



REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
29 November 2012**

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

Members 11: Quorum 4

COUNCILLORS:

**Conservative Group
(7)**

**Residents' Group
(2)**

**Labour Group
(1)**

**Independent
Residents'
Group
(1)**

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

Linda Hawthorn
Ron Ower

Paul McGeary

Mark Logan

For information about the meeting please contact:

Richard Cursons (01708 432430)

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

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman will announce the following:

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

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

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

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

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 12)

To approve as a correct record the minutes of the meeting of the Committee held on 25 October 2012 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 13 - 36)

6 HORNCHURCH COUNTRY PARK (Pages 37 - 50)

7 LAND TO THE REAR OF 223-233 BRENTWOOD ROAD, ROMFORD (Pages 51 - 70)

8 URGENT BUSINESS

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

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

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**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
25 October 2012 (7.30 - 9.50 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair),
Sandra Binion, Jeffrey Brace, Garry Pain,
Wendy Brice-Thompson and Frederick Thompson

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Paul McGeary

Independent Residents Group +David Durant

Apologies were received for the absence of Councillors Robby Misir, Fred Osborne and Mark Logan

Councillors Michael Armstrong, Eric Munday and Lynden Thorpe 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.

91 P0272.12 - LAND ADJACENT TO HARE LODGE 487 UPPER BRENTWOOD ROAD, GIDEA PARK, ROMFORD

The report before members detailed an application for planning permission for the construction of a 2-storey, three bedroom detached dwellinghouse on the southern part of the garden of Hare Lodge.

The dwelling would be two storeys measuring approximately 8.3m in width and 10.2m in depth at its deepest point. It would have a flat roof which measured 6.75m in height. The dwelling would be centrally located on the site and will be set 4.65m off the closest boundary.

On ground floor level would be a cloak room, kitchen, dining room, living room and a conservatory. On the first floor would be 3 bedrooms, a bathroom and an en-suite bathroom.

A new vehicular / pedestrian access would be taken off the existing access drive to Hare Lodge. Two parking spaces would be provided on the south side of the proposed dwelling.

The dwelling would have an east-west orientation with garden spaces towards the rear (west), measuring approximately 112m².

Members were advised that condition seven in the report asked that the first floor windows located in the southern elevation were to be non opening and glazed with obscure glass.

Members noted that 6 letters of representation had been received but there had also been a further 239 representations received via the Gidea Park & District Civic Society.

It was noted that the application had been called in by Councillor Lynden Thorpe on the grounds of the potential impact to neighbouring properties, over-development of the site and garden grabbing.

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

With its agreement, Councillors Lynden Thorpe and Eric Munday addressed the Committee.

Councillor Thorpe commented that the proposed building was out of character with neighbouring properties and was overbearing which would lead to a loss of amenity space for Hare Lodge. Councillor Thorpe confirmed that there had been over 200 objections raised against the proposal. Councillor Thorpe also mentioned the Fire brigade's concern over access arrangements should one of their appliances need to get to the building in an emergency.

Councillor Munday commented that the proposed flat roof was not in keeping with other properties in the area with the exception of Brent Court which had been built in the 1960s. Councillor Munday also commented that the proposed dwelling would lead to a loss of privacy to residents living in Cranbrook Drive.

During the discussion, members sought clarification of the exact siting of the proposed dwelling and discussed the impact that the dwelling would have on amenity space particularly relating to 487 Upper Brentwood Road. There was debate between members on the subject of flat roofed developments that were not preferable on new applications. Mention was also made of the fact that permitted developments rights had already been removed from the application.

The report recommended that planning permission be granted, however following a motion to refuse, it was **RESOLVED** that planning permission be refused on the grounds of material harm caused by:

The poor siting and design of the development which provided a cramped environment, that was out of character with the prevailing character of the local area and streetscene, The failure of the development to preserve or enhance the Gidea Park Special Character Area contrary to policies CP18, DC61, DC69 and guidance within the Residential Design Supplementary Planning Document.

The cramped layout and rear amenity space resulting in poor living conditions for future occupiers of the host property.

92 **P1052.12 - 32 PETTITS CLOSE ROMFORD**

The Committee considered the application for the demolition of a garage and the construction of a two storey side and rear extension.

It was noted that 3 letters of representation had been received.

It was also noted that the application had been called in by Councillor Michael Armstrong on the grounds that the proposal was overbearing on the premises at the back of the property.

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

With its agreement, Councillor Michael Armstrong addressed the Committee. Councillor Armstrong commented that the proposal was overbearing and overlooked neighbouring properties.

During the discussion members debated the possibility of removing permitted development rights to stop possible future installation of a dormer window.

Following a site visit by a member of the Committee, members noted that the proposal gave little consideration to overlooking to the property at 177 Parkside Avenue.

Members also debated the potential damage to the existing laurel hedge and mature tree in the garden of 179 Parkside Avenue and whether adequate controls could be put into place to protect them.

Following a motion to defer the granting of planning permission it was **RESOLVED** that planning permission be deferred to allow officers to provide the Committee with the following:

- Report to cover the issue of whether the existing laurel hedge and mature tree in garden of 179 Parkside Avenue would be adversely affected by the proposal and whether any adequate controls can be applied in order to prevent damage to these.
- Report to cover the issue of the mature tree in 179 Parkside Avenue ; its continued growth and potential for causing damage to the new extensions
- Report to cover impact of the new extension, including its affect on outlook and overlooking, in respect of 177 Parkside Avenue.
- Information on height of fence between Nos. 30 and 32 Pettits Close
- Photographs of application site from 177 Parkside Avenue to be available for consideration when the item was brought back to the Committee.
- Presentation when the item was brought back to the Committee to be more specific as to position of extension when viewed from 179 Parkside Avenue

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

93 **P0952.12 - LAND ADJACENT TO NO 4 COOKS CLOSE, ROMFORD**

The application related to a Council owned garage court. The application proposed the demolition of 18 garages and the erection of one 3 bed house and two 2 bed houses with associated parking and garden area.

Members noted that there were 2 late letters of representation.

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

During a brief discussion members debated the possible inclusion of a condition to restrict the hours of construction.

Members noted that a Mayoral CIL contribution of £1,657.00 was liable for the proposed development and **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 £18,000 to be used towards infrastructure costs.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 Legal Agreement to the date of receipt by the Council.

- To pay the Council's reasonable legal costs in association with the preparation of a Legal Agreement prior to completion of the Agreement irrespective of whether the Agreement was completed.
- Payment of the appropriate planning obligation/s monitoring fee prior to the completion 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 as set out in the report and to include the following:

- additional condition requiring front first floor windows to be obscurely glazed and fixed shut except for top fanlight
- authority be delegated to Head of Development and Building Control to change condition 8 (hours of construction) to limit those hours to 0800 to 1800 Monday to Friday and not at any time on Saturday and Sunday if sufficient evidence was advanced of there being a need for such additional restrictions to aid the son of the occupier of 4 Cooks Close (such as a letter from a doctor/consultant). If such cannot be provided, to report back to committee. Justification based on particular personal circumstances in this case.

94 **P0680.12 - 44 HERBERT ROAD, HORNCHURCH**

The report before members detailed an application for the demolition of the existing buildings including the existing dwelling and construction of four 2-storey houses with a new access road, car parking and amenity space.

The proposed layout included a spine road to the west of the application site. The proposed dwellings would be laid out with one fronting onto Herbert Road and the other three, to the rear, facing west towards the spine road.

Each house would be provided with an attached garage. It was explained that those properties to the rear would be provided with a double garage whereas that to the Herbert Road frontage would have a triple garage.

The proposal would result in the removal of a number trees with 36 replacement trees, mainly to the western side of the proposed cul-de-sac road and to the boundary with The Lombards. In addition, hedging would be located to the front and rear boundaries of the proposed properties. A Tree Report and Ecological Survey accompanied the application.

By way of update, staff explained that the contamination condition, included in the list of conditions in the report, would be removed in the event that planning permission was granted..

It was reported that the scheme followed a previous application submitted on the site, refused by the Planning Authority and dismissed on appeal by the Planning Inspectorate. Staff explained that the main differences between the current scheme and that dismissed at appeal were:

- A reduction in number of proposed dwellings from 6 to 4;
- Re-orientation of houses to front either Herbert Road or the west;
- A reduction in the ridge height of the properties to the rear;
- An increase in depth for individual properties from 14.45m to 15.3m and increase in width from 13.6m to 14.4m

It was noted that multiple letters of representation, representing twelve properties, had been received.

The application had been called in by Councillor Steven Kelly on the grounds of overdevelopment in a back garden.

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

With its agreement Councillor Steven Kelly addressed the Committee. Councillor Kelly stated that the application was an improvement on the previously refused scheme, mainly due to the reduction in houses proposed. He added however that each house would be slightly larger than submitted in the previously refused scheme. Councillor Kelly advised that he called in the application as he wanted the application to be debated by the Committee rather than through delegated authority to the Head of Development & Building Control.

During the discussion, members sought clarification of which trees on the site were to be removed and discussed the impact of a rear garden development on the street scene. There was debate among Members concerning the size of the proposed dwellings in relation to their individual plot sizes and the impact of the development on the Emerson Park Special Policy Area. In response to enquiry, it was explained that there were no specific guidelines on the minimum size required for amenity space of such dwellings, rather the judgment for staff was to assess the quality of the amenity space provided.

The report recommended that planning permission be granted; however, following a motion to refuse, it was **RESOLVED** that planning permission be refused on the grounds that the plot sizes for the individual properties were too small and that therefore the proposed properties would also appear out of character with neighbouring properties.

The motion to refuse was passed by 6 votes to 5. Councillors Brace, Brice-Thompson, Pain, Hawthorn, Ower and Durant voted for the motion to refuse planning permission. The vote for the resolution to refuse planning permission was passed by 7 votes to 4. Councillors Brace, Brice-Thompson,

Pain, Thompson, Hawthorn, Ower and Durant voted for the resolution to refuse planning permission.

95 **P0961.12 - 89-99 NEW ROAD, RAINHAM**

The Committee considered the report, noting that a Mayoral CIL contribution of £36,280 was liable for the proposed development and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision of a minimum of 12 of the units within the development as affordable housing in accordance with Policies CP2 and DC6 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- A financial contribution of £138,000 to be used towards infrastructure costs in accordance with the draft Planning Obligations Supplementary Planning Document.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the preparation of a Legal Agreement prior to the completion of the Agreement irrespective of whether the Agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion 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 as set out in the report.

96 **P1740.11 - HILL FARM, CHURCH ROAD, ROMFORD**

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

97 **P0843.12 - MAYLANDS MEDICAL CENTRE UPPER RAINHAM ROAD, HORNCHURCH**

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

98 **P0778.12 - LAND R/O 411-419 SOUTH END ROAD & 1-17 CORONATION DRIVE, SOUTH HORNCHURCH**

The Committee noted the report, noting that a Mayoral CIL contribution would be calculated at reserved matters stage and **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 £30,000 to be used towards infrastructure costs.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 Legal Agreement to the date of receipt by the Council.
- To pay the Council's reasonable legal costs in association with the preparation of a Legal Agreement prior to completion of the Agreement irrespective of whether the Agreement is completed.
- Payment of the appropriate planning obligation/s monitoring fee prior to the completion 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 as set out in the report.

99 **P0959.12 - MARDYKE ESTATE - PHASE 3**

The Committee noted the report and without debate **RESOLVED** that both the following be agreed:

- A. That the S106 agreement dated 3rd November 2009 be varied to remove the requirement contained at para 4 (m) that Police Office be provided to shell finish within the Community Hub prior to its first occupation.

- That the owner/developer pay the legal costs associated with the preparation of the Section 106 Deed of Variation irrespective of whether that Deed is completed.
- That all other clauses heading and recitals of the S106 agreement dated 3rd November 2009 remain unchanged save for any consequential changes pursuant to the removal of the requirement contained at para 4 (m) that Police Office be provided to shell finish within the Community Hub prior to its first occupation

B. That the reserved matters permission be granted subject to the following conditions: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) Article 3, Schedule 2, Part 1, Classes A - G, no extension, addition or alteration to the roof, porch, additional structures or enclosures, provision of a hard standing or installation of a chimney, flue or other extract 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.

100 **P0981.12 - GAYNES PARK, UPMINSTER**

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

101 **P0953.12 - LAND ADJACENT TO NO 6 QUARLES CLOSE, ROMFORD**

The Committee noted the report, and also noted that 6 additional letters of representation representing 5 households had been received and that the development was liable for a Mayoral CIL of £1,976, and **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 to be used towards infrastructure costs.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 Legal Agreement to the date of receipt by the Council.
- To pay the Council's reasonable legal costs in association with the preparation of a Legal Agreement prior to completion of the Agreement irrespective of whether the Agreement is completed.

- Payment of the appropriate planning obligation/s monitoring fee prior to the completion 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 as set out in the report.

102 **P0993.12 - FORMER PREMIER MOTORS SITE, JUTSUMS LANE, ROMFORD**

The Committee noted the report and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the completion of a deed to vary the Section 106 agreement completed on 13th June 2012, which broadly required, amongst other things:

- Agreement to set aside the Lawful Development Certificate (reference E0006.95) from the date of commencement of Planning Permission Reference P1578.11 or Planning Permission Reference P0962.11, whichever is commenced first; and
- That the use of 143 Crow Lane for the storing, sorting, handling, trading and processing of scrap metals or material and otherwise pursuant to the Lawful Development Certificate shall immediately cease on either the commencement of the Planning Permission Reference P1578.11 (143 Crow Lane) or Planning Permission Reference P0962.11 whichever is commenced first.

The proposed Deed of Variation would require the following:

- That the definition of “The Second Planning Permission” and “the Second Development” be varied by including reference in both to Planning Reference P0993.12 as an alternative to Planning Reference P0962.11 whichever is implemented;
- All consequential changes to recitals and clauses of the Section 106 Agreement dated 13th June 2012 pursuant to the first bullet point above otherwise the Section 106 dated 13th June 2012 to remain unchanged.
- The owner or developer to pay the Council’s legal fees in respect of the preparation of the Deed of Variation irrespective of whether the Deed is completed.

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 as set out in the report.

103 **P1009.12 - 111 ALBANY ROAD, HORNCHURCH**

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

- A financial contribution of £6,000 to be used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.
- All contribution sums should include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Legal Agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Agreement, prior to completion of the Agreement, irrespective of whether the Agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the Agreement.

That Staff be authorised to enter into such a Legal Agreement to secure the above and that upon completion of that agreement, grant planning permission subject to the conditions as set out in the report and to include an additional condition that specified that frontage parking area be reserved for ground floor flat, with the rear area reserved for the first floor flat.

Chairman

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Regulatory Services Committee

29 November 2012

Page No.	Application No.	Ward	Address
1-4	P0063.12	Upminster	Leprechaun Gerpins Lane Upminster
5-10	P0976.12	Pettits	24 Greenock Way Romford
11-14	P1080.12	Elm Park	39 Wood Lane Hornchurch
15-20	P1084.12	Emerson Park	26 Curtis Road Emerson Park Hornchurch

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REGULATORY SERVICES COMMITTEE
29th November 2012

APPLICATION NO:	P0063.12	
WARD :	Upminster	Date Received: 20th January 2012 Expiry Date: 16th March 2012
ADDRESS:	Leprechaun Gerpins Lane Upminster	
PROPOSAL:	Change of use - Agricultural to residential (classC3) to provide curtilage/garden for bungalow, which is the subject of Certificate of Lawfulness E0003.11. Additional Statement Received 31.05.2012	
DRAWING NO(S):		
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report.	

CALL-IN

No.

SITE DESCRIPTION

The application site, which is basically open and flat, is located in the Green Belt on the southern side of Gerpins Lane. To the west lies Havering Council's waste re-cycling centre; to the east are substantial plots of residential properties fronting the western side of Aveley Road; to the north is recently planted woodland forming part of the Thames Chase Community Forest and to the south is open undeveloped Green Belt land.

Towards the eastern side of the site there is a lake adjacent to which are three mobile homes that were the subject of a previously refused application under P0064.12.

There are, in addition, two shipping containers that are being used on a temporary basis.

The north, east and west boundaries of the site are substantially enclosed by hedgerows. The southern boundary is more open looking out onto open undeveloped land in the Green Belt.

The land is substantially undeveloped but for a bungalow and a newly erected building to which a separate parallel application for retrospective planning permission relates.

DESCRIPTION OF PROPOSAL

The Council is in receipt of a planning application for the creation of a curtilage and garden area for the existing bungalow. The existing bungalow does not enjoy the benefit of a valid planning permission as the foundation for the bungalow were laid slightly outside the time-limits applicable under the original outline planning permission and subsequent approval of reserved matters. An application for an established use certificate has been submitted for the bungalow together with this application in order to tie the residential curtilage to the bungalow.

The proposed residential curtilage would measure 48m wide by 48m long with the outside boundaries set 15m away from the sides and rear of the dwelling.

RELEVANT HISTORY

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- E0003.12 - Certificate of lawfulness for an existing bungalow on agricultural small holding
Awaiting Decision
- P0065.12 - Retention of building for use for rearing / breeding of ducks, geese and other fowl-
for production of eggs, hatchlings and stock
Awaiting Decision
- P0064.12 - Use of lake for recreational angling. Retention and modification of 3 no. existing
mobile homes adjacent to fishing lake to provide ancillary accommodation for
angling parties
Refuse 16-03-2012
- E0002.11 - Certificate of Lawfulness for existing use of land as residential curtilage

Awaiting Decision

CONSULTATIONS/REPRESENTATIONS

Notification letters were sent to 15 neighbouring properties. No letters of objection were received.

RELEVANT POLICIES

LDF

CP14 - Green Belt

DC45 - Appropriate Development in the Green Belt

OTHER

LONDON PLAN - 7.16 - Green Belt

NPPF - National Planning Policy Framework

STAFF COMMENTS

The issues to be considered in this case are the principle of development impact upon the Metropolitan Green Belt and amenity implications.

PRINCIPLE OF DEVELOPMENT

It is not unreasonable to have a residential curtilage associated with a residential dwelling. Staff therefore consider the provision of a residential curtilage acceptable in principle.

GREEN BELT IMPLICATIONS

Staff do not consider the provision of a residential curtilage in this instance to have an unacceptable impact on the Green Belt insofar as character, appearance or openness, particularly as the bungalow to which it would relate already exists. The applicant has indicated that they have no intention of demarcating the curtilage with fencing or erecting any structures within it. However, the curtilage could be planted with landscaping and/or hedging, which would be outside of planning control.

Suitable conditions can be added in the event of an approval to remove any permitted development rights in order to limit any harmful development within the residential curtilage such as extensions, outbuildings and fencing.

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IMPACT ON AMENITY

The property is approximately 195m removed from the closest residential dwelling and it is not considered that there would be any adverse impact on neighbouring amenity through the formation of a residential curtilage.

HIGHWAY/PARKING

There is currently the provision for the parking of a minimum of 5 vehicles on the property. No concerns are therefore raised in terms of parking. The proposal is not considered to raise any highway issues.

KEY ISSUES/CONCLUSIONS

Staff consider the provision of a residential curtilage to be acceptable in principle. The proposal would not result in additional harm to the Green Belt or neighbouring amenity and is in line with the aims and objectives of the National Planning Policy Framework and Policy DC45 of the LDF. Approval is recommended accordingly.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the condition(s)

1. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice).

Reason:-

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

2. SC45A (Removal of permitted development rights) ENTER DETAIL

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted Development)(Amendment)(no. 2)(England) Order 2008, or any subsequent order revoking or re-enacting that order, no development shall take place under Classes A to F, nor shall any walls, fences or other means of enclosure be erected under Part 2, Class A, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

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

REGULATORY SERVICES COMMITTEE

29th November 2012

INFORMATIVES

1 Reason for Approval

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

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

REGULATORY SERVICES COMMITTEE
29th November 2012

APPLICATION NO:	P0976.12	
WARD :	Pettits	Date Received: 2nd August 2012 Expiry Date: 27th September 2012
ADDRESS:	24 Greenock Way Romford	
PROPOSAL:	Two storey side and rear extension, single storey front extension	
DRAWING NO(S):	JCC2 JCC1 JCC3	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to the condition(s) given at the end of the report.	

CALL-IN

The application has been called into Committee by Councillor Armstrong on the grounds of impact on the streetscene, size and mass.

BACKGROUND

The application was deferred from the Regulatory Services Committee meeting on 15 November 2012 to allow members to visit the application site.

At the 15 November meeting, Staff updated the Committee about an additional letter of objection which had been received which gave the same objections as those listed in the report below together with concerns about the impact upon highway safety and insufficient parking for a house of the size proposed.

The report set out below is the same as that previously presented.

SITE DESCRIPTION

The application relates to a two storey, hipped roof, semi-detached house with a garage to the rear with one off-street parking space available to the front of the garage. The ground level rises slightly to the left (west) of the property.

DESCRIPTION OF PROPOSAL

The proposal is for a two storey side and rear extension and a single storey front extension.

A canopy roof is provided to the pair of semi-detached houses, of which the subject dwelling forms one half, which extends over the front bays and front door. The subject dwelling has enclosed the front door creating a porch. It is now intended to construct a porch which will be 2.5m wide by 1.4m deep from the main front wall of the property. It will be provided with a hipped roof 3.7m high.

At the side of the property a 3.6m wide extension is proposed which, at ground floor, will project 600mm forward of the main front wall of the property to align with the front bay projection and at first floor level will be setback 1m from the main front wall. A 7.4m high hipped roof will be provided over with a 3.9m high, mono-pitched roof constructed over the ground floor element.

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The side extension will project 2.7m beyond the original rear wall of the property to achieve a width of 6m when viewed in the rear elevation with a hipped roof 7.4m high.

RELEVANT HISTORY

P0630.12 - Two storey side and rear extension, single storey front extension - Refused, for the following reason:

The proposed development would, by reason of its width, bulk and mass and its corner location, 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.

CONSULTATIONS/REPRESENTATIONS

Consultation letters were sent to eleven local residents. Six letters of objection have been received plus a petition with 31 signatures from 19 of the 27 properties in Greenock Way.

Objections are summarised below:

- * The only difference between this application and the earlier, refused application is the shape of the roof and the slight increase in distance between the flank wall and the boundary of the site;
- * The writers' reiterate their previous objections that the increase from a three bedroom dwelling to a five bedroom dwelling is gross over-development of the site which is out of character in the area;
- * Although in theory two parking spaces exist, in practice this cannot be achieved. The applicant has already had to ask for neighbours' vehicles to be moved to enable access to the rear garage. If this application is granted planning permission, existing parking problems will be made worse;
- * The proposed development will change the whole look of Greenock Way;
- * No.25 will automatically have all sunlight blocked at the rear of their house and will have a problem selling their property in the future;
- * The estate was built upon clay and with major extensions of this size it could cause serious problems to the existing houses;
- * This development will enlarge a house to be sold for extra money or leased out privately or for DSS use;
- * Deprivation of light,; disproportionately high property value; uncertainty about eventual use of the property; likely excessively long development period; increased road traffic; irregular hours;
- * Although the new proposed extension is smaller than the proposal, it will actually appear to be bigger. It is self-evident that an extension that has a greater area in plan than the parent building cannot possibly be regarded as subordinate to it;
- * Almost doubling the size of No.24 will radically and irretrievably alter the balance between the two houses;

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* A number of irregularities have been noted in the planning process related to this second proposal regarding the failed delivery of neighbour notification letters, inability of a neighbour to be provided with sets of plans for each application which seems to the writers to be highly suspicious.

In response to these comments, loss of property value, increased value of the subject dwelling and any future rental of the property are not valid planning considerations that can be taken into account during assessment of the proposal.

To ensure that neighbours were notified of the application, a second set of neighbour notification letters were delivered by hand by Staff.

RELEVANT POLICIES

Supplementary Design Guidance (Residential Extensions and Alterations).
Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.
London Plan (adopted 2011), Policy 7.4 - Local Character and Policy 7.6m - Architecture

MAYORAL CIL IMPLICATIONS

Not CIL liable.

STAFF COMMENTS

A previous application, reference P0630.12, was refused planning permission on 10th July 2012. The proposed development was similar but larger. The difference between that scheme and the one now under consideration is itemised below:

1. The proposed side extension will be reduced in width from 4.35m to 3.6m.
2. The first floor to the side will be setback 1m from the main front wall of the property instead of 600mm;
3. A lower hipped roof is provided over this element;
4. The depth of the extension at both levels to the rear will be 2.7m with a hipped roof provided over rather than twin hipped roofs.

The acceptability of these changes will be discussed below.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Greenock Way is a fairly narrow, roughly "T"-shaped cul-de-sac which comprises two storey properties. No.24, the subject dwelling, occupies a prominent corner position.

No objection is raised to the proposed front porch element of the proposal. This is considered to be modest in nature and will relate satisfactorily to the dwelling.

No objection is now raised to the two storey side/rear extension which complies with Guidance, which advises that the symmetry of semi-detached houses and the spacing between pairs are important considerations for side extensions. Side extensions should be subordinate to the existing dwelling to ensure they do not unbalance a pair of semi-detached properties. The side extension has now been reduced in width and setback a full 1m from the main front wall of the dwelling at first floor level. In all, the development is considered to have a subservient appearance that will not unacceptably unbalance the appearance of this semi-detached pair of properties.

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It should be noted that the attached neighbour, No.25, will not be able to extend in a similar manner due to site constraints. However, this is the case for many pairs of semi-detached properties in the borough and is not a reason, in isolation, to refuse planning permission.

Guidance goes on to say that in regard to two storey extensions to corner properties, where a side extension is to be combined with a two storey rear extension, a particularly sensitive approach should be adopted in view of the generally greater impact on the street scene.

The flank wall of side extensions to corner properties must be set back at least one metre from the back edge of the footway and should not project forward of the building line of properties along the adjoining street in order to maintain the building line. In this instance, a 2.4m separation from the side boundary will be maintained, although it is noted that the side extension will project forward of the front building line of the properties to the rear of the site in Greenock Way.

Research of Council records has revealed that planning permission was granted in 2005 for a two storey side extension to No.37 Helmsdale Road nearby which is a corner property on the junction of Greenock Way and Helmsdale Road. Although separated from the side public highway by about 2.85m, the side extension also projects forward of the front building line of properties in Greenock Way. Seen in this context, staff consider that such an arrangement is not out of character with its surroundings or unduly obtrusive in the street scene.

Further comparison with No.37 reveals that the subject dwelling has a width of 6m and the proposed extension is to be 3.6m wide whereas No.37 Helmsdale Road has a similar width of 6m with the side extension 4.18m wide. Additionally, the two storey element to the rear of No.37 is 6.55m wide as opposed to 6m in this proposal, although the depth is less at 1.35m instead of 2.7m.

Turning to the rear of the property, at a width of 6m, the extension is considered to now relate better to the property and the single hipped roof is more appropriate.

Having regard to the constraints of the site and its surroundings, Staff consider the proposal as revised addresses previously raised street scene concerns and now meets the spirit of guidelines. No objections are thus raised to the development from the visual impact point of view.

IMPACT ON AMENITY

The existing 2.1m deep conservatory extension which is to the full width of the property at present, will be retained in part close to the attached neighbours' (No.25) boundary.

In respect of No.25, who is set to the east, it is considered this neighbour will not be unreasonably affected by the proposed two storey side/rear extension as it will only be 2.7m deep (which falls within Guidance) and a 3.7m separation from the common boundary will be maintained which also falls within Guidance, which advises a minimum 2m separation. The proposed front porch extension will not affect this neighbour either.

No other neighbouring properties will suffer any direct loss of amenity due to the subject dwelling's corner location.

HIGHWAY/PARKING

Two additional bedrooms will be provided to the property as a result of the development but two

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off-street parking spaces are available at present which comply with Policy DC33. No highway issues therefore arise.

KEY ISSUES/CONCLUSIONS

For the reasons given above, the proposal is considered to be in accordance with the aims and objectives of the above Policies. Approval of planning permission is therefore recommended.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the condition(s)

1. SC4 (Time limit) 3yrs

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. SC08 (Garage - restriction of use)

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

Reason:-

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

3. SC10 (Matching materials)

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

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

4. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications (as set out on page one of this decision notice).

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

INFORMATIVES

1 Reason for Approval
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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APPLICATION NO:	P1080.12	
WARD :	Elm Park	Date Received: 6th September 2012 Expiry Date: 1st November 2012
ADDRESS:	39 Wood Lane Hornchurch	
PROPOSAL:	Retention of infill extension of existing patients entrance, relocation of patients entrance with front canopy, single storey rear extension with external alterations	
DRAWING NO(S):	11.0026.PL20 11.0026 X02 11.0026 X03 Revision A X01	
RECOMMENDATION :	It is recommended that planning permission be REFUSED for the reason(s) given at the end of the report.	

SITE DESCRIPTION

The site comprises of a two storey semi-detached property, which is located on the northern side of Wood Lane, which is utilised as Wood Lane Medical Centre. The attached dwelling, No. 41 Wood Lane, is in residential use. There are blocks of flats to the west of the site. The surrounding area comprises of two storey semi-detached properties and flats.

DESCRIPTION OF PROPOSAL

The proposal is for the retention of an infill extension of the existing patients' entrance, the relocation of the patients' entrance with a front canopy and a single storey rear extension with external alterations.

The existing patients' entrance has been in filled. The new patients' entrance has been located on the western flank of the building leading directly into the waiting room.

The front canopy would have a depth of 3.5 metres, a width of 3.5 metres and a height of 3.5 metres. At the time of the site visit, the front canopy had not been erected.

The single storey rear extension has a depth of 11.3 metres and a maximum width of 4.2 metres.

Planning permission was granted for the proposal, although the single storey rear extension was not built in accordance with the approved plans. According to the approved plans, the single storey rear extension would have had a maximum and minimum height of 2.75 metres and 2.41 metres respectively. Instead, the single storey rear extension was built with a sloped roof that varies in height from 3.06 to 2.975 metres. The space created has enlarged the existing treatment room (with a velux window) and create a new treatment room and consulting/examination room.

The increase in roof height to the single storey rear extension is due to a number of factors:

1. The ground level of the neighbouring property, No. 41 Wood Lane, is lower by approximately 100mm than the original ground level of the surgery.
2. The relationship between the eaves of the existing roof and the proposed roof was originally

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designed to align (as it was originally proposed as a pitched roof) and when it changed to a flat roof this was not adjusted sufficiently to allow for the interior ceiling height of 2.4m and this accounts for approx 100 - 150mm.

3. The building control insulation requirements increased the roof thickness by up to 100mm.

4. The roof that was constructed over the single storey rear extension features a small parapet wall adjacent to No. 41 Wood Lane, which ensures no water runs off of the roof on that side and this added approximately 75mm to its height.

RELEVANT HISTORY

P0517.11 - Infill extension of existing patients' entrance, relocation of patients entrance with front canopy, single storey rear extension with external alterations - Recommended for refusal and approved by the Regulatory Services Committee.

P0274.96 Ground floor side and rear extensions Approved.

P0495.90 Change of use to GP surgery and erection of side extension Approved.

CONSULTATIONS/REPRESENTATIONS

A total of 11 neighbouring occupiers were notified of the proposal. One letter of objection was received with detailed comments that have been summarised as follows:

- The height of the single storey rear extension should be 8ft 9" and instead it is 10ft.
- Loss of light.
- Requested the Case Officer to visit this neighbouring property.

The Case Officer visited this neighbouring property as requested on 31st October 2012. The above comments will be addressed in the following sections of the report.

RELEVANT POLICIES

Residential Extensions and Alterations Supplementary Planning Document
CP17, DC33 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

MAYORAL CIL IMPLICATIONS

The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL), as the internal gross floor area of the single storey rear extension is 35 square metres, which is below the 100 square metres.

STAFF COMMENTS

The proposal was recommended for refusal and subsequently approved by the Regulatory Services Committee. In granting planning permission, the Committee concluded that the proposed single storey rear extension, by reason of its excessive depth, would have a harmful effect on the rear garden setting of the attached neighbouring property creating a relationship contrary to supplementary planning guidance. However, the Committee were also of the view that the flat roofed extension would be of modest height such that any harm would be limited in degree. As an exceptional circumstance, the Committee considered that the harm in this case would be outweighed by the proposal's benefits in meeting the local community's medical needs by providing improved GP premises for existing and future populations of the area, consistent with the objectives of Policy CP8 of the Local Development Framework.

The issues arising from this application are the principle of development, the impact on the streetscene, amenity implications and any highway or parking issues. Consideration is also

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given to the height of the single storey rear extension, which has increased from between 2.41 and 2.75 metres to between 2.975 and 3.06 metres.

PRINCIPLE OF DEVELOPMENT

The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres and indeed, falls within a mainly residential area. The proposal does not involve a change of use and the principle of extensions and alterations is acceptable in this instance, subject to an acceptable design and appearance with no harmful impact on the amenities of neighbouring properties.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Although 39 Wood Lane has a community use as a Medical Centre, it is considered that the principles of the Residential Extensions and Alterations SPD can still be applied to this semi-detached property.

It is Staff's view that infilling the existing patients entrance is acceptable and would not be harmful to the streetscene.

Policy DC61 of the LDF seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area.

The Residential Extensions and Alterations SPD states that large front extensions are generally unacceptable in Havering due to the adverse effect they can have on the appearance of the original house and the character of the street. In the exceptional circumstance of a front extension being acceptable, for example, in the case of a detached house set well back from the street or where the street comprises an irregular building line, it should not project more than one metre forward of the main building line and must be designed to appear as part of the original house through employing matching finishing materials and roof style. The Council will closely scrutinise applications of this kind to ensure that the proposal does not detrimentally affect the character of the house and immediate surroundings.

In this instance, the front canopy would have a depth of 3.5 metres. Although the application was recommended for refusal as Staff considered that the front canopy would, by reason of its excessive depth, design, bulk and mass, appear incongruous, dominant and visually intrusive in the streetscene, it was subsequently approved by the Regulatory Services Committee. Therefore, the front canopy does not constitute a reason for refusal for this planning application.

IMPACT ON AMENITY

The Residential Extensions and Alterations SPD states that generally houses can be extended from the rear wall of the original dwelling by up 4 metres in depth for a semi-detached dwelling. This is to ensure the extension is subordinate to the original dwelling. Any greater depth required should be within an angle of 45 degrees, taken from the 3 metre or 4 metre dimension on the property boundary, in order to ensure a reasonable level of amenity is afforded to neighbouring properties.

The single storey rear extension has a depth of 11.3 metres, which is contrary to the SPD, but was approved by the Regulatory Services Committee and does not constitute a reason for refusal for this planning application.

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According to the approved plans, the single storey rear extension should have had a maximum and minimum height of 2.75 metres and 2.41 metres respectively. Instead, the single storey rear extension was built with a sloped roof that varies in height from 3.06 to 2.975 metres. It is considered that increasing the height of the roof of the single storey rear extension by between approximately 0.575 metres and 0.31 metres exacerbates its bulk and mass, which is materially harmful to the amenity of the adjoining occupier at No. 41 Wood Lane, in terms of loss of light and poor outlook. It has also exacerbated the undue sense of enclosure in the rear garden environment. It is considered that the single storey rear extension, by reason of its height, is an unneighbourly development and appears dominant and overbearing in the rear garden environment harmful to the amenity of No. 41 Wood Lane contrary to Policy DC61 and the Residential Extensions and Alterations SPD.

HIGHWAY/PARKING

The agent confirmed that Wood Lane Medical Centre has three full time staff and seven part time staff (which equate to 3 full time staff). At present, there is space for five vehicles on hardstanding at the front of the site. The front canopy would result in the loss of one parking space. Taking into account that the Development Control standards may be relaxed in cases of primary health care facilities, the Highway Authority has no objections to the proposals. In addition, there are no parking restrictions in the immediate vicinity of the site. It is considered that the proposal would not create any parking or highway issues. The parking provision was deemed to be acceptable for the previous planning application and therefore, does not constitute a reason for refusal for this application.

KEY ISSUES/CONCLUSIONS

It is Staff's view that infilling the existing patients entrance and the front canopy are acceptable and would not be harmful to the streetscene.

It is considered that the single storey rear extension, by reason of its height, is an unneighbourly development and appears dominant and overbearing in the rear garden environment and results in an unacceptable sense of enclosure and loss of amenity including loss of light to No. 41 Wood Lane contrary to Policy DC61 and the Residential Extensions and Alterations SPD.

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the reason(s)

1. Reason for refusal

The single storey rear extension, by reason of its height, is an unneighbourly development and appears dominant and overbearing in the rear garden environment and results in an unacceptable sense of enclosure and loss of amenity, including loss of light, to No. 41 Wood Lane contrary to Policy DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and the Residential Extensions and Alterations SPD.

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APPLICATION NO:	P1084.12	
WARD :	Emerson Park	Date Received: 12th September 2012 Expiry Date: 7th November 2012
ADDRESS:	26 Curtis Road Emerson Park Hornchurch	
PROPOSAL:	Demolition of existing dwelling and construction of a replacement detached dwelling and erection of front and side boundary walls Revised plans received 20-11-2012	
DRAWING NO(S):		
RECOMMENDATION :	It is recommended that planning permission be REFUSED for the reason(s) given at the end of the report.	

BACKGROUND

This application has been called in by Councillor Tebbutt on the grounds that there have been discussions at Committee about properties that are large in bulk and mass, whereby the preferred siting is a corner plot. Also, a building which has a large mass and bulk is visually less obtrusive as a corner plot. The donor property was granted planning permission for extensions that are extensively the same footprint as the new property. A discussion is required as to whether the mass, height and bulk as a corner plot in the street scene is acceptable.

SITE DESCRIPTION

The application site is located on the junction of Curtis Road and Channing Close. The site is presently occupied by a detached chalet bungalow. The application dwelling itself has a gabled end roof design and is finished in a mixture of painted render and pebble dash, set beneath plain clay tiles. The site has parking for three vehicles, two on a hard standing and one in the garage at the side of the property. The site is bounded by a 2m high wooden fence and shrubbery on either side and at the rear of the property and the application dwelling is located on the junction of Curtis Road and Channing Close. The ground level in the rear garden is relatively flat. No trees are affected by this development.

The site has a frontage onto Curtis Road of between approximately 7.6 and 8 metres and the whole site has a maximum depth of approximately 79 metres. The surrounding area is predominantly residential in character, comprising of chalet bungalows and single and two storey detached and semi-detached properties. The site is flanked by detached chalet bungalows, No. 28 Curtis Road to the south west and No. 22 Curtis Road to the north east.

The application site is located within Sector 5 of the Emerson Park Area and Policy DC69 and the Emerson Park SPD would be relevant in assessing this case. These policies seek to retain the open character of the area which consists of large and varied dwellings set in mature, well-landscaped grounds.

DESCRIPTION OF PROPOSAL

The application seeks permission for the demolition of an existing chalet bungalow and garage and the construction of a replacement detached dwelling and the erection of front and side boundary walls.

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In terms of appearance the proposed two storey dwelling would have a crown roof. In terms of finishing materials, the predominant materials proposed are brickwork with a rendered central feature on the front façade, roof tiles and windows and doors would be double glazed UPVC.

The dwelling would measure 13.4 metres in width and 18 metres in depth (not including the first floor front projection, which would have a depth of 1.2 metres). The dwelling would be 8.75 metres in height. The dwelling features an integral garage.

The brick wall and railings on the front and side boundaries of the site would have a maximum height of 1.2 metres.

RELEVANT HISTORY

P1899.11 Extension of residential curtilage with grass verge, replacement fence and erection of front and side boundary walls Approved.

P0587.11 Two storey rear extension, dormer windows and garage Approved.

P1269.00 - Single storey side extension - Approved.

P0904.95 - Single storey side extension - Approved.

1359/84 - Lounge and bathroom extension - Approved.

L/HAV 1733/67 - Private garage & carport - Approved.

The application site includes the extension of residential curtilage with the grass verge, which was granted planning permission under application P1899.11 and has not yet been implemented.

CONSULTATIONS/REPRESENTATIONS

The occupiers of 8 neighbouring properties were notified of this proposal. Four letters of support were received. One letter of representation was received with comments that the footprint of the replacement dwelling would be 1.2 metres closer to Curtis Road, which would be forward of the front building line of neighbouring properties.

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

The Highway Authority has no objections to the proposals, but any highway land included in the proposals would be required to be stopped up under Section 247 of the Town and Country Planning Act. Recommends a condition and informatives if minded to grant planning permission.

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

In response to comments regarding the siting of the replacement dwelling, the applicant has submitted revised site and block plans showing the correct position of the existing dwelling and No.28 Curtis Road. As such, the replacement dwelling would not be sited 1.2 metres forward of the existing dwelling or the front building line of neighbouring properties.

RELEVANT POLICIES

LDF Core Strategy Development Plan Document

CP1 Housing Supply

CP2 Sustainable Communities

CP17 Design

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LDF Development Control Policies Development Plan Document

DC2 Housing Mix and Density
DC3 Housing Design and Layout
DC11 Non-designated sites
DC33 Car parking
DC61 Urban design
DC63 Delivering safer places
DC69 Other areas of special townscape or landscape character
DC72 Planning Obligations

Emerson Park Policy Area Supplementary Planning Document
Residential Extensions and Alterations Supplementary Planning Document
Supplementary Planning Document (SPD) for Residential Design
Draft Planning Obligations Supplementary Planning Document

The London Plan

3.3 Increasing housing supply
3.4 Optimising housing potential
3.5 Quality and design of housing developments
3.8 Housing choice
6.13 Parking
7.13 Safety, security and resilience to emergency
7.4 Local character
8.3 Community infrastructure levy

Government Guidance

Policies 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

MAYORAL CIL IMPLICATIONS

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 198.66m² and amounts to £3,973.20.

STAFF COMMENTS

The main issues in this case are the principle of development, site layout, the impact on the streetscene, the impact on neighbouring amenity and any highway and parking issues.

PRINCIPLE OF DEVELOPMENT

Policy DC11 states that where sites which are suitable for housing become available outside the Green Belt, the employment areas, the commercial areas, Romford Town Centre and the district and local centres, the Council will not normally permit their use for other purposes. The location of the site complies with these criteria.

The site does not fall within any pertinent policy designated areas as identified in the Local Development Framework Proposals Map. It has been established, in land use terms, that the site is suitable for a housing development, particularly as a dwelling occupies the site and therefore, the principle of a residential use is in accordance with policy criteria.

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DENSITY/SITE LAYOUT

In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In this instance the replacement dwelling would benefit from a private rear garden area of approximately 908 square metres. Staff are of the view that the proposed rear garden area is acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

DESIGN/IMPACT ON STREET/GARDEN SCENE

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

The Emerson Park Policy Area Supplementary Planning Document, along with Policy DC69, sets out a number of detailed and general policy criteria to apply to all forms of residential development. Generally all new development should retain and contribute to soft landscaping, development should be compatible with local massing, spacing and architectural character, and development should be consistent with surrounding plot sizes.

The application site is located in Sector 5 of the Emerson Park Policy Area. This Sector contains a mixture of medium and large sized detached family houses set in spacious well landscaped grounds typical of Sector 6 and the smaller often semi-detached properties, set in smaller grounds of the other Sectors. Accordingly, in order to maintain this mix any application for further development should reflect the particular character of the street scene in the immediate vicinity of the site.

Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. In this case, existing development within Curtis Road comprises of a mix between chalet bungalows, single and two storey detached and semi-detached houses of varying styles. No objections are raised to a two storey detached dwelling with accommodation in the roof space.

The height of the replacement dwelling is deemed to be acceptable, as it would be similar that of neighbouring residential dwellings, including Nos 30, 32, 34 and 36 Curtis Road. The position of the replacement dwelling in the streetscene is considered to be compatible with the general building line in Curtis Road. Full details of the samples of materials will be secured by condition if minded to grant planning permission.

The design and siting of the front dormer windows adhere to the Residential Extensions and Alterations SPD. It is considered that the front and side boundary walls would integrate well with the streetscene. It is considered that the front façade of the replacement dwelling would integrate satisfactorily with the streetscene, as the first floor front projection would provide some articulation and the render will help to alleviate the expanse of brickwork.

When considering the merits of this application, consideration was given to the previously approved extensions to the application dwelling. It is Staff's view that the approved extensions are fundamentally different to the proposed replacement dwelling, with particular reference to the

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flank elevation to Channing Close. The approved extensions adjacent to Channing Close involved enlarging the accommodation at ground floor level and in the roof space, which minimised its bulk and mass. In comparison, the replacement dwelling has accommodation at ground and first floor levels and in the roof space. Consideration has been given to the impact of the increased footprint of the replacement dwelling towards the rear. The replacement dwelling features a two storey rear projection with a depth of 7.2 metres, which significantly extends beyond the rear building line of other dwellings in the vicinity including Nos 22, 28 and 30 Curtis Road.

The two storey rear projection adjacent to Channing Close would have a width of 7.4 metres. The width and depth of the rear projection are deemed to be excessive and there is concern that it would appear dominant and visually intrusive on this prominent corner location.

The replacement dwelling would be located approximately between 1.8 and 2.25 metres from the southern boundary and 1.4 and 1.5 metres from the northern boundary of the site. It is considered that the separation distances from the boundaries of the site and the size of the curtilage of the property would not mitigate the impact of the replacement dwelling on the streetscene.

It is Staff's view that the size of the neighbouring dwellings appear to be relatively modest in comparison with the proposed replacement dwelling. It is considered that the replacement dwelling would appear substantially more bulky than the existing dwelling, even taking account of the previously approved extensions.

Having carefully considered the merits of the scheme, it is considered that the cumulative concerns indicate that the replacement dwelling is too bulky, extends too far to the rear and therefore, the resulting impact is unacceptable. Overall, it is considered that the replacement dwelling would, by reason of its bulk, mass and excessive depth, appear incongruous, dominant and visually intrusive in the streetscene harmful to the open and spacious character and appearance of the surrounding area contrary to the Emerson Park Policy Area SPD and Policy DC61 of the LDF.

IMPACT ON AMENITY

Following an internal inspection, it is noted that No. 28 Curtis Road has two first floor flank windows, which serve a bedroom and are primary light sources. It is considered that the proposal would not result in a significant loss of amenity to No. 28 Curtis Road, as it does not impede a 45 degree notional line taken from the first floor bedroom window sill on the northern flank of No. 28 Curtis Road. In addition, the flank window of No. 28 Curtis Road is approximately between 2.1 and 2.3 metres from its northern boundary. Also, the replacement dwelling would be located approximately between 1.8 and 2.25 metres from the southern boundary of the site. There is favourable orientation, as the application site is located north of No. 28 Curtis Road.

It is considered that the proposal would not result in any undue overlooking or loss of privacy to No. 28 Curtis Road. Details of boundary treatments can be secured by condition. The first floor flank en-suite window and the roof light above can be obscure glazed by condition. It is considered that the other first floor windows and roof lights on the southern flank of the dwelling would not result in any undue overlooking, as there would be a minimum separation distance of approximately 3.9 metres between the northern flank of No. 28 Curtis Road and the southern flank of the proposed dwelling.

It is considered that the replacement dwelling would not result in a significant loss of amenity to

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No. 22 Curtis Road, as it is located on the opposite side of Channing Close to the north. It is considered that the proposal would not create any additional overlooking over and above existing conditions.

It is considered that the replacement dwelling would not result in a significant loss of amenity to No. 1 Poole Road, as it is located on the opposite side of Curtis Road to the east. It is considered that the proposal would not create any additional overlooking over and above existing conditions.

It is considered that the replacement dwelling would not result in a significant loss of amenity to No. 1 Channing Close, as the rear garden of the application site provides a separation distance of approximately 53 metres. It is considered that the proposal would not create any additional overlooking over and above existing conditions.

HIGHWAY/PARKING

There would be space for two vehicles on hardstanding and the replacement dwelling features a garage, which shall be made permanently available for the parking of private motor vehicles and this will be secured by condition if minded to grant planning permission.

The Residential Extensions and Alterations SPD states that a sufficient distance must be provided from the edge of the public highway boundary to the front of the garage to enable the garage door to be opened with a car standing in front of it. This will vary from a minimum of 6 metres for a traditional door or an up and over garage to a minimum 4.8 metres for a roller door. In this instance, there would be a distance of 7.4 metres between the front of the garage and the highway. Therefore, the up and over garage door is acceptable. The Highway Authority has no objections to the proposals. The Fire Brigade is satisfied with the proposals.

KEY ISSUES/CONCLUSIONS

Residential development on the site is considered to be acceptable in principle and no objections are raised to the loss of the existing dwelling and garage. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues.

It is considered that the replacement dwelling would, by reason of its bulk, mass and excessive depth, appear incongruous, dominant and visually intrusive in the streetscene harmful to the open and spacious character and appearance of the surrounding area contrary to the Emerson Park Policy Area SPD and Policy DC61 of the LDF and refusal is recommended accordingly.

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the reason(s)

1. Reason for refusal

The replacement dwelling would, by reason of its bulk, mass and excessive depth, appear incongruous, dominant and visually intrusive in the streetscene harmful to the open and spacious character and appearance of the surrounding area contrary to the Emerson Park Policy Area SPD and Policy DC61 of the Local Development Framework.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

29 November 2012

Subject Heading:

**P1138.12 – Squadrons Approach,
Hornchurch Country Park**

Report Author and contact details:

**Erection of single storey visitor and
education centre (Application received
25th September, 2012)
Helen Oakerbee (Planning Control
Manager) 01708 432800**

Policy context:

**Local Development Framework
London Plan
National Planning Policy**

Financial summary:

None

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

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

SUMMARY

This planning application proposes the erection of a visitor and education centre in Hornchurch Country Park, on land off Squadrons Approach. This application is brought to Committee as the application site is Council owned land.

RECOMMENDATIONS

That planning permission be granted subject to the conditions set out below.

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

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

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

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

3. Highways 1 - The proposed alterations to the Public Highway shall be submitted in detail to the Local Planning Authority for its written approval prior to the occupation of the development hereby approved. The alterations to the Public Highway will thereafter be undertaken in accordance with the approved scheme.

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

4. Highways – The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the occupation of the development.

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

5. Highways 2 - Prior to the occupation of the development hereby permitted a delivery and servicing plan shall be submitted to and approved in writing by the local planning authority. The submitted plan shall include details relating

to the access arrangements for coaches. The approved scheme shall be implemented and retained for the life of the development.

Reason: In the interest of safe operation of the road network, public open spaces and in accordance with DC 32 and DC 36.

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

- a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

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

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

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

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

7. Secure by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included 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 the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

8. Vehicle Parking – No more than one vehicle shall be parked at the site, alongside the building, at any one time.

Reason: In the interests of visual amenity and protecting the openness of the Green Belt, in accordance with Policy DC61 of the LDF and the guidance contained in the NPPF.

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

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

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

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

INFORMATIVES

Reason for Approval

It is considered that the proposal would constitute inappropriate development in the Green Belt, but that there are very special circumstances to overcome the harm by reason of inappropriateness. Having considered the principle of development, the impacts on visual amenity, neighbouring occupiers, and the highway network, along with environmental and other considerations, the proposal is considered to be acceptable having had regard to Policies DC18, DC45, DC58, and DC61 of the LDF Development Control Policies Development Plan Document.

Mayoral CIL

The proposal may be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £8,160.00, unless an exemption is granted. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.

Highways

The Highway Authority requires the Planning Authority to advise the applicant 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.

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.

Secure by Design

In aiming to satisfy condition 6 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises approximately 0.2ha of open grassland within Hornchurch Country Park, approximately 170m to the east of Squadrons Approach. The site's western boundary lies adjacent to an existing tarmac track leading to a public car park to the north, and also to Squadrons Approach. The site's eastern boundary abuts the Ingrebourne Marshes Site of Nature Conservation Importance. A public play area is located approximately 20m to the north. The site is located in the Green Belt, is a Borough Level Site of Nature Conservation Importance, and is also designated as Flood Zone 2.

2. Description of Proposal

- 2.1 This planning application proposes the erection of a detached, single storey building with a shallow hipped roof. The proposed building would be used as a visitor and educational centre for schools and the local community, associated with the country park and the neighbouring Ingrebourne Marshes Site of Nature Conservation Importance. It is anticipated that the proposed use would involve 2.5 (full-time equivalent) members of staff. The submitted information states that during the summer, the proposed visitor centre would open 7 days per week, including bank holidays, from 9am until 5pm, and between 5pm and 10pm, would be available for community group activities and events, subject to demand.
- 2.2 The building would be 408sqm in area, and have a height to eaves of approximately 2.8m, and a height to ridge of approximately 4m. Internally, the proposal would include educational and interpretation spaces, an observation hall overlooking the Ingrebourne Marshes, offices, store rooms, meeting rooms, a retail area, a kitchen, and toilets. Externally, the proposal would have walls constructed of vertical oak boards (treated with fire retardant); a powder coated, matt grey coloured, steel roof; stained timber doors and windows; along with steel security shutters over the windows and doors. The proposal would include openings in all of its elevations, especially in its eastern elevation, which faces towards the Ingrebourne Marshes. The proposal would also include roof lights and photovoltaic cells between the seams of the roof in the southern elevation, and lighting over the doorways.
- 2.3 The proposal would also include tarmac hardstandings connected to an existing track for use as a vehicle manoeuvring area, and for the parking of a staff vehicle during the winter months.

3. Relevant History

3.1 There are no previous planning decisions of particular relevance to this application.

4. Consultations/Representations

4.1 Notification letters were sent to 45 neighbouring properties; a site notice was placed in the vicinity of the site; and an advertisement was placed in the local press. Representations have been received from five neighbouring occupiers raising the following objections:

- a) The proposal is likely to be vandalised;
- b) The proposal will encourage further loitering in the area, along with littering, noise, and anti social behaviour;
- c) The proposal will cause further parking problems along Squadrons Approach and within the Gloster Green estate;
- d) The proposal is unnecessary;
- e) The proposal will need to be patrolled outside of openings hours.

5. Relevant Policies

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

DC18 – Protection of Public Open Space, Recreation, Sports and Leisure Facilities
DC45 - Appropriate Development in the Green Belt
DC58 – Biodiversity and Geodiversity
DC61 - Urban Design
DC63 – Delivering Safer Places

5.2 The following planning policy documents are also of relevance:

The London Plan

The National Planning Policy Framework ("the NPPF")

6. Staff Comments

6.1 This application is put before Members as it proposes development on Council land. The main issues in this application are considered to be the principle of development, the impacts upon the character of the area and local amenity, along with access, environmental, and other considerations.

6.2 Principle of Development

6.2.1 The site is designated as a public open space. Policy DC18 states that the Council will retain and enhance public open spaces, and that compensatory measures will be required where open spaces would be lost to non recreation/leisure uses. The proposal would not result in the loss of open space to a non recreation/leisure use and it is considered that the proposal

would help to enhance the country park. The proposal is therefore considered to be in accordance with Policy DC18 of the LDF.

6.2.2 The site is located in the Green Belt. In terms of the guidance contained in the NPPF, the preliminary assessment when considering proposals for development in the Green Belt is as follows:-

a) It must be determined whether or not the development is inappropriate development in the Green Belt. The NPPF and the LDF set out the categories of development not deemed to be inappropriate.

b) If the development is considered not to be inappropriate, the application should be determined on its own merits.

c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.

6.2.3 The proposal is for the erection of a new building. Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in given cases, which include:

“provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it...”

6.2.4 The application proposes a visitor and education centre within Hornchurch Country Park. The submitted information states that the purpose of the proposal is to:

“Provide accessible facilities for the local and wider community to enable them to engage with the culture, history, landscape and natural environment of the country park and the Ingrebourne Valley...”

6.2.5 The very purpose of the proposal includes providing a facility associated with, and to enhance, a country park and its designation as a Site of Nature Conservation Importance. It is therefore considered that the proposal would constitute an appropriate facility for outdoor recreation. However, whilst efforts have been made to ensure a minimal building height, given the overall scale of the proposal, in particular its footprint, it is considered that the proposal would not preserve the openness of the Green Belt. The proposal is therefore considered to constitute inappropriate development in the Green Belt.

6.2.6 Very special circumstances have been submitted by the applicant in an attempt to justify the harm to the Green Belt, by reason of inappropriateness, and these are discussed later in this report.

6.3 Design Considerations

- 6.3.1 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.3.2 The proposal is for a detached, single storey building with a shallow pitched roof. The squat design of the proposal attempts to minimise its visual impact. The impact of the proposal on the openness of the Green Belt has been considered as a matter of principle, and it is concluded that it would be detrimental to the openness of the Green Belt. In light of this, it is considered that the proposal, in terms of its overall scale, would also be detrimental to the visual amenities of the Green Belt.
- 6.3.3 It is considered that the proposed use of natural materials would not be harmful to the visual amenities of the Green Belt or the surrounding area. It is considered that sufficient information about the proposed use of materials has been submitted as part of the application, and a planning condition requiring these details is not therefore required.
- 6.3.4 The proposal would involve the parking of one staff vehicle at the site during the darker months to allow members of staff to travel more safely out of the site during the evenings. In the interests of protecting the openness and visual amenities of the Green Belt, it is recommended that a condition be imposed limiting the number of vehicles that can park at the site to a single vehicle, with the remainder of the parking being in the existing public car park.
- 6.3.5 A condition is recommended requiring the submission of details relating to refuse storage for the approval of the Local Planning Authority.
- 6.3.6 In terms of its visual impact, the overall scale of the proposal is considered to be detrimental to the amenities of the Green Belt by reason of its impact on the openness of the Green Belt, but in all other respects, it is considered that the proposal would be in accordance with Policy DC61 of the LDF.

6.4 Amenity

- 6.4.1 Policy DC61 states that planning permission will only be granted for development which does not result in significant adverse impacts on local amenity.
- 6.4.2 Given the nature of the proposal, including the proposed use, and the siting, scale, and design of the proposed building, particularly in relation to neighbouring residential properties, it is considered that the proposal would not result in any significant adverse impacts on the amenities of neighbouring occupiers, or on local amenity. In terms of its impact on amenity, the proposal is considered to be acceptable and in accordance with Policy DC61 of the LDF.

6.5 Access Considerations

- 6.5.1 Vehicular access for the proposal would be taken from the public highway at Squadrons Approach, and through the site entrance to Hornchurch Country Park. A track leading through the park would provide vehicular access directly to the site, whilst a separate track would provide access to the public car park, which would form the main parking area for the proposal. The submitted information states that a single staff vehicle would be parked outside the proposed building during the darker months to enable members of staff to access the site more safely during the evenings. The proposal would involve formalising the existing public car park, creating 60 marked parking bays.
- 6.5.2 Objections have been received from neighbouring occupiers stating that the proposal would result in vehicles being parked along Squadrons Approach, and within the neighbouring housing developments, with resultant adverse impacts on highway safety.
- 6.5.3 The Highway Authority has raised no objections to the proposal subject to the use of conditions requiring the submission of details relating to works in the highway and the submission and approval of a delivery and servicing plan. The former condition is likely to involve the approval of details relating to a coach lay by in the highway, which Highway officers have been in discussions about with the applicants. Members will be given an update about the potential locations of coach lay bys at the committee meeting.
- 6.5.4 In the interests of protecting the openness and visual amenities of the Green Belt, it is recommended that a condition be imposed limiting the number of vehicles that can park at the site to a single vehicle, with the remainder of the parking being in the existing public car park.
- 6.5.5 A condition is recommended requiring the submission of details relating to cycle storage for the approval of the Local Planning Authority.
- 6.5.6 Subject to the aforementioned conditions, it is considered that the proposal would not result in any significant adverse highway impacts.

6.6 Environmental Considerations

- 6.6.1 In terms of nature conservation considerations, the site is located within a Borough grade Site of Nature Conservation Importance (SNCI) and alongside a Metropolitan level SNCI. Policy DC58 of the LDF states that the biodiversity and geodiversity of SNCIs will be protected and enhanced. The submitted information includes a Preliminary Wildlife Assessment, which concludes that the proposal would not result in any significant adverse impacts on nature conservation interests. Natural England have raised no objections to the proposal. It is considered that the proposal would not be contrary to Policy DC58 of the LDF.

6.6.2 The site is located in Flood Zone 2 and is therefore located on an area of land at higher risk of flooding. The guidance contained in the NPPF requires that proposals in areas at risk of flooding should be subject to the Sequential Test. The objective of the Sequential Test is to divert development to areas of land with the lowest possible risk of flooding. Paragraph 101 of the NPPF states that:

“Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.”

6.6.3 The site is located on a raised area of ground that overlooks the Ingrebourne Marshes. There are other areas within the country park at lower risk of flooding than the proposed site, mainly located to the west and south. However, it is considered that these alternative locations would not be “appropriate” for the proposal as part of the reason for the proposed siting is that its users would enjoy views over the Ingrebourne Marshes, which is a Metropolitan level Site of Nature Conservation Importance. If the proposal were located further to the west, then these views would be less possible to achieve, particularly given the location of existing vegetation. If the proposal were located further to the south, then it would become more and more remote from the proposed vehicular access and parking area, making it less accessible. Given these considerations, and that the proposal would constitute a less vulnerable use in an area that is not at high risk of flooding, it is considered that the proposal passes the Sequential Test. The Environment Agency has commented on the proposal and raised no objections in relation to flood risk considerations.

6.6.4 The site is located on a restored landfill. The Council’s Contaminated Land officer has raised no objections subject to the use of a condition. The Environment Agency support the use of this condition, should planning permission be granted. A further condition has been recommended by the Council’s Environmental Health officers concerning the control of potential odours, however, this condition is not considered to be necessary given that the proposal would involve only a modest kitchen facility and the proposed use would not generally involve the preparation of cooked food.

6.7 Other Considerations

6.7.1 The proposal would be subject to a Mayoral CIL payment of around £8,260.00 but may be eligible for an exemption as the applicant, which would run the facility, is a registered charity. It would be the responsibility of the applicant to submit the relevant documentation in order to apply for an exemption, or to otherwise make the required payment.

6.7.2 Neighbouring occupiers have objected to the proposal on the grounds that it would be vandalised and encourage further anti social behaviour in the area. That the proposal might be subjected to vandalism is not considered to be a planning consideration, and in any case, the applicants are satisfied that the proposal has been designed to protect it from anti social behaviour.

There is a lack of evidence to suggest that the building would encourage additional anti social behaviour in the area. The Council's Crime Prevention Design Advisor has raised no objections to the proposal, but recommended the use of a condition, should planning permission be granted, requiring the approval of measures intended to design out crime.

Green Belt – Very Special Circumstances

6.7.3 As discussed above, it is considered that the proposal constitutes inappropriate development in the Green Belt as it would not maintain the openness of the Green Belt. Therefore, the proposal would be harmful to the Green Belt by reason of its inappropriateness and by reason of its visual impact. The applicants have submitted very special circumstances in an attempt to overcome the identified harm. They are as follows:

- a) The proposal will enhance the value of the park to the local and wider community, being open to all, 7 days per week;
- b) The building has been designed to be as small as possible, without undermining its effectiveness;
- c) The proposal has been designed to have a minimal visual impact;
- d) There is a lack of such facilities in the area at the same time as being an identified demand for them;
- e) The proposal will have educational benefits for school children and the community as a whole;
- f) Essex Wildlife Trust is a charity, which relies on volunteers and the proposed building will provide a focal point for the training of volunteers;
- g) The proposed building will be available as a meeting and event space for community groups.

6.7.4 It is considered that the proposal would involve an appropriate use in the Green Belt, but that, owing to the overall scale of the building, that it would be detrimental to the openness of the Green Belt. Other than the overall scale of the building, it is considered that, given its design, including its height, squat form, and use of natural materials, attempts have been made to make the building as unobtrusive as possible. The overall scale of the building, whilst it is detrimental to the openness of the Green Belt, is the minimal size that the applicants consider is required to provide an effective facility. The proposal would meet a demand in the area for an educational and functional community facility and has attracted Heritage Lottery funding on this basis. It is considered that the very special circumstances submitted provide sufficient justification for allowing the development to proceed in the Green Belt, despite the harm it would cause.

7. Conclusion

7.1 Subject to the use of the afore mentioned planning conditions, officers consider the proposal to be acceptable and recommend approval, having had regard to Policies DC18, DC45, DC58, DC61, DC63 of the LDF, and all other material considerations.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal would facilitate access for all to a new educational and community facility, and the associated open space and nature conservation area.

BACKGROUND PAPERS

Planning application P1138.12.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

29 November 2012

Subject Heading:

**P1047.12 – Land rear of 223-233
Brentwood Road, Romford**

Report Author and contact details:

**New development to create 9 No. four
bedroom detached houses (Application
received 7th September 2012)**

**Helen Oakerbee (Planning Control
Manager) 01708 432800**

Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

This report concerns an application for a new development to create 9 no. four bedroom detached houses. A Section 106 Legal Agreement is required to secure a financial contribution in accordance with the Draft Planning Obligations Supplementary Planning Document. Staff consider that the proposal would accord

with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. This application was last brought to the 15th November Regulatory Services Committee. At that meeting, Staff requested the deferral of the application to enable clarification of land ownership. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Agreement.

RECOMMENDATIONS

That the Committee note that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 1,390m² which equates to a Mayoral CIL payment of £27,800.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £54,000 to be used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement, prior to completion of the agreement, irrespective of whether the agreement is completed;
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion 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 below.

1. Time limit - The development hereby permitted shall not be commenced 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. 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.

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

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

4. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the submitted and approved plan/s,) 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.

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. 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.

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

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

8. 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.

9. Car parking - Before the building(s) hereby permitted is first occupied, the area set aside for car parking on the approved plans shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

10. 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.

11. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust management controls;
 - d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
 - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
 - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning 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.

12. Permitted Development - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted Development) (Amendment)(no. 2)(England) Order 2008 Classes A, B, C and E, or any subsequent order revoking or re-enacting that order, no extensions, roof extensions or alterations shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden area of the dwellings, with the exception of ancillary structures up to 10 cubic metres in volume, 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.

13. Boundary fencing - Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority. The approved fencing or other boundary treatment shall be provided prior to the first occupation of any of the houses 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.

14. 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 (having previously submitted 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);

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

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

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

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

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

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

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

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

15. External lighting - 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 scheme of lighting shall include the low level lighting of the access road. 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.

16. Secured by Design - Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included 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 the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

17. Obscure glazing - The proposed first floor window on the western flank of Unit 1 as shown on the approved plans serving a bathroom 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.

18. Surfacing materials - Before any of the development hereby permitted is commenced, surfacing materials for the access road and turning area shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials.

Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the plans) to prevent their use for anything but access.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in the interests of highway safety.

19. Access road - Before the dwellings hereby permitted are first occupied, the access road to the site shall be surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the use of vehicles visiting the site.

Reason: To ensure that access to the site is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

20. Alterations to the highway - 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.

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

Reason: 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.

22. Archaeological condition - A) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest survive on the site. The Planning Authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to

development (including historic buildings recording) in accordance with recommendations given by the borough and in the NPPF.

23. Site levels - Prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings 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.

Reason: To protect neighbouring amenity.

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 1,390m² and amounts to £27,800.

INFORMATIVES

1. Reason for Approval

The proposal is considered to be in accordance with Policies CP1, CP2, CP17, DC2, DC3, DC11, DC32, DC33, DC34, DC35, DC36, DC40, DC53, DC55, DC61, DC62, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the Supplementary Planning Document (SPD) for Residential Design and the Draft Planning Obligations Supplementary Planning Document. The proposal is also considered to be in accordance with the provisions of Policies 3.3, 3.4, 3.5, 3.8, 6.13, 7.13, 7.4 and 8.3 of the London Plan.

2. In aiming to satisfy condition 16 the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

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

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

5. 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.

6. Any statutory undertakers equipment requiring diversion due to the construction of the access into the development shall be diverted at the developers cost. As will the relocation or removal of any street furniture.

7. The development of this site is likely to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. **Site Description:**

- 1.1 The application site is located towards the north of No's 223 – 233 Brentwood Road and forms part of the rear gardens of these properties. The site measures 0.272 hectares and ground levels are generally level.
- 1.2 The surrounding area is mainly characterised by two storey residential dwellings towards the north, east, south and west. The land to the north of the site was formally a building merchants, which has recently been developed to provide 74 affordable residential units. The land to the north of the site has a ground level of approximately 2.5 metres lower than that of the application site. Approximately 40m north of the site is the Upminster – Romford railway line. South of Brentwood Road is the Frances Bardsley School for Girls.

2. **Description of development:**

- 2.1 The application seeks permission for a new development to create 9 No. four bedroom detached houses.
- 2.2 Four houses would be located adjacent to the northern boundary and five houses would be located adjacent to the southern boundary, which backs onto the rear gardens of dwellings in Brentwood Road with an access road in between.
- 2.3 The dwellings have different footprints, with a minimum and maximum width of 7 and 10 metres respectively. The dwellings have a minimum and maximum depth of approximately 11.6 and 15.6 metres respectively.
- 2.4 The dwellings have a mixture of hipped and part gabled, part hipped roofs. Units 1, 2, 3, 4 and 7 have a ridge height of 8.3 metres. Unit 5 has a ridge height of 8.75 metres. Units 6 and 8 have a ridge height of 8.1 metres. Unit 9 has a ridge height of 8.35 metres.

3. **Relevant History:**

- 3.1 Land rear of 223-227 Brentwood Road
P1041.11 - New development to create 7 No. houses comprising 2 no. four bedroom houses and 5 No. three bedroom houses - Approved.

P0628.11 - New development to create 7 No. houses comprising 2 no. four bedroom houses and 5 No. three bedroom houses - Withdrawn.

223-225 Brentwood Road

P1681.11 - Demolition of two semi-detached houses and creation of 9 No. apartments comprising 3 No. one bedroom units and 6 No. two bedroom units – Refused for the following reasons:

1. The proposed layout of the development would be inadequate resulting in substandard accommodation for future residents through lack of privacy, poor outlook, noise, headlight glare, restricted internal area and failure to adhere to designing out crime principles. As a result, the development represents an overdevelopment of the site contrary to Policies DC2, DC3, DC4 and DC61 of the LDF Core Strategy and Development Control Policies DPD and London Plan Policy 3.5.

2. The building would, by reason of its crown roof form, excessive depth and width, scale, bulk and mass, position close to the boundaries of the site, combined with the prominent corner location and open aspect of the site, appear incongruous, overbearing, dominant and visually intrusive in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Development Control Policies DPD.

3. The proposed development would by reason of its undercroft parking area, including the windows on the western elevation, would appear incongruous with the streetscene contrary to Policy DC61 of the LDF Development Control Policies DPD.

4. The proposed development would, by reason of the inadequate on site car parking provision, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity contrary to Policies DC2 and DC33 of the LDF Development Control Policies DPD.

5. In failing to deliver a high quality of design and layout through the deficiencies described in reasons 1- 4 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.

6. The proposed 9 dwellings in conjunction with planning permission reference P1041.11 would cumulatively result in 16 dwelling units on the site in excess of the affordable housing threshold requirement of Policy DC6 of the LDF Development Control Policies DPD and Policies 3.12 and 3.13 of the London Plan. No affordable housing is proposed contrary to Policy DC6 of the LDF Development Control Policies DPD and Policies 3.12 and 3.13 of the London Plan.

7. In failing to deliver a high quality of design and layout through the deficiencies described in reasons 1- 4 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.

4. Consultations/Representations:

4.1 The occupiers of 86 neighbouring properties were notified of this proposal. 17 letters of support were received and are broken down as follows:

6 letters of support were from No.'s 223, 225 and 227 Brentwood Road, the gardens of which form part of the application site. 9 letters of support were from other properties in Brentwood Road. 2 letters of support were from residents in Gidea Park.

4.2 Three letters of objection were received with detailed comments that have been summarised as follows:

- Queried the time frame for the works subject to planning permission being granted.
- Traffic and congestion.
- Parking.

- Queried as to when traffic regulators monitored the traffic in Francombe Close.
- Noise and dust.
- Fumes and smoke from burning paint cans on the site.
- The new build will not enhance the surroundings.
- Highly unsuitable location for a development of this number of sizeable properties.
- Disruption, smell and mess from building work.
- Building on gardens is undesirable.
- Highway safety.
- Access for emergency vehicles.
- The scale of the proposed development is excessive.
- Loss of trees in Francome Gardens.
- Devalue of property following the approval of planning application P1041.11.
- The proposal would be harmful to the character of the local area.
- Subsidence and pollution.
- Object to changing Francombe Close into a through road.
- Lack of visual interest as the proposed housing would be arranged in straight lines.
- Loss of light, privacy and overlooking.

4.2 In response to the above comments, conditions would be placed in respect of hours of construction and a construction method statement if minded to grant planning permission. Reduction in property value is not a material planning consideration. The remaining issues will be covered in the following sections of this report. There are no Tree Preservation Orders on the application site. Comments regarding noise, dust and disruption from building works are not material planning considerations.

4.3 Environmental Health - Recommend a condition if minded to grant planning permission.

4.4 Crime Prevention Design Advisor - Recommends conditions in respect of boundary treatments, cycle storage, lighting, landscaping and secured by design and an informative if minded to grant planning permission.

4.5 The Highways Authority has no objection to the proposals. Recommends two conditions and two informatives if minded to grant planning permission.

5. **Staff Comments:**

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), 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), DC55 (Noise), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living

Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Draft Planning Obligations Supplementary Planning Document and 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), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The National Planning Policy Framework is relevant.

5.2 Principle of Development

5.2.1 The site currently has a residential land use. In accordance with the objectives of Policy CP1, there is no objection in principle to residential development on this site, providing that the proposal is acceptable in all other material respects.

5.2.2 Notwithstanding, Staff noted on site inspection and aerial photographs that the rear gardens of dwellings along this part of Brentwood Road (No.'s. 223 – 237) are excessive in depth measuring between 63m to 82m in depth. These rear gardens are significantly longer than those properties along Francombe Gardens and Marwell Close, directly west of the application site. In Staff's opinion, although these rear gardens provide a quality rear garden environment, due to their size, a new development can be accommodated without prejudicing its quality as a rear garden environment. The proposal would still leave a large proportion of rear garden environment which is arguably more manageable for future residents. It is not considered that the loss of part of these rear gardens will result in harm to the overall character of the area in terms of its value as rear garden land.

5.2.3 The proposal is further in accordance with Policy 3.5 of the London Plan which states that DPD policies should ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

5.3 Density and site layout

5.3.1 The Density Matrix in Policy DC2 seeks to guide higher density of development to those parts of the Borough having good access to public transport. Policy DC2 indicates a density requirement of 30-50 dwellings per hectare in this location.

5.3.2 The proposal achieves a density of some 33 units per hectare on this 0.272 hectare site, which falls within the range of this density and is therefore acceptable.

5.3.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places

emphasis on new developments providing well designed quality spaces that are usable.

- 5.3.4 The site currently forms part of the rear gardens of properties along Brentwood Road (No.'s. 223 – 233). The subdivision would result in the donor properties being left with rear gardens of approximately 16.5 – 20m in depth. Each new dwelling would have an amenity area measuring between 62 and 111 square metres. The gardens of the donor properties would remain towards the rear and appropriate screen fencing and landscaping can be secured by condition if minded to grant planning permission. The drawings indicate that some of the landscaping, in particular the conifer hedging on the western boundary will be removed.
- 5.3.5 In Staff's opinion, appropriate fencing and landscaping can be required by means of a planning condition which would provide sufficient screening to the proposed amenity areas. The back-to-back relationship between dwellings along Brentwood Road and Units 5 – 9 will be a minimum of 23 metres and it is therefore not considered that there would be direct overlooking towards the proposed amenity areas of these dwellings.
- 5.3.6 No.'s 5 and 6 Francombe Gardens are two storey dwellings with windows facing east. The rear garden of Unit 1 would be approximately 18m from the rear of No. 5 Francombe Gardens. As such, it is not considered that there would be any potential for overlooking the amenity areas of Units 1 and 2.
- 5.3.7 Notice is given to the fact that the rear gardens would be smaller than the existing rear gardens of properties along Brentwood Road. Notwithstanding, the amenity areas are similar to those of more recent developments along Francombe Gardens and Marwell Close and therefore are not uncharacteristic of the area. Staff are of the view that the proposed rear garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation. The amenity space provision is therefore considered to be consistent with the provisions of the Residential Design SPD.
- 5.3.8 It is considered that the proposed dwellings would not create any undue overlooking or loss of privacy, as there would be a front to front separation distance of between 7.8 and 13.8 metres between the front facades of Units 1-4 and Units 5-9.

5.4 Design/impact on street/Garden scene

- 5.4.1 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.

- 5.4.2 The proposal would be at the end of a cul-de-sac. The rear façade of Unit 5 would be approximately 44 metres from the junction of Brentwood Road and Francombe Gardens and units 1 - 4 would be to the rear of No.'s. 5 and 6 Francombe Gardens. Staff are of the opinion that the overall character and design of the proposal would not detract from the character of the local area. The detached dwellings would have a sufficient setback from Francombe Gardens and would not appear as an intrusive feature. It is considered that the layout, design and size of these dwellings are consistent with other dwellings in the vicinity and therefore acceptable in this instance on the site and would not appear as prominent features in the street scene.
- 5.4.3 Units 5 - 9 would be more visible from Francombe Gardens as the flank wall of Unit 5 would be 1.4m from the site's western boundary and approximately 2.4m from the edge of Francombe Gardens. It is considered that the height of the dwellings would be similar to neighbouring properties. Staff are of the opinion that the bulk of the development would be visible within the newly created access road and as this proposal would present its flank wall to the existing street scene, it is not considered to appear overly bulky or intrusive in this location.
- 5.4.4 Staff acknowledge that the immediate vicinity is mainly characterised by detached and semi-detached dwellings. Therefore, it is considered that the overall scale, size and design of the detached dwellings would be an acceptable form of development in this location.
- 5.4.5 Some vegetation including the conifer hedging on the western boundary will be removed to accommodate the proposed development. Although this will give the site a more exposed appearance, conditions can be imposed requiring an appropriate level of replacement landscaping on the site, softening the appearance of the development.
- 5.4.6 Overall, the proposal is considered to be acceptable in terms of its design, scale, character and visual impact within this rear garden environment and is therefore consistent with the aims and objectives of Policy DC61 of the LDF Development Control Policies Development Plan Document.

5.5 **Impact on amenity**

- 5.5.1 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.
- 5.5.2 Towards the west, Unit 1 would be closest to the neighbour at No. 6 Francombe Gardens. Unit 1 would have a flank to back relationship with this neighbour of approximately 22 metres at first floor level. Unit 1 would have a

setback of approximately 2 metres at first floor level from the rear boundary of No. 6 Francombe Gardens. The roof has been designed to hip away from No. 6 Francombe Gardens reducing any potential impact. Given this relationship and design, it is considered that Unit 1 would not appear visually intrusive or overbearing on No.'s 5 or 6 Francombe Gardens. Unit 1 would introduce one flank first floor window on the western elevation, serving a bathroom. This window can be conditioned to be fixed shut and obscure glazed with the exception of top hung fanlights, preventing any potential for overlooking.

- 5.5.3 It is noted that the land to the north of the site has a ground level of approximately 2.5 metres lower than that of the application site, therefore, Units 1-4 will occupy a higher ground level than the neighbouring dwellings in Loom Grove. An existing block plan was submitted showing the existing ground levels within the site. Another drawing is required showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings, which can be secured by condition if minded to grant planning permission.
- 5.5.4 Although Units 1-4 would occupy a higher ground level than the dwellings in Loom Grove, it is considered they would not result in a significant loss of amenity to the two storey dwellings located north of the application site, as their rear gardens provide a minimum and maximum separation distance of approximately 5.4 metres and 14.4 metres. In addition, there is an access road that serves the dwellings which abuts the northern boundary of the site and provides a further separation distance of between 3.2 and 6.4 metres. Given the separation distances outlined above, it is considered that the proposal would not result in any undue overlooking or loss of privacy to the neighbouring properties located north of the application site.
- 5.5.5 It is considered that Units 5 - 9 would not result in a significant loss of amenity to the two storey dwellings located south of the application site, as their rear gardens provide a minimum and maximum separation distance of approximately 6 metres and 10 metres. In addition, the rear gardens of No.'s 223 -233 Brentwood Road provide a further separation distance of between 16.6 and 19.6 metres. Staff consider this relationship to be adequate and would not prejudice the amenities of neighbouring occupiers. Given the separation distances outlined above, it is considered that the proposal would not result in any undue overlooking or loss of privacy to the neighbouring properties located south of the application site.
- 5.5.6 It is considered that Units 5 - 9 would not result in a significant loss of amenity to the two storey dwellings located west of the application site, as there would be a minimum and maximum separation distance of approximately 23.8 and 29.6 metres between the front façade of No.'s 219 Brentwood Road and 1 Francombe Gardens and the western flank of the nearest dwelling – Unit 5. Staff consider this relationship to be adequate and would not prejudice the amenities of neighbouring occupiers. Given the separation distances outlined above, it is considered that the proposal would not result in any undue

overlooking or loss of privacy to the neighbouring properties located west of the application site.

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

5.6 Highway/parking issues

- 5.6.1 Policy DC2 of the LDF indicates that in this part of the Borough parking provision for residential development should be a maximum 1.5 to 2 spaces per unit. Each dwelling has parking provision for two vehicles, which complies with Policy DC2. Units 1, 5, 6, 7, 8 and 9 have integral garages and one space on hardstanding. Units 2 and 3 both have a garage and one space on hardstanding. Unit 4 has two spaces on hardstanding. Details of cycle storage will be secured by condition if minded to grant planning permission. The Highways Authority will not be seeking to adopt the access road due to the proposed width, although it has no objection to the proposals subject to conditions. A condition will be placed in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.

6. Trees

- 6.1 There are no tree preservation orders on the site. Staff have no concerns regarding the removal of some vegetation and conifer hedging on the site. Details of landscaping will be secured by condition if minded to grant planning permission.

7. Archaeology

- 7.1 The site is located within an archaeological priority area specified in the London Borough of Havering's Local Development Framework SPD, occupying part of the extent of the medieval Thames gravels, a geology from where numerous prehistoric remains have been recovered. Iron age or Romano British field boundaries have been found 300m south on Osbourne Road and a possible contemporary building is identified 300m north east. Given the size of the proposals and what appears to be limited modern disturbance, hitherto unknown remains may be present at the site and be affected by the planned scheme.
- 7.2 A condition securing the implementation of a programme of archaeological works would be appropriate for any forthcoming consent. This would likely involve a trial trench evaluation of the site with any appropriate mitigation work subsequently informed by the evaluation results.

8. The Mayor's Community Infrastructure Levy

- 8.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is

based on an internal gross floor area of 1,390m² which equates to a Mayoral CIL payment of £27,800.

9. **Planning Obligations**

9.1 A Section 106 Legal Agreement is required to secure a financial contribution of £54,000 to be used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.

10. **Conclusion**

10.1 The proposed residential use of the site is acceptable in principle. It is considered that the siting, design and scale of the dwellings proposed is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. The applicant has agreed to a financial contribution of £54,000 towards infrastructure improvements. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

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

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application forms and plans received 7/9/2012.

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.