 3-41 and 55 Crow Lane which are located either side of the site access. The relocated lamp column nearest the club house is located approximately 85m away from the southern elevation of no. 55. The existing columns are to have new lights fitted and these will remain in their current locations, which are well removed from the properties fronting Crow Lane.

Objections received from neighbouring occupiers state that lighting is contrary to the provisions of the Green Belt, however, with a reduced light spill, in this instance no harm from the light fittings is considered to occur to the Green Belt.

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The two new lamp columns are located further south within the site and are approximately 130m from the nearest residential properties. The lighting is positioned centrally within the site with the lamps angled downwards. The submitted light spill plans show that the glare from the lamps would not be intrusive upon neighbouring properties. The Council's street lighting engineer has not raised any objection to the lighting. Conditions are attached which stipulate that the lighting should remain angled downwards at all time in order to minimise the impact to surrounding occupiers.

#### **HIGHWAY/PARKING**

The Highways Authority have no objections to the proposals and there are no highway implications.

#### **OTHER ISSUES**

Very Special Circumstances:

The application site is flat and open in character, with minimal screening and vegetation around the edge of the site, especially the northern Crow Lane boundary. As such the majority of the club and playing fields are highly visible from the highway, neighbouring dwellings and the open land to either side of the site. This proposal seeks to install 2 new flood lights on 15m high columns and relocate 2 existing columns and replace the lamps of two further columns to give a total of 6 columns. All the lights would be located towards the centre of the site, east of the club house. The applicant has stated that the replacement light fixtures to the columns results in a reduction from 20 to 14 lights with a reduced energy consumption of 30% from existing levels.

Whilst lighting to a sports club with associated playing fields may be acceptable, where it is located within the Green Belt, there are overriding objectives with regard to the protection of its visual amenity. Staff acknowledge that the lighting would improve the facilities of the rugby club however, and would therefore improve a sports facility in line with DC18.

It has been considered previously that 15m high lamp columns would be visually intrusive by reason of their height and collective number. This application remains unchanged from the previous application; however, additional information has been submitted with this application. This states that the existing columns are 15m in height. The new columns would be positioned to the central portion of the rugby pitch, away from the public highway and access track. The columns have a slender appearance which raises no objection.

The visibility of the lamp columns and associated lighting from Crow Lane is in part, due to the wide open frontage with minimal screening. In streetscene terms, Staff consider that there is scope for supplementary planting on the Crow Lane frontage which would in turn reduce the visibility into the club site. The previous concerns with clutter would therefore be reduced with a landscaping scheme. A landscaping condition has been offered by the applicants, which is attached via condition.

Light spill is of equal visual impact within the Green Belt. The applicant has provided light spill plans which show a significantly reduced light spill which is more strictly bound to the boundaries of the pitch. During evening hours when lights are on, which are enforceable by condition, Staff consider this would reduce the glare to the existing playing fields. Combined with the landscaping to the front would reduce the impact from Crow Lane.

Staff consider that in all, the justification put forward for the lighting and columns is acceptable and outweigh the harm to the Green Belt. Members are however, invited to apply their

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judgement to the acceptability of this case.

**KEY ISSUES/CONCLUSIONS**

In conclusion, the relocation of the existing light columns and installation of 2 additional 15m high light columns is considered to be acceptable for the reasons given above. The existing columns are 15m in height and the additional provision is located away from the streetscene.

The columns would result in a reduced number of light fittings, energy consumption and reduced light spill across the playing fields. The additional information and justification put forward with this resubmission is considered acceptable by Staff in order to recommend the development for approval.

The lighting would result in a reduced impact to surrounding residents due to the reduction in light spill, and with supplementary planting to the Crow Lane boundary would reduce visibility to those properties closest in the north,

**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. Non standard condition  
The floodlights hereby approved shall not be illuminated between 9.30pm and 3.30pm the following day and shall be fitted with a time switch so that the lights are not illuminated between those times.

Reason:-

In order to minimise the impact of the development on surrounding areas.

4. Non standard condition  
The flood lighting hereby permitted shall be angled downwards at all times.

Reason:-

In the Interests of residential amenity.

5. Non standard condition  
No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme soft landscaping to the northern Crow Lane boundary, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained. 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:-

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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** INFORMATIVE:

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC18, DC45, 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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<b>APPLICATION NO:</b>	<b>P1453.11</b>	
<b>WARD :</b>	Gooshays	<b>Date Received:</b> 26th September 2011
<b>ADDRESS:</b>	71-73 Farnham Road Harold Hill, Romford	
<b>PROPOSAL:</b>	Change of use from A1 to sunbed and beauty salon	
<b>DRAWING NO(S):</b>	Proposed Layout	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**CALL-IN**

No

**BACKGROUND**

The application does not wholly meet the requirements of the Council's Core Strategy and Development Control Policies DPD, (Policy DC 16 Core and Fringe Frontages in District and Town Centres). The subject premises are owned by the Council. As such the application is referred to members for decision.

**SITE DESCRIPTION**

The subject site is located within the Harold Hill, Local Shopping Centre, at close to the southern end of Farnham Road.

The application property is a four storey 1960's style building, comprising retail and commercial uses at ground floor level and residences above.

The application site comprises the ground floor of a two adjacent commercial premises (71 and 73 Farnham Road) located on the eastern side of Farnham Road, Harold Hill. The site is located slightly to the north of the intersection with Chippenham Road, and south of The Arcade.

The ground floor of the two premises is currently used as a retail outlet, Top Spot Clothes. However staff are advised that the current occupiers will be vacating the site in the near future.

The application relates to the ground level only with a frontage of 11.0 metres, covering an area of 138 sqm.

There is on street parking available on Chippenham Road, and Farnham Road to service the shopping centre. Servicing of the site occurs from the rear, via East Dene Lane.

**DESCRIPTION OF PROPOSAL**

The current full planning application proposes the change of use of the premises from Retail (A1) to Beauty/Tanning Salon (Sui Generis). The use will be established on the ground floor only. The premises has a floor area of approximately 138 sqm.

It is proposed that the premises will operate between

· Monday - Friday 09:00 am - 09.00 pm

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- Saturday - 09:00 am - 06.00 pm
- Sunday 10.00 am 04.00 pm

There will be 8 FTE staff employed in the business.

Proposed signage and any external changes will be subject to a separate application to the Council.

The applicants currently operate their business from The Arcade. That site will no longer be available from early 2012. This is as that site forms part of the redevelopment proposals associated with the Harold Hill Ambitions Plan being undertaken by the Council.

#### **RELEVANT HISTORY**

No relevant planning history.

#### **CONSULTATIONS/REPRESENTATIONS**

The Council's Environmental Health Department raise no objection.  
The Council's Highways Department raise no objection.

#### **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 Harold Hill Minor District Centre, impact on residential amenity and highways/parking.

#### **PRINCIPLE OF DEVELOPMENT**

The application site is located within the retail core of Harold Hill Minor District Centre. Policy DC16 states: In the district centres and major local centres:

- planning permission for A1 retail uses will be granted throughout the primary shopping area (comprising the retail core and fringe areas) at ground floor level
- planning permission for service uses (A2, A3, A4, A5) will only be granted within District and Neighbourhood Centres throughout the retail core at ground floor level where:
  - the use provides a service appropriate to a shopping area
  - the proposal will not result in the grouping of 3 or more adjoining A2-A5 uses
  - within the retail core of Hornchurch and Upminster the proposal will not result in the proportion of non-retail uses within the relevant frontage exceeding 20% of its total length.

Within the retail cores of Collier Row, Elm Park, Harold Hill and Rainham and the Major Local Centres, a 33% figure will apply.

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



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same time, it recognises that uses such as banks, building societies, beauty salons, hairdressers, cafes and restaurants provide a complementary service for the shopping public, and it is therefore appropriate to make some provision for them in the centre. Whilst these are appropriate to a retail centre, the carefully considered application of Policy DC 16 is required to ensure that the core function of the area is not eroded in a piecemeal fashion, resulting in the long term degradation of the centre's viability.

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.

Site visits indicate that it is apparent that the southern end of Farnham Road, receives less pedestrian traffic than that, further to the north. As such it is important to maintain a spread of suitable use along Farnham Road to assist in maintaining the viability of the centre.

The proposed use would result in a group of three or more adjoining A2-A5 uses or other non-retail uses, contrary to Policy DC16. The policy outlines that: the frontage will be measured in metres along continuous built development between significant breaks such as a road or footpath

In determining the relevant frontage for the purposes of the above, it is considered that the frontage runs between Nos 65 Farnham Road and 73 Farnham Road. The frontage begins at the subject site (Note the site to the south on the corner is currently vacant it was formerly Eastern Counties Real Estate), and finishes at the north, Percy Ingles Bakers. Between these premises there is a cafe, bank and the subject premises, that occupies two frontages.

There are 4 units within the parade at 67-73 Farnham Road with a total frontage of 34 metres. The 3 non-retail uses have a combined frontage measuring 25 metres, represents 73 percent of the total length of the parade in non-retail use. The proposed change of use at No. 71-73 Farnham Road (with a frontage of 11 metres) would result in 100% of the total length of the parade in non-retail use, exceeding the 33% given in policy.

The opposite side of Farnham Road, is dominated by the Sainsbury supermarket, in addition to a charity shop, bank and Homes in Havering centre.

The remainder of the shopping centre has a significant retail element with the presence of large national chain supermarkets, smaller retail shops, betting shops set amongst cafes and takeaways.

The applicant has advised that they are due to vacate their current premises in the Arcade in early 2012. However they would like to remain in the area to use and build upon their established customer base.

Although the change of use would be contrary to Policy DC16, it is considered that on balance, the Sui Generis use would be acceptable, as it the characteristics of the use are similar to those associated with an A1 retail unit. It would contribute positively to the vitality of Harold Hill Shopping Centre, attracting customers to the southern end of Farnham Road.

The proposed use would be likely to attract both dedicated customers and those on which are visiting the area on general trips to the shops opposite and to then north and the nearby banks and cafes. Staff are of the view that the proposal has the potential to make a contribution to

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pedestrian flows. It is proposed that the premises be open seven days a week during normal shopping hours.

The opening hours of the premises will ensure that the use has an established presence beyond the opening hours of some of the other non-retail uses nearby (two banks and Havering Homes) It is noted that the applicants propose to operate until 9.00 pm Monday to Friday, 6.00pm Saturday and 4.00 pm on Sundays. As such the opening hours will be more aligned to the supermarket opposite that operates until 10.00pm. as opposed to the non-retail uses that close at 4.00 pm on week days.

The proposed tanning salon would provide services appropriate to this part of Harold Hill, (noting that the salon currently operates in the area) and would continue to contribute to the vibrancy and vitality of the locality.

This is considered to meet the component of Policy DC16 that supports uses that provide a service appropriate to a shopping centre of this scale.

For the above reasons, the change of use is a matter of judgement for members.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

Policy DC61 states that planning permission will only be granted where proposals maintain, enhance or improve the character of an area. There are no significant external changes proposed. All external signs will require planning permission.

#### **IMPACT ON AMENITY**

It is considered that a change of use to a Tanning Salon (Sui Generis) would not result in any additional harm to the amenities of the neighbouring occupiers as the proposed opening hours would be limited to

- Monday Friday 09:00 am - 09.00 pm
- Saturday 09:00 am -08.00 pm
- Sunday 10.00 am 4.00 pm

It is not anticipated that there will be any significant noise and disturbance arising from the proposed use, as most people will have a pre-booked appointment. The level of noise is not expected to be significant and not exceed that generated by other uses in the shopping area.

Nor will there be any large, out of hours deliveries or rubbish collection that could potentially affect the surrounding area.

It is noted that the applicant currently operates a business in close proximity to the subject site. It is well established and compliments the shopping centre and is not known to have generated any reported issues in relation to its operation.

#### **HIGHWAY/PARKING**

There are two parking spaces for staff to the rear of the site, which are accessed from East Dene Road. The application site has no off-street car parking facilities for customers. There is currently public on street parking in the immediate vicinity and a 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

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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 some elements of Policy DC16, in terms of the amount of street frontage given over to non retail uses, it is considered that on balance, the change of use of the from A1 (shop) to Beauty Salon (Sui Generis) use would be acceptable in that the use would not be inconsistent with the objectives of Policy DC16 aimed at ensuring the vitality of the shopping centre.

It is considered that the use provides a service appropriate to a shopping area, and whilst it does strictly not meet the definition of retail use, the proposed use is considered appropriate to a shopping area as it compliments the retail function by having an active frontage, would be expected to generate a similar footfall as some retail uses, and is open during core retail hours.

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 SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of

- Monday - Friday 09:00 am - 09.00 pm
- Saturday - 09:00 am - 06.00 pm
- Sundays, Bank or Public holidays - 10.00 am 4.00 pm

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.

3. S SC32 (Accordance with plans)

4. INFORMATIVE:

Reason for approval:

The proposal (Tanning Salon) is a Sui Generis use in minor local shopping area. The proposed use is considered appropriate to a minor local shopping area as it compliments the retail function of North Street, has an active frontage, is open during

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core retail hours and does not significantly harm the character, function and vitality and viability of the area.

The proposed development will not detract from the aims, objectives and provisions of Policy DC16 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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<b>APPLICATION NO:</b>	<b>P1718.11</b>	
<b>WARD :</b>	Brooklands	<b>Date Received:</b> 16th November 2011
<b>ADDRESS:</b>	2 Cherry Street Romford	
<b>PROPOSAL:</b>	Demolition of existing bungalow and erection of 3No. 2 bed flats and 1No 1 bed flat (outline)	
<b>DRAWING NO(S):</b>	SK/69416/11.3	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to conditions given at the end of the report.	

**SITE DESCRIPTION**

The application site is located on the junction of Cherry Street and Mawney Road. The site is presently occupied by a single storey dwelling and a garage to the rear. The surrounding area is predominantly residential in character, comprising of two storey detached, semi-detached and terraced properties as well as a two storey flatted development with accommodation in the roof space. The Mawney Arms Public House is located opposite the site. The site is flanked by a two storey detached dwelling to the west, No. 63 Mawney Road.

**DESCRIPTION OF PROPOSAL**

The application seeks permission for the demolition of the existing bungalow and garage and the erection of a two storey building plus rooms in the roof to provide 3 two bedroom and 1 one bedroom self-contained flats. The application is for outline permission with landscaping matters reserved.

The proposed two storey building with accommodation in the roof space would be arranged with one, two bedroom flat and one, one bedroom flat on the ground floor. Flat 1 would have a front entrance. Flats 2, 3 and 4 would have side entrances. 2 two bedroom flats comprising Flats 3 and 4 would be located on the first and second floors.

In terms of appearance the proposed two storey building has a pitched roof. In terms of finishing materials, the predominant materials proposed are brickwork, render and roof tiles.

The building would have a depth of 15.6 metres at ground floor and 14.2 metres at first floor; a width of 9.7 metres at ground floor and 7.8 metres at first floor. The development would have a maximum height of 8.35 metres. The proposal features one front dormer window and two roof lights on the east elevation.

There would be two parking spaces to the front and four parking spaces to the rear.

**RELEVANT HISTORY**

P1140.11 Demolition of existing bungalow and erection of 2 No. 1 bed flats and 2 no. 2 bed flats (outline) Refused.

**CONSULTATIONS/REPRESENTATIONS**

The occupiers of 24 neighbouring properties were notified of this proposal. Two letters of objection were received with detailed concerns that have been summarised as follows:

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- Parking.
- The fence line is shown incorrectly on the plans.
- Overlooking and loss of privacy.
- Loss of light.
- Access for the Fire Brigade.
- The development policy lists Romford as suburban, which refers to low density detached or semi-detached properties. The proposal is not a low density development, it is a low level block of flats.
- Amount of amenity space.

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

In response to the above, the London Fire and Emergency Planning Authority is satisfied with the proposals. Comments regarding the position of the fencing is a civil matter. The remaining issues will be addressed in the following sections of the report.

#### **RELEVANT POLICIES**

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

The Design for Living Supplementary Planning Document is also a material consideration.

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

Further material considerations are PPS1 'Delivering Sustainable Development' and PPS3 'Housing'.

#### **STAFF COMMENTS**

This application is a resubmission of an earlier application (P1140.11) which was refused planning permission for the following reasons.

1. The flatted development would, by reason of its scale, bulk and mass, combined with the prominent corner location and open aspect of the site, appear dominant, visually intrusive and overbearing in the streetscene harmful to appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

2. The proposed development would by reason of its height, scale, bulk, mass and proximity to neighbouring properties, result in a loss of amenity in terms of loss of light to adjacent occupiers, particularly No. 63 Mawney Road, contrary to Policy DC61 of the LDF Development Control Policies DPD.

3. The window serving bedroom 2 of Flat 2 would be located in very close proximity to the timber paling fence on the western boundary of the site, which would be harmful to the amenity of future occupiers in terms of outlook and loss of light contrary to Policies DC4 and DC61 of the LDF Core Strategy Development Control Policies DPD and the Residential Design Supplementary Planning Document.

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4. The amenity space for the flatted block is adjacent to the lounge and bedroom 1 of Flat 2, which would result in undue overlooking and loss of privacy harmful to the amenity of future occupiers contrary to Policies DC4 and DC61 of the LDF Core Strategy Development Control Policies DPD and the Residential Design Supplementary Planning Document.

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

The issue in this case is whether the revised proposal overcomes previously stated concerns.

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

1. The previous application was for 2 one bedroom and 2 two bedroom self-contained flats. The current proposal is 3 two bedroom and 1 one bedroom self-contained flat.
2. Part of the amenity space has been fenced off to the rear of Flat 2.
3. The width of the flatted development for the previous application, P1140.11, was 9.1 metres. For this proposal, the flatted development would have a width of 9.7 metres at ground floor and 7.8 metres at first floor.
4. The height of the development has reduced from 8.6 metres to a maximum of 8.35 metres.
5. The internal layout of the flatted development has changed.
6. The flatted development has been redesigned.

#### **PRINCIPLE OF DEVELOPMENT**

The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for residential development according to DC61 of the DPD. Residential development in the form of new dwellings would therefore not be unacceptable in land use terms. Indeed, a single storey dwelling house currently occupies the site.

#### **DENSITY/SITE LAYOUT**

The site is identified as having a relatively low level of Public Transport Accessibility (PTAL) of 1-2, as defined by Policy DC2 on Housing Density. Within this zone and part of the Borough, housing density of between 30-50 dwellings is anticipated. The site identified comprises an area of 0.049 hectares and the proposal would produce a density of 81 dwellings per hectare which falls above the range. The appropriateness of this density is very much dependent upon a high quality of design. This is appraised below.

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

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provide adequate space for day to day uses. The SPD does not prescribe fixed standards for amenity space provision but focuses on the quality and usability of amenity space within a development.

There is no objection in principle to the accessibility of the amenity space provided. The plans have been revised so that part of the amenity space has been fenced off to the rear of Flat 2, to provide some screening. A condition will be placed requesting details of this fencing to ensure that it prevents any undue overlooking or loss of privacy to future occupiers.

Policy DC4 states that where the conversion or subdivision involves the provision of self contained residential accommodation is acceptable provided that each flat has a reasonable outlook and aspect, at least one, one bed self-contained flat is provided with a separate sleeping area and the property has safe and secure access from the street. The principle of Policy DC4 would apply to the flats.

Following the previous application, the internal layout of the flatted development has been revised. It is considered that all the flats would have a reasonable outlook and aspect.

If minded to grant planning permission, it is considered that a condition could be placed to ensure that the parking space closest to the front façade of the development is allocated to Flat 1, to help mitigate noise and disturbance from vehicle movement and headlights beaming into habitable room windows.

The Council's Crime Prevention Design Advisor (CPDA) has no material objections concerning any crime or community safety issues that may be raised by this application. The CPDA stated that there are concerns that the parking spaces to the rear of the property should be within full view of the flats and not at the end of a fenced off garden area. It is Staff's view that there would be some natural surveillance of the parking spaces as Nos 1 and 3 Cherry Street overlook the rear garden of the site.

#### **DESIGN/IMPACT ON STREET/GARDEN SCENE**

The application would comprise the demolition of the existing bungalow and garage on the site. While the bungalow and garage appear to be in a structurally sound condition, they are not of any particular architectural or historic merit and no in principle objection is therefore raised to their demolition, in architectural or historic terms.

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.

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

It must be considered whether the resultant bulk, form and scale of the building proposed is compatible with the prevailing scale and character of development within the locality.



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Following a site visit, it is noted that the application site occupies a prominent corner location on the junction of Mawney Road and Cherry Street. It is considered that the revisions made have addressed previous concerns regarding its scale, bulk and mass. In particular, the eastern elevation of the flatted development has a greater degree of articulation, which mitigates its overall massing when viewed on this prominent corner location. Overall, it is considered that the flatted development would appear in character with the streetscene.

#### **IMPACT ON AMENITY**

The Case Officer undertook an internal inspection of No. 63 Mawney Road, which has three ground floor flank windows on the eastern flank of the dwelling. The first window (in the middle of the dwelling) serves a dining room and is a primary light source. The dining room leads onto a kitchen, with an obscure glazed door and window, which are secondary light sources, as there is a window on the western flank of the dwelling. The third window serves a corridor (which is not a habitable room) from the kitchen to another kitchen/utility room that has a window on the rear façade of the dwelling. No. 63 Mawney Road has a first floor flank window, which is obscure glazed and serves a landing which is not a habitable room.

It is considered that the dining room window of No. 63 Mawney Road obtains some light as it faces east and the existing bungalow at 2 Cherry Street is single storey. The Residential Extensions and Alterations SPD states that side extensions will not be permitted where they break a 45 degree line taken from the sill of the window of a primary original window serving a habitable room on the side wall of an adjoining house. This is to ensure that the proposed side extension does not result in undue loss of sunlight or daylight to the affected habitable room of the adjoining property. Although the SPD refers to residential extensions, it is considered that its principles can be applied to the proposed development.

In this instance, it is considered that the flatted development would not result in a significant loss of amenity to No. 63 Mawney Road, as it would not impede a 45 degree notional line taken from the dining room window. In addition, there would be a separation distance of approximately 1 metre between the single storey element of the development and the western boundary of the site. It is noted that the dining room window of No. 63 Mawney Road directly fronts a timber paling fence and the flank of the existing bungalow and therefore, it is considered that the flatted development would not materially affect the outlook to this room.

It is considered that the proposed development would not result in any undue overlooking or loss of privacy over and above existing conditions. If minded to grant planning permission, a condition can be placed in respect of boundary treatments to mitigate any overlooking from ground floor flank windows.

It is considered that the proposal would not result in a significant loss of amenity including overlooking to No. 59 Mawney Road and other neighbouring properties in Cherry Street, as there would be a separation distance of approximately 14 metres between the eastern flank of the development and the western flank wall of No. 59 Mawney Road.

It is considered that the proposal would not result in a significant loss of amenity to the properties to the rear of the site in Mildmay Road, as their rear gardens provide a separation distance of approximately 25 metres not including the electrical sub station adjacent to the southern boundary of the site.

#### **HIGHWAY/PARKING**

Policy DC2 of the LDF indicates that in this part of the Borough parking provision for residential

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development should be a maximum of 1.5 to 2 spaces per unit. The scheme provides a total of 6 parking spaces at the front and rear of the block, which is equivalent to 1.5 spaces per unit. It is considered that this level of car parking is sufficient for the development proposed. The Highways Authority has no objection provided to the proposals provided the trees in the front garden are removed to allow for the parking and the vehicular crossover is extended. Landscaping is a reserved matter. The crossover can be secured by condition if minded to grant planning permission.

#### **KEY ISSUES/CONCLUSIONS**

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

#### **RECOMMENDATION**

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

1. M SC01 (Approval of details)
2. S SC02 (Time limit for details) 3yrs
3. S SC03 (Time limit for commencement) 2yrs
4. M SC09 (Materials)
5. SC46 (Standard flank window condition)
6. M SC59 (Cycle Storage)
7. S SC58 (Storage of refuse)
8. S SC06 (Parking provision)
9. M SC62 (Hours of construction)
15. S SC14 (Sight lines)

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

Reason:-

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

16. SC34B (Obscure with fanlight openings only)

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**16.** SC34B (Obscure with fanlight openings only)

The proposed ground floor and first floor windows on the west elevation of the building hereby permitted serving bathrooms 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.

**17.** S SC32 (Accordance with plans)

**10.** Non standard condition

The building hereby permitted shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum values) against airborne noise and 62 L<sub>2</sub>nT, w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

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

**11.** Non standard condition

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

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

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

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submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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

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

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

Reason:

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

**12.** Non standard condition

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.

**13.** Non standard condition

Prior to the commencement of the development, all details of boundary screening and screen walling (including the fencing on the perimeter of the separate amenity area to the rear of Flat 2) shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

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

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**14.** Non standard condition

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

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

**5** INFORMATIVES:

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP2, CP17, DC2, DC3, DC33, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Design for Living Supplementary Planning 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 & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

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

4. 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.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your

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neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near to agreement is required.

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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