



# Havering

LONDON BOROUGH

## REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

Thursday  
20 February 2014

Havering Town Hall,  
Main Road, Romford

Members 11: Quorum 4

### COUNCILLORS:

<b>Conservative ( 6 )</b>	<b>Residents' ( 2 )</b>	<b>Labour ( 1 )</b>	<b>Independent Residents' ( 1 )</b>	<b>UKIP 1</b>
Barry Oddy (Chairman) Barry Tebbutt (Vice-Chair) Rebecca Bennett Jeffrey Brace Roger Evans Lesley Kelly	Linda Hawthorn Ron Ower	Paul McGeary	David Durant	Fred Osborne

**For information about the meeting please contact:**

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## **AGENDA ITEMS**

### **1 CHAIRMAN'S ANNOUNCEMENTS**

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

The Chairman will announce the following:

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

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

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

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

### **2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### **3 COMMITTEE MEMBERSHIP**

To note the membership of the Committee.

### **4 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.*

### **5 MINUTES (Pages 1 - 14)**

To approve as a correct record the minutes of the meeting of the Committee held on 19 December 2013 and to authorise the Chairman to sign them.

- 6 **PLANNING APPLICATIONS - SEE INDEX AND REPORTS** (Pages 15 - 26)
- 7 **P1267.13 - LAND TO THE REAR OF 8-28 ULLSWATER WAY, 8-36 KENDAL CROFT AND 61-69 CARNFORTH GARDENS, HORNCHURCH** (Pages 27 - 42)
- 8 **P1581.13 - 63 PETTITS LANE, ROMFORD** (Pages 43 - 48)
- 9 **A0086.13 - DOVERS CORNER ROUNDABOUT, RAINHAM** (Pages 49 - 54)
- 10 **A0087.13 - ROUNDABOUT ON THE JUNCTION OF WESTERN ROAD/MERCURY GARDENS, ROMFORD** (Pages 55 - 60)
- 11 **P1486.13 - LAND TO THE REAR OF 191-195 RAVENSCOURT GROVE, HORNCHURCH** (Pages 61 - 76)
- 12 **THE BRITTONS ACADEMY, FORD LANE, SOUTH HORNCHURCH** (Pages 77 - 82)
- 13 **SECTION 111 AGREEMENT WITH THE GREATER LONDON AUTHORITY (GLA) (BROXHILL CENTRE)** (Pages 83 - 88)
- 14 **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

**Andrew Beesley**  
**Committee Administration**  
**Manager**

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**MINUTES OF A MEETING OF THE  
REGULATORY SERVICES COMMITTEE  
Havering Town Hall, Main Road, Romford  
19 December 2013 (7.30 - 11.30 pm)**

**Present:**

**COUNCILLORS:** 10

**Conservative Group** Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair),  
Jeffrey Brace, Roger Evans, Steven Kelly and  
+Billy Taylor

**Residents' Group** Linda Hawthorn and +John Mylod

**Labour Group** Paul McGeary

**Independent Residents  
Group**

Apologies were received for the absence of Councillors Rebbecca Bennett and Ron Ower.

+Substitute members; Councillor Billy Taylor (for Rebbecca Bennett) and Councillor John Mylod (for Ron Ower).

Councillors Roger Ramsey, Paul Rochford, June Alexander, Clarence Barrett, Linda Van den Hende, Keith Darvill, Pat Murray, Lawrence Webb and David Durant were also present for parts of the meeting.

70 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.

**172 DISCLOSURE OF PECUNIARY INTERESTS**

*Councillor Barry Tebbutt declared a personal and prejudicial interest in agenda item 11 Planning Application P1367.13 Royal Jubilee Court. Councillor Tebbutt advised that the proposed development site was situated adjacent to a family member's home.*

173 **MINUTES**

The minutes of the meetings held on 24 October and 14 November 2013 were agreed as a correct record and signed by the Chairman.

174 **P1122.13 - LAND TO THE REAR OF 51 AND 53 KEATS AVENUE, ROMFORD**

The application before members related to a Council owned area of undeveloped land. The application proposed the erection of one 3 bedroom bungalow.

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

The objector advised that neighbours of the development site had purchased their properties because of the privacy of the area and that this would be destroyed by overlooking from the proposed development. The objector also raised concerns regarding the welfare of the horses that were kept in a field at the end of the footpath located on the site.

With its agreement Councillor Keith Darvill addressed the Committee.

Councillor Darvill commented that he was objecting to the proposed development on behalf of the residents of Keats Avenue. Councillor Darvill advised that the development would affect the amenity of the neighbouring properties. Councillor Darvill also commented that the horses' welfare was of importance during the construction phase.

During the debate members clarified that the area was not deemed as a green space but a disused piece of land. Members also sought clarity on various issues including whether the gate to the access would be kept or not and what arrangements would need to be put into place to ensure the welfare of the horses stabled at the rear of the site be maintained.

The Committee noted that the proposed development would be liable for a Mayoral CIL payment of £1,644 and it was **RESOLVED** to delegate to the Head of Regulatory Services PROVIDED THAT it is confirmed that no part of the access forms part of a public right of way (if the access or any part thereof is confirmed a public Right of way the application be advertised in the appropriate manner and remitted following further consultation to the Committee) to approve subject to the prior completion of a legal agreement and 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 (and subsequently on taking transfer of title to the application site from the Council to enter a further Deed under section 106 of the Town and Country Planning Act 1990 confirming that the obligation set out below bind the applicant as transferee/owner of the application site):

- A financial contribution of £6,000 to be used towards infrastructure costs.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement irrespective of whether the legal agreement is completed.
- Payment of 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 in the report.

The vote for the resolution to grant planning permission was carried by 9 votes to 1.

Councillor McGeary voted against the resolution to grant planning permission.

**175 P1367.13 - ROYAL JUBILEE COURT, MAIN ROAD, ROMFORD**

This item was deferred at the request of officers in order for consideration of issues that had been raised in a late letter of representation.

**176 P1119.13 - 16 & 18 PROSPECT ROAD, HAROLD WOOD**

The report before members concerned an application for the demolition of No's 16 and 18 Prospect Road and the erection of nine new houses and two replacement bungalows with an access road with ancillary car and cycle parking.

Members noted that the application had been called in by Councillors Roger Ramsey and Ron Ower.

Councillor Ramsey had called the application in on the grounds of impact on neighbouring properties and Councillor Ower had called the application in on the grounds of concerns on traffic, the in-fill and its closeness to the Green Belt.

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

The objector commented that the development would have an unacceptable effect on the streetscene and was contrary to Planning Policy DC61. The objector also commented that the proposal was not a sustainable development and would lead to a significant loss of privacy for existing neighbouring properties and asked that the Committee reject the proposal.

Speaking in response the applicant confirmed that the streetscene had been carefully considered and that the proposal was a high quality scheme for much needed housing on an underused site. The objector also confirmed that the only objections on the previously submitted scheme were to do with the streetscene which had now been addressed.

With its agreement Councillors Roger Ramsey and Paul Rochford addressed the Committee.

Councillor Ramsey commented that there had been a substantial number of objections to the proposed development from residents in the area and that most of these related to the loss of privacy to existing properties. Councillor Ramsey also mentioned the original refusal reason and commented that he believed the new proposal had not addressed the streetscene issues.

Councillor Rochford commented that the proposal was an artificial construction and was not acceptable both in terms of the streetscene and its effect on neighbouring properties.

During the debate members discussed the cramped nature of the development and its effect on neighbouring properties. Members also sought clarification of access/egress arrangements and the possible impact extra traffic would have on these.

The report recommended that planning permission be granted, however following a motion to refuse which was carried by 8 votes to 0 with 2 abstentions it was **RESOLVED** that planning permission be refused on the grounds that:

- The proposed development would result in the unbalancing of the of the semi-detached dwellings at no's 14 and 20 Prospect Road resulting in the remainder of the property appearing as a discordant and incongruous feature in the street scene and harmful to local character contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- The access arrangement depends on such an excessively narrow and contrived bungalow indicative of an unacceptably cramped overdevelopment of the site, harmful to local character and amenity.
- In the absence of a planning obligation to secure the infrastructure contribution in accordance with the Planning Obligations Supplementary Planning Document (SPD) that planning permission be refused on the grounds that the proposal does not make adequate arrangements for the provision of the necessary infrastructure costs



arising from the development in accordance with the Planning Obligations SPD.

The vote for the resolution to refuse planning permission was carried by 8 votes to 0 with 2 abstentions.

Councillors Tebbutt and McGeary abstained from voting for the resolution to refuse planning permission.

**177 P1110.13 - 24 SEVERN DRIVE UPMINSTER**

The proposal before members sought permission for side and rear single storey extensions, a canopy, a garage conversion, external works including two dropped kerb width increases and a change of use from a dwelling (C3) to a day care nursery (D1) entitled Little Explorers Day Care Nursery.

Councillor Gillian Ford requested the application be called in to committee unless it was refused under delegated powers, on the grounds of increased parking pressures with existing traffic problems due to school activity, the estate was designated as residential, increased noise activity and drainage concerns.

Councillor Steven Kelly requested the application be called in to committee if the recommendation was for refusal, on the grounds that the plan fitted in with the Local Development Framework and there were matters of judgement which would be best discussed by members of the Committee.

Councillor Barry Tebbutt requested the application be called in to committee if the recommendation was for refusal, on the grounds that there was not a transfer issue (as identified), the position of the nursery was not of any real concern and there was a need for a facility of this type.

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

The objector referred to the previous refusal and commented that there was nothing in the current application that changed the previous reason for refusal. The objector also commented on the unacceptable levels of noise, disturbance and parking problems that the proposal would create. Further that the applicant could not demonstrate that access to staff car parking had been secured into the future.

Speaking in response the applicant confirmed that the objections raised were not representative of all the local residents many of whom had submitted letters of support towards the scheme. The applicant confirmed that there was a need for the facility in the area and conditions could be agreed to limit the number of children in attendance at the facility.

With its agreement Councillor Clarence Barrett addressed the committee on behalf of Councillor Gillian Ford.

Councillor Barrett commented that there was very little difference between the current application and the previously refused application. Councillor Barrett also commented on the parking provision at the site which was considered inadequate and would lead to congestion both at the front and rear of the application site. Councillor Barrett compared the application to one recently refused elsewhere in the borough and commented that this particular application was in fact worse regarding parking provision.

During the debate members sought clarification on the ownership of the garages situated to the rear of the application site and questioned the suitability of the proposal in the area. Members also sought clarification on the addresses of the letters of support to ascertain whether they were from local residents or residents from outside of the local area.

Officers clarified a number of conditions that could be attached to the scheme if members were minded to approve planning permission.

Following a motion to approve planning permission which was lost by 5 votes to 4 with 1 abstention it was **RESOLVED** that planning permission be refused on the grounds that

The proposal, by reason of noise and disturbance arising from the intensification of the use of the property and its curtilage, would result in unacceptable levels of noise and disturbance to the detriment of residential amenity, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.

The proposal, by reason of the extent of parking to the front of the property, would adversely affect the character and appearance of the streetscene, contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.

The vote for the resolution to refuse planning permission was carried by 5 votes to 4 with 1 abstention.

Councillors Oddy, Evans, Hawthorn, Mylod and Osborne voted for the resolution to refuse planning permission.

Councillors Tebbutt, Kelly, Taylor and McGeary voted against the resolution to refuse planning permission.

Councillor Brace abstained from voting.

178 **P1081.13 - CHANLIN BROXHILL ROAD**

The report before members concerned an application for the retention for an additional five year period of a mobile home for residential use following the expiration of the previous 2010 permission.

Councillor Sandra Binion had called the application in on the grounds of wishing the Committee to hear the special circumstances.

Members were advised that one late letter of representation had been received.

With its agreement Councillor Sandra Binion addressed the Committee.

Councillor Binion advised that the applicants had previously been given incorrect planning advice, despite this the family had settled in the area and received positive local support. Councillor Binion advised that the applicant has successfully applied for a postcode and Council Tax banding for their accommodation. Members noted that the applicant was a full time carer for her mother who suffered from various medical conditions that required round the clock medical assistance. The applicant's daughter was studying at university locally and also lived at the property and assisted in providing medical care for her grandmother. Councillor Binion commented that paragraph 89 of the National Planning Policy Framework referred to "limited infilling in villages" as being appropriate and asked that the Committee consider the special circumstances of the family and grant planning permission.

During the debate members discussed travellers rights contained within the Development Plan Document and sought legal advice as to whether they applied in this instance. Members also received clarification of the Council's Green Belt Policy and the weighing of material planning considerations to determined a reasoned decision. It was further confirmed that the applicants were not under the law gypsies.

Members also discussed the special circumstances that were affecting the family and the financial circumstances that would prohibit the family from moving elsewhere.

The report recommended that planning permission be refused however following a motion to approve planning permission which was carried by 8 votes to 2 it was **RESOLVED** that permanent planning permission be granted and to delegate to the Head of Regulatory Services the precise wording of the appropriate planning conditions. The reason for approval related to no physical harmful impact and in principle Green Belt harm was outweighed by very special circumstances of the family concerning educational, medical and financial need.

The vote for the resolution was carried by 9 votes to 1.

Councillor Kelly voted against the resolution to grant planning permission.

179 **P0617.13 - DAMYNS HALL AERODROME AVELEY ROAD, UPMINSTER**

The report before members detailed an application that proposed to erect an extension to the administrative/clubhouse building. The extension would be single storey, 4.9 metres wide by 2.5 metres deep with mono-pitch roof from 3 to 3.5 metres high. The plans suggested that the area formed by the extension would provide an enlarged kitchen area.

The application had been called in by Councillor Linda Van den Hende on the grounds that a Planning Inspector had previously upheld an enforcement notice that the café use of the building cease and the extension seemed to be extending this use.

With its agreement Councillor Linda Van den Hende addressed the Committee.

Councillor Van den Hende commented that the proposal was an intensification of the Green Belt and there would only be a need for an extension if the café was planning on trading to the general public.

During a brief debate members discussed the previous planning history of the site and the enforcement action that had been taken.

The report recommended planning permission be granted however following a motion to refuse the granting of planning permission which was carried by 8 votes to 2 it was **RESOLVED** that planning permission be refused on the grounds that a further extension intensified activity on the site harmful to the site's impact within the Green belt and to local traffic conditions.

The vote for the resolution to refuse planning permission was carried by 8 votes to 2.

Councillors Tebbutt and Taylor voted against the resolution to refuse the granting of planning permission.

180 **P1123.13 - LAND TO THE SIDE OF 84 DORKING ROAD, ROMFORD**

The application before members related to Council owned undeveloped land. The application proposed the erection of two 1- bedroom chalet bungalows.

With its agreement Councillors Lawrence Webb, Pat Murray and Keith Darvill addressed the Committee.

Councillor Webb commented that the majority of local residents opposed the proposal and that they had previously submitted a petition to the Council making their views known. Councillor Webb also commented that the development site could be at risk from future flooding as it was situated on a major waterway. Councillor Webb also advised that the current resident of

84 Dorking Road maintained an area of landscaping to the side of his property and wished to continue doing so.

Councillor Murray commented that he was speaking for the residents of the area who were having to again defend the use of green spaces in the local area. Councillor Murray commented that the area was well used by local residents as a play area and that new housing developments in the area were eroding any green areas that remained.

Councillor Darvill re-iterated the points made by Councillors Webb and Murray and commented that the Council should be protecting green spaces in the borough.

During a brief debate members received clarification on the siting of windows in the proposed development which were to be facing the proposed parking site and noted that conditions contained in the report could be amended to allow for the provision of low level lighting on the access road.

Members noted that the proposed development would be liable for a Mayoral CIL payment of £1,500 and it was **RESOLVED** that planning permission be delegated to the Head of Regulatory Services to approve subject to the proviso that unless otherwise agreed in writing by the Fire brigade a planning condition requiring a domestic sprinkler system be installed and 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) (and subsequently on taking transfer of title to the application site from the Council to enter a further Deed under section 106 of the Town and Country Planning Act 1990 confirming that the obligation set out below bind the applicant as transferee/owner of the application site), to secure the following:

- A financial contribution of £12,000 to be used towards infrastructure costs.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement irrespective of whether the legal agreement is completed.
- Payment of 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 as set out in the report.

The vote for the resolution to grant planning permission was carried by 9 votes to 1.

Councillor McGeary voted against the resolution to grant planning permission.

181 **P1136.13 - 104 PETERSFIELD AVENUE, HAROLD HILL- CHANGE OF USE OF THE EXISTING VACANT RETAIL (A1) UNIT TO A HOT FOOD TAKEAWAY (A5) WITH NEW REAR EXTERNAL EXTRACT DUCT**

Members noted that one late letter of representation had been received concerning possible issues of anti-social behaviour, noise and litter nuisances.

Members considered the report, asked for clarification as to whether the application was compliant with retail policy and on receiving confirmation that it was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution was carried by 9 votes to 0 with 1 abstention.

Councillor McGeary abstained from voting.

182 **P1133.13 - 108 PETERSFIELD AVENUE, HAROLD HILL - CHANGE OF USE OF THE EXISTING VACANT RETAIL (A1) UNIT TO A HOT FOOD TAKEAWAY (A5) WITH NEW REAR EXTERNAL EXTRACT DUCT**

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

The vote for the resolution was carried by 9 votes to 0 with 1 abstention.

Councillor McGeary abstained from voting.

183 **P1314.13 - BEAM VALLEY COUNTRY PARK, 170M NORTH OF 301 WESTERN AVENUE, DAGENHAM - A NEW BRIDGE OVER THE RIVER BEAM FOR WALKING AND CYCLING**

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

184 **P1175.13 - 59, 61, 63-66, 68 & 70 WARWICK ROAD, RAINHAM**

The planning application before members related to a variation of condition 6 to planning approval P1210.12 involving the replacement of the existing plans with a minor material amendment to the scheme for the demolition of the existing industrial buildings and a residential development of 16 residential units comprising 12 houses and 4 flats with a new road access and associated landscaping. The planning issues included the principle of development, design and street scene impact, parking and highway matters, amenity issues, trees, sustainability and affordable housing and planning obligations.

Members noted that the application had been called in by Councillor David Durant on the grounds that the application reduced amenity space and appeared to be an overdevelopment of the application site.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the previous planning permission granted was an overdevelopment of the site and that the proposed changes would reduce amenity space even further. Councillor Durant also commented that the development was on a private road that was below adoption standard and although the residents were eager for a change from the previous industrial use they did not wish the area to fall into disrepair.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed in 18 September 2013 in respect of planning permission P1210.12 by varying the definition of Planning Permission which shall mean either planning permission P1210.13 as originally granted or planning permission P1175.13.

Save for the variation set out above and necessary consequential amendments required by the Assistant Chief Executive Legal and Democratic Services (Acting) the Section 106 agreement dated 18 September 2013 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 18 September 2013 would remain unchanged.

That Staff be authorised that upon the completion of the legal agreement that planning permission be granted subject to the conditions as set out in the report.

- 185 **P1295.13 - HAROLD WOOD HOSPITAL - THE APPROVAL OF SITING, DESIGN, EXTERNAL APPEARANCE AND LANDSCAPING (THE RESERVED MATTERS) PURSUANT TO THE OUTLINE PLANNING PERMISSION P0702.08 FOR PHASE 4A OF THE FORMER HAROLD WOOD HOSPITAL, FOR THE DEVELOPMENT OF 55 RESIDENTIAL DWELLINGS, PLUS ASSOCIATED INFRASTRUCTURE, OPEN SPACE AND CAR PARKING.**

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

The vote for the resolution to grant reserved matters permission was carried by 9 votes to 0 with 1 abstention.

Councillor McGeary abstained from voting on the resolution.

- 186 **P1430.13 - 179 CROSS ROAD, ROMFORD - RESIDENTIAL DEVELOPMENT TO PROVIDE FOUR 3-BEDROOM HOUSES. DEMOLITION OF THE EXISTING DWELLING AND GARAGE TO THE FRONT OF THE SITE.**

The Committee considered the report noting that the proposed development attracted a Mayoral CIL payment of £4,720 and without debate **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- The sum of £18,000 towards the costs of infrastructure associated with the development in accordance with the Planning Obligations SPD;
- 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 Council's reasonable legal fees for shall be paid prior to completion of the agreement and if for any reason the agreement is not completed the Council's reasonable legal fees shall be paid in full;
- The Council's planning obligation monitoring fees shall be paid prior to completion of the agreement.

That, subject to no new and significant adverse comments being received prior to the expiration of the statutory consultation period, should material considerations be raised which were not considered by members prior to



the expiry of the statutory consultation period the report with the additional material considerations be remitted back to the Regulatory Services Committee for further consideration, officers subject to the foregoing 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 two further conditions:

- Removal of permitted development enabling the installation of any entry gates
- Removal of permitted development for any enlargements and additions.

187 **SUSPENSION OF STANDING ORDERS**

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

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**Chairman**

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## Regulatory Services Committee

20 February 2014

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-9	P0518.13	Brooklands	111-115 North Street, Romford

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**REGULATORY SERVICES COMMITTEE**

**20th February 2014**

<b>APPLICATION NO:</b>	<b>P0518.13</b>	
<b>WARD :</b>	Brooklands	<b>Date Received:</b> 11th July 2013 <b>Expiry Date:</b> 10th October 2013
<b>ADDRESS:</b>	111-115 North Street Romford	
<b>PROPOSAL:</b>	Change of use of property from B1 to mix use comprising D1 (education, religious meetings and training centre) Additional Information received 20.11.13	
<b>DRAWING NO(S):</b>	Site Location Plan 2009/C182/01 2009/C182/02 2009/C182/04 2009/C182/03	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be GRANTED</b> subject to the condition(s) given at the end of the report given at the end of the report.	

## **BACKGROUND**

This planning application was brought before Members on 12th September, 2013, but was deferred to enable additional information about the proposal to be gathered. The queries raised by Members, and the information submitted by the applicants in response to these, are detailed below. The remainder of the report is as previously presented, save for some changes to the description reflecting amendments to the proposal, as follows.

- Exactly what education facilities are being proposed?

The proposed facility would be an independent special education day school for children with autistic spectrum disorders.

- What is the age range of children/young people proposed?

4-10 years.

- What is the defined educational need, by whom and why no supporting evidence, eg agencies?

The applicants have submitted a business plan, which states that the school is to be established by the Redeemed Christian Church of God, Jubilee House as a separate charity and a company limited by guarantee. The school is being established to meet what is considered to be an inadequate provision of schools for autistic pupils in the United Kingdom. The school will serve, in particular, those from Christian homes and others whose parents believe that divine healing and an educational environment based on Christian values, ethics and beliefs would benefit their children. According to the submitted information:

"Figures suggest that there are about 90,000 children with autism in the United Kingdom. There are about 7500 places for these children. There is a division of opinion on how many of these children actually require specialist school places but recent surveys indicate conservatively that

**REGULATORY SERVICES COMMITTEE**  
**20th February 2014**

there are about 26,000 children who need a place in a specialist autism school. There are currently about 4000 specialist places across the United Kingdom."

The school will be operating within the independent special education school system. These schools operate side by side with government provisions to meet the need of children with special education requirements. The operators of the school aim to attain National Autistic Society accreditation and to establish close links with the Local Education Authority.

· What is the basis of the autistic education and what safety measures will be in place to safeguard children?

The school will adopt the Applied Behavioural Analysis (ABA) approach to teach its pupils. The submitted information states that ABA has been used successfully in the United States and Scandinavia over the past twenty years to teach pupils with autism. It was also pioneered in the United Kingdom by the Treehouse Trust about seven years ago. Other safety and security features include the employment and retention of a consultant to manage the statutory compliance including security and access control.

· Confirm teacher/pupil ratios, class sizes and numbers.

The submitted information states that it is proposed that there will be only 10 pupils in total for the school at the ratio of 1 teacher per pupil to meet statutory requirements.

· What justification for residential on site if not to permit access to others overnight?

The applicants have submitted revised plans; residential accommodation and over night stays are no longer proposed.

· How is "family" defined and what is proposed here?

The application has been amended and no longer includes any family-related uses.

· Confirm whether or not parking provision is adequate for the component parts of the use, once clarified.

The highway authority has been consulted about this aspect of the proposal and raised no objections owing to the provision of off-street parking, the availability of public car parks in the local area, and public transport connections.

In considering the additional information outlined above, Members may find it helpful to have regard to Havering's Education and Skills Delivery Strategy, which was approved by Cabinet on 20th November 2013. One of the objectives of that strategy is to improve the provision of services to children with special educational needs.

## **SITE DESCRIPTION**

The site comprises an existing, 3 storey office building and its curtilage located at 111-115 North Street, Romford. The building under consideration is currently vacant. The site fronts onto North Street, and includes a car park between the front of the application building and the highway. A further parking area, in the basement of the building, is accessed from Brooklands Lane.

The site's eastern boundary runs alongside North Street, with a bus stop being located

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immediately adjacent to the site. On the opposite side of the highway are numerous retail units and residential properties. The southern boundary adjoins Brooklands Lane, beyond which are several residential properties. The western and northern boundaries adjoin the car park and premises associated with a large retail shed development; this site is allocated in the Romford Area Action Plan for future residential development.

The site is located towards the northern end of Romford Town Centre and has a public transport accessibility level (PTAL) of 5-6. The Como Street car park is located in close proximity to the site.

Whilst the site is located in Romford Town Centre, there are numerous residential properties located in close proximity to the site, including those along North Street, Como Street and Ingrave Road, the nearest of which are located approximately 25m from the site.

### **DESCRIPTION OF PROPOSAL**

This planning application proposes the change of use of an existing office building to a mix of D1 uses, primarily a centre of worship and educational facility. According to the submitted plans, the proposal would include the following elements:

- a) A multi-purpose hall with capacity for 90 people at ground floor level;
- b) Classrooms, break out areas, playroom, therapy room, office and waiting area at first floor level. These aspects of the proposal would relate to a school for autistic children;
- c) An office, resident pastor's office, library/bookshop, counselling suites.

The proposed use would include various weekly clubs, including childrens clubs during the school holidays and lunch clubs for the elderly.

The proposal would include 25 car parking spaces along with a bicycle storage area.

### **RELEVANT HISTORY**

The previous planning decision of most relevance to this proposal is as follows:

P1095.12 - Change of Use of offices(B1) to a facility for the homeless, including daytime drop in centre and cafe, meeting & counselling services on the ground floor, accommodation for homeless people on first floor, addiction rehabilitation services and provision of worship facilities and temporary overnight rough sleeper accommodation at second floor - Refused on the following grounds:

"1) The proposal is considered to be out of proportion to the actual identified need for such specialist accommodation within Havering. It is considered that the proposed development would attract vulnerable adults with complex care needs into the local area. It is considered that the resultant concentration of such individuals in the locality would give rise to significant adverse impacts on the amenities of neighbouring occupiers as a result of anti social behaviour. The proposal is therefore considered to be contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD and Policy 7.1 of the London Plan.

2) It is considered that the proposal would give rise to a significant fear of crime amongst local residents and that it would therefore be detrimental to peoples sense of place, safety and community. The proposal would therefore be contrary to Policy 7.1 of the London Plan."

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**CONSULTATIONS/REPRESENTATIONS**

Notification letters were sent to 152 neighbouring properties.

Objection letters have been received from 6 neighbouring occupiers. The objections raised are as follows:

- i) The application is associated with an applicant for a previous application, which was refused;
- ii) The proposal would be harmful to the amenities of local businesses and residents;
- iii) The proposal could contribute to an increase in crime in the local area;
- iv) More homeless people and drug addicts will be encouraged to come to the local area and will cause a nuisance during the day time;
- v) The proposal would result in significant adverse parking and traffic impacts;
- vi) The proposal would have harmful noise impacts.

2 letters of support have been received. The comments received are as follows:

- i) Hope4Havering provide a high quality and much needed service to the homeless;
- ii) The proposal will benefit homeless people.

Comments have also been received from the following consultees:

Environmental Health - No objections; conditions recommended.

Highways - No objections.

Crime Prevention Design Advisor - No objections; condition recommended.

**RELEVANT POLICIES**

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

DC26 - Location of Community Facilities  
DC32 - The Road Network  
DC33 - Car Parking  
DC61 - Urban Design  
DC63 - Delivering Safer Places

The following planning guidance is also of relevance:

The Romford Area Action Plan DPD ("the DPD")

The London Plan: Policy 7.1 "Building London's Neighbourhoods and Communities"

National Planning Policy Framework ("the NPPF")

**MAYORAL CIL IMPLICATIONS**

The proposed development would not give rise to any financial contribution under the Mayoral CIL Regulations.

**STAFF COMMENTS**

The main issues in this case are still considered to be the principle of development, design and



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visual impact considerations, the impact on amenity, highway impact, and other considerations.

**PRINCIPLE OF DEVELOPMENT**

The proposed development would result in the change of use of an existing building to a mix of D1 uses including a place of worship. Policy DC26 states that planning permission for new community facilities, such as churches, will be granted under given circumstances. The proposal is therefore considered to be acceptable in principle.

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

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

The proposal would not result in any significant changes to the external appearance of the application building. It is recommended that a condition be imposed, should planning permission be granted, requiring the submission of details relating to any proposed superficial changes to the building's external appearance, such as the colour scheme.

Subject to the afore mentioned condition, it is considered that the proposal, in terms of its visual impact, would be in accordance with Policy DC61 of the LDF.

**IMPACT ON AMENITY**

Policies DC26 and DC61 of the LDF states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. Policy 7.1 of the London Plan states that development should contribute to people's sense of place, safety and security.

The proposal is for the redevelopment of an existing building, which is located within Romford Town Centre. It is considered that a facility of the size and type being proposed in this case would generally be inappropriate in predominantly residential areas. However, whilst the site is located within the Town Centre, there are numerous residential properties located nearby and the potential impacts on the amenities of neighbouring occupiers therefore need to be given careful consideration.

Objections received from neighbouring occupiers state that the proposal would result in an increase in people with drug and alcohol abuse issues being attracted to the local area and a resultant increase in anti-social behaviour and crime. It is stated that the proposal would be detrimental to the amenities of residential occupiers and local businesses.

A previous planning application for a centre of worship and a homeless hostel (reference: P1095.12) was refused on the grounds that it would be likely to attract homeless people into the local area from beyond the borough boundaries and that the resultant concentration of such individuals in the local area could give rise to significant adverse impacts on the amenities of neighbouring occupiers as a result of anti social behaviour. It was also clear from the representations received that the proposal would give rise to a significant fear of crime and be detrimental to peoples sense of place, safety and community. The proposal was therefore considered to be contrary to Policies DC5, DC26 and DC61 of the LDF and Policy 7.1 of the London Plan.

The current proposal would not include the provision of a hostel facility, and the submitted information does not make any reference to counselling or other activities associated with drug and alcohol abuse, or homelessness. However, it is understood that the applicant does have

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close links with the applicants of the previous application. To ensure that the proposed activities would not attract individuals with complex needs into the area, it is recommended that conditions be imposed preventing the use of the building as a hostel facility, or for any purpose associated with drug and alcohol misuse or homelessness.

The Council's Environmental Health officers have raised no objections subject to the use of conditions to prevent a noise nuisance to neighbouring occupiers. These conditions can be imposed should planning permission be granted. A further condition controlling operating hours, in accordance with those proposed by the applicants, is also recommended.

### **HIGHWAY/PARKING**

Policy DC26 of the LDF state that proposals for community facilities will only be granted where they are accessible by a range of transport modes, including cycling and public transport, and would not be detrimental to highway and pedestrian safety. Policy DC32 states that development should not be detrimental to the highway network.

Neighbouring occupiers have raised concerns about the impact the proposal would have on local parking and access arrangements.

The site is located in a relatively accessible location, within walking distance of Romford Town Centre and on a major bus route. The proposal would include 25 parking spaces and the site is located in very close proximity to the Como Street public car park. The Council's Highway officers have raised no objections to the proposal subject to any planning consent granted being for a temporary of time. Whilst a temporary consent would offer the opportunity for the Local Planning Authority to test the highway impact of the proposal, it is considered to be unreasonable, given the expense to the applicants of converting the building to the proposed use.

Given the highly accessible location of the building and the range of local vehicle parking opportunities, it is considered that the proposal would not result in any significant adverse impacts on highway safety or amenity, subject to the use of a condition requiring the approval of a Travel Plan. The Travel Plan shall include provisions for the encouragement of car sharing, the use of public transport, and highlighting the locations of public car parking.

### **OTHER ISSUES**

#### Crime Prevention

The Crime Prevention Design Advisor has raised no objections to the proposal.

#### Environmental Matters

The Council's Environmental Health officers have raised no objections to the proposal subject to the use of conditions relating to the control of noise. These conditions should be imposed if planning permission is to be granted.

### **KEY ISSUES/CONCLUSIONS**

Subject to the afore mentioned conditions, the proposal is considered to be acceptable having had regard to Policies DC26, DC32, DC33, DC61, and DC63 of the LDF and all other material considerations.

### **RECOMMENDATION**

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It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

**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. 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.

**3. Non Standard Condition 31**

No development shall take place until details of any proposed alterations to the external appearance of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such for the life of the development.

Reason: In the interests of visual amenity and in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

**4. Non Standard Condition 32**

No part of the application building shall be used as a hostel or to otherwise provide over night accommodation.

Reason: In accordance with Policy 7.1 of the London Plan and to ensure that the proposal does not attract people with complex needs into the local area. It is considered that the resultant concentration of such individuals in the locality would give rise to significant adverse impacts on the amenities of neighbouring occupiers as a result of anti social behaviour. It is also considered that such development could give rise to a significant fear of crime amongst local residents and that it would therefore be detrimental to peoples sense of place, safety and community.

**5. Non Standard Condition 33**

Before the development commences details of a scheme shall be submitted to and approved in writing by the local planning authority which specifies the provisions to be made for the control of noise emanating from the site. Such scheme as may be approved shall be implemented prior to first occupation and thereafter retained in

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**6. Non Standard Condition 34**

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

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

**7. Non Standard Condition 35**

The building shall only be used for educational and club activities between the hours of 10.00am and 9.00pm Monday to Friday, and between 10.00am and 4.00pm on Saturdays, and not at all on Sundays, Bank or public holidays.

The building shall only be used for religious activities between 7pm and 9pm on Wednesdays and Fridays, and between 8.00am and 3.00pm on Sundays. Religious activities may take place between 7.00pm and 2.00am on the First Friday of each month.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy DC61 of the Core Strategy and Development Control Policies DPD.

**8. Non Standard Condition 36**

No counselling or other activities associated with drug and alcohol abuse or homelessness shall take place at any time.

Reason: In accordance with Policy 7.1 of the London Plan and to ensure that the proposal does not attract people with complex needs into the local area. It is considered that the resultant concentration of such individuals in the locality would give rise to significant adverse impacts on the amenities of neighbouring occupiers as a result of anti social behaviour. It is also considered that such development could give rise to a significant fear of crime amongst local residents and that it would therefore be detrimental to peoples sense of place, safety and community.

**9. Non Standard Condition 37**

The development shall not be brought into use until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include provisions for the encouragement of car sharing, the use of public transport, and highlight the locations of public car parking in close proximity to the site. The Travel Plan shall be monitored and reviewed on an annual basis. The use shall be undertaken in accordance with the approved scheme.

Reason: In the interests of highway safety and amenity, and in accordance with Policy DC32 of the Development Control Policies DPD.

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**INFORMATIVES**

**1 Highways Informatives**

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

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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.

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.

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.

**2 Approval - No negotiation required**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

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# REGULATORY SERVICES COMMITTEE

# REPORT

20 February 2014

**Subject Heading:**

P1267.13 – Land rear of 8-28 Ullswater Way, 8-36 Kendal Croft and 61-69 Carnforth Gardens, Hornchurch – One, two storey and two single storey supported housing buildings comprising 8 one bedroom self-contained flats with associated amenity space, car parking and a turning area (received 20/12/13)

**Report Author and contact details:**

Helen Oakerbee  
Planning Manager  
Helen.oakerbee@havering.gov.uk  
01708 432800

**Policy context:**

Local Development Framework  
The London Plan

**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 relates to land in the ownership of the Council. This report concerns an application for one, two storey and two single storey supported housing buildings comprising 8 one bedroom self-contained flats with associated amenity space, car parking and a turning area. 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. It is recommended that planning permission be granted subject to conditions.

## RECOMMENDATIONS

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 would be £9,377.61. This is based on the creation of 471 square metres of new gross internal floor space.

That Staff be authorised to 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, written specification of external walls and roof materials to be used in the construction of the building(s) hereby permitted 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 (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.

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

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

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. The provision shall be permanently retained thereafter to the satisfaction of 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. Personal condition - The benefit of the planning permission hereby approved shall enure solely for the benefit of London Borough of Havering and its tenants.

**Reason:** Due to the particular circumstances of the proposal and need for infrastructure contribution should the development become general specialist housing.

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

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

9. Hours of construction – All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

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

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

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

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

11. 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 - 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.

12. Boundary fencing – Prior to the first occupation of the development hereby permitted, boundary treatment shall be carried out in accordance with drawing No. 826/PL/02 and the Design and Access Statement dated 18<sup>th</sup> October 2013 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.

13. Contamination – (1) Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

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

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

- c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the

intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

14. Contamination – (2) a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

**Reason:** To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order 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 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 approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

**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. Surfacing materials - Before any of the development hereby permitted is commenced, surfacing materials for the access road and parking 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 approved 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.

18. Obscure glazing - The proposed first floor windows on elevation B of Flats 3 and 4 shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority in accordance with Drawing No. 826/PL/04.

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

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

**Reason:** To prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control policies Development Plan Document Policies DC61 and DC32.

20. 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.

## INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £9,377.61 (subject to indexation). 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 and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. In aiming to satisfy condition 16 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via [docomailbox.ne@met.police.uk](mailto:docomailbox.ne@met.police.uk) or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition.

4. 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.

5. 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.

6. 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.

7. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for

Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

## REPORT DETAIL

### 1. **Site Description:**

- 2.1 The application site comprises land to the rear of 8-28 Ullswater Way, 8-36 Kendal Croft and 61-69 Carnforth Gardens, Hornchurch. The site was used for garaging associated with adjoining properties. The garages have now been demolished and the site is vacant and overgrown. The rear gardens of two storey dwellings back onto the site to the north, east, south and west. There are two storey dwellings that comprise of flats adjacent to the north western boundary of the application site and are accessed from Kendal Croft. At present, the site can be accessed from Ullswater Way.

### 2. **Description of development:**

- 2.1 The application is for one, two storey and two single storey supported housing buildings comprising of eight, one bedroom self-contained flats with associated amenity space, car parking and a turning area. The supported housing units would be for young adults with disability. Each unit comprises of a living room, kitchen/dining area, bedroom and an en-suite shower room. One of the eight flats will comprise of a staff flat and office that will provide support to the residents. There are three separate buildings, closely grouped but not linked. The roofs of the buildings will incorporate some photo-voltaic panels.
- 2.2 The majority of the development is single storey with the exception of four flats that are arranged in a two storey building. The two storey building would be located to the north west of the application site, comprise of flats 1-4 and have a width of 18.2 metres, a maximum depth of 9.1 metres and a maximum ridge height of 7.9 metres.
- 2.2 The single storey building comprising of flats 5, 6 and 7 would have a width of 29.6 metres, a depth of between 5.1 and 7.7 metres and a maximum height of 4.5 metres. The single storey building comprising of flat 8 and located adjacent to the north eastern boundary of the site, would have a width of 11 metres, a depth of between 5.8 and 6.7 metres and a maximum height of 4.5 metres.
- 2.3 The proposal includes the provision of an access road, which would be located at the end of Kendal Croft and areas of hardstanding, creating a total of 7 parking spaces (this includes one disabled bay). Four existing car parking spaces would remain adjacent to No.'s 5-19 Kendal Croft.

### **3. Relevant History:**

3.1 No relevant planning history.

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

4.1 The occupiers of 60 neighbouring properties were notified of this proposal. Two letters of objection were received with detailed comments that have been summarised as follows:

- Parking.
- Traffic.
- There will need to be a permanent barrier for the existing pedestrian access in Ullswater Way.
- Access for emergency vehicles.
- Concerns regarding the position of the access road.

4.2 In response to the above comments, the existing vehicular access to the site from Ullswater Way does not form part of the application site. The remaining comments will be addressed in the following sections of this report.

4.3 The Fire Brigade is satisfied with the proposals.

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

4.5 Designing Out Crime Officer – Has had pre-application discussions with the applicants and can confirm that the application demonstrates how crime prevention measures have been considered in the design of the proposed development and how it reflects the seven attributes of Safer Places as required by DC63. Recommends conditions in respect of boundary treatments, external lighting and secured by design and an informative if minded to grant planning permission.

4.6 The Highways Authority has no objection to the proposals. The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access from Kendall Croft, set back to the boundary of the public footway where the high fence is proposed. There should be no obstruction or object higher than 0.6 metres within the visibility splay. A commercial vehicle access should be provided from Kendal Croft. A swept path analysis has been requested to show that a refuse vehicle can access the site and exit in forward gear. This should be undertaken for a 8-wheeled vehicle.

### **5. Staff Comments:**

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), 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), 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 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. Chapters 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

## **5.2 Principle of Development**

5.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with the National Planning Policy Framework.

5.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 50<sup>2</sup> for a 1-bed 2-person dwelling. The proposed dwellings have individual internal floor space of between 50 and 54m<sup>2</sup> which is in line with the recommended guidance and considered acceptable.

## **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.

5.3.2 The proposal achieves a density of some 51 units per hectare on this 0.155 hectare site, which is just above the range indicated by Policy DC2 and by national planning policy. Although this is marginally in excess of policy guidance, the density is only one means of assessment and there is a need to evaluate the quality of the accommodation and its impact on the streetscene.

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. In terms of amenity space provision, all ground floor flats have private amenity space ranging between some 32-90 square metres enclosed with timber fencing.

5.3.4 The two first floor flats would have a communal amenity space of some 76 square metres. Staff are of the view that the proposed communal and private 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.

5.3.5 The remaining 'public' area within the development is largely hard surfacing and consists of the highway and parking provision. It is considered that the layout of the site is acceptable.

#### **5.4 Design/impact on street/Garden scene**

5.4.1 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. The locality is typified by two storey dwellings with gabled roofs.

5.4.2 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. It is considered that the external design and appearance of the flats would integrate satisfactorily with the streetscene. Staff consider that the height and scale of the buildings proposed is compatible with the prevailing scale and character of development within the locality.

5.4.3 The proposed buildings would utilise a mixture of materials including facing brickwork, dark grey artificial slate roofs and timber cladding with anodised aluminium/timber windows. The roofs will incorporate some photo-voltaic panels, which would not materially affect the streetscene. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring dwellings. A written specification of external walls and roof materials will be secured by condition if minded to grant planning permission.

#### **5.5 Impact on amenity**

5.5.1 The two storey building comprising flats 1-4 would be located on a north west to south east axis within the site. There would be a front to front distance of approximately 5 metres between No.'s 18 and 20 Kendal Croft and the front elevation of the two storey building located to the north west of the application site. It is considered that the two storey building would not result in a significant loss of amenity to No.'s 18-20 Kendal Croft, as a significant proportion of the building is located within the land previously used for garages and it would be located at an oblique angle from these neighbouring properties. In addition, the north western flank of the building would be in general alignment with the south eastern flank of No.'s 18 and 20 Kendal Croft, which will help to mitigate its impact. The pitched roof of the two storey building is also shallower adjacent to neighbouring properties, with an eaves height of 5.2 metres and a central ridge height of 7.9 metres. Having regard to the siting and roof form of the proposed two storey building and the front to front distance, Staff consider that this relationship is acceptable.

- 5.5.2 It is noted that No. 20 Kendal Croft has a front door (with an obscure glazed panel) and a window on its south eastern flank. The window serves a kitchen and is a secondary light source and there is a clear glazed door on its rear façade. The first floor neighbouring property at No. 18 Kendal Croft is currently vacant and has two first floor windows on its south eastern flank. It is considered that the building comprising of flats 5, 6 and 7 would not result in a significant loss of amenity to No.'s 18- 20 Kendal Croft, as its single storey and there is a flank to front separation distance of between approximately 4 and 6 metres between the south eastern flank of No.'s 18-20 Kendal Croft and the front elevation of this building.
- 5.5.3 It is considered that the two storey building would not result in a significant loss of amenity to No.'s 22-40 Kendal Croft, as a significant proportion of the building is located within the land previously used for garages and it would be located at an oblique angle from these neighbouring properties. In addition, there would be a flank to front distance of between approximately 6 and 9.5 metres between No.'s 22 and 24 Kendal Croft and the north western flank of the two storey building. There would be a flank to flank distance of approximately 9.8 metres between No.'s 26 and 28 Kendal Croft and the north western flank of the two storey building. Having regard to the siting of the proposed two storey building and the front to front/flank distances, Staff consider that this relationship is acceptable.
- 5.5.4 In respect of the relationship with No.'s 10 to 14 Kendal Croft, there would be a separation distance of between approximately 11 and 19 metres between the rear façade of the two storey building and the rear facades of these neighbouring properties. Given this separation distance, Staff consider that this relationship is acceptable. It is considered that the two storey building would not result in a significant loss of amenity to No.'s 10-14 Kendal Croft, as a significant proportion of the building is located within the land previously used for garages.
- 5.5.5 The two single storey buildings comprising of flats 5-8 are located adjacent to the rear gardens of dwellings in Carnforth Gardens and Ullswater Way. There would be a minimum separation distance of between approximately 18 and 21 metres between the rear facades of dwellings in Carnforth Gardens and the north eastern flanks of the two single storey buildings. There would be a minimum separation distance of between approximately 21 and 28 metres between the rear facades of No.'s 2 to 20 Ullswater Way and the rear facades of the two single storey buildings comprising flats 5-8. Given the back to back/flank distances, Staff consider that this relationship is acceptable.
- 5.5.6 In respect of the relationship with No.'s 20 to 26 Ullswater Way, the south eastern flank wall of the two storey building comprising flats 1-4 is set in approximately 1.6 metres from this boundary. There would be a flank to rear distance of approximately between 22 and 25 metres between the south eastern flank of the two storey building and the rear façade of No.'s 20 to 26 Ullswater Way. The pitched roof of the two storey building is shallower adjacent to neighbouring properties, with an eaves height of 5.2 metres and a central ridge height of 7.9 metres, which will help to mitigate its impact. There

are established conifers in the rear gardens of some neighbouring properties in Ullswater Way, which will provide some screening. Having regard to the siting and roof form of the proposed two storey building and the flank to rear distance, Staff consider that this relationship is acceptable.

- 5.5.7 Overall, no harmful levels of overshadowing or overlooking are considered to occur as a result of the proposed buildings, two of which are single storey. Also, the site would be enclosed with a new 2m high timber fence. Given the separation distances between the buildings and neighbouring properties, Staff consider that the proposal would not create any undue overlooking or loss of privacy. There are established conifers in the rear gardens of some neighbouring properties in Ullswater Way, which will provide some screening. It is considered that the ground and first floor windows serving the office on the front façade of the two storey building would not result in any undue overlooking or loss of privacy to No. 18 and 20 Kendal Croft, as they are sited at an oblique angle from these neighbouring properties and taking into account the separate distances outlined above.
- 5.5.8 It is considered that there would not be materially greater impact in respect of noise and disturbance compared to that previously generated by the former garages on the site. The proposal creates an access road, turning area and parking area that would be accessed from Kendal Croft. It is not considered that this arrangement would be materially harmful to amenity owing to the limited numbers of parking spaces and subject to adequate boundary treatment.
- 5.5.9 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed residential development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 5.5.10 It is therefore considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

## 5.6 Highway/parking issues

- 5.6.1 The proposal includes the provision of an access road, which would be located at the end of Kendal Croft and areas of hardstanding, creating a total of 7 parking spaces (this includes one disabled bay). Four existing car parking spaces would remain adjacent to No.'s 5-19 Kendal Croft.
- 5.6.2 Annexe 5 of the Local Development Framework states that the parking standard for sheltered housing is 1 space per resident warden plus 1 space

per 4 units (where 1 bed). In this instance, the agent has advised that it is not anticipated that residents will be car owners, as this is a supported housing scheme for young adults with disability. There are seven on site parking spaces for the use of staff and visitors, which is deemed to be acceptable. The Highways Authority has no objection to the proposal. Staff consider the amount and configuration of the parking proposals to be acceptable.

5.6.3 The Fire Brigade has no objection to the proposal.

5.6.4 A condition will be placed in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.

## **6. Infrastructure**

6.1 The proposal would have been subject to a financial contribution of £42,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document. However, in this instance, the development would be owned and managed by the Council and therefore, transferring the funds from one department to another would be a paper exercise. Therefore in this particular instance, a condition personal to the London Borough of Havering would be appropriate.

## **7. The Mayor's Community Infrastructure Levy**

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The CIL payment is applicable as the proposal is for eight self-contained flats. According to the CIL form, the new dwellings would have a combined floor space of 471 square metres. On this basis, the CIL liability equals  $471 \times 20 = 9,420$ . On this basis, the CIL liability would be payable up to £9,377.61 (subject to indexation).  
 $£20\text{sq.m} \times 471 = £9,420$ .  
 $£9,420 \times 0.9955 = £9,377.61$ .

## **8. Conclusion**

8.1 Staff consider the site to be acceptable in principle for residential development. It is considered that the siting, design and scale of the supported housing buildings 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. It is considered that the proposal would not create any parking or highway issues. 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:**

The application relates to a garage site, which is within the Council's ownership.

### **Legal implications and risks:**

None.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity. The supported housing units would be for young adults with disability.

## BACKGROUND PAPERS

Application forms and plans received 20/12/2013.

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

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

20 February 2014

**Subject Heading:**

P1581.13 – 63 Pettits Lane, Romford –  
Single storey side extension (received  
24/12/13)

**Report Author and contact details:**

Helen Oakerbee  
Planning Manager  
Helen.oakerbee@havering.gov.uk  
01708 432800

**Policy context:**

Local Development Framework  
The London Plan

**Financial summary:**

None

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

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

**SUMMARY**

This matter is brought before committee as the applicant is related to a serving Councillor. The application seeks planning permission for a single storey side extension. Staff conclude the proposal to be acceptable. The application is recommended for approval subject to conditions.

## RECOMMENDATIONS

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

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

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

2. 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.

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this decision notice approved by the Local Planning Authority.

**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.

### INFORMATIVE

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.



## REPORT DETAIL

### 1. **Site Description:**

- 1.1 The application site comprises a two storey detached building occupied by Truly Scrumptious Early Years Nursery, which is located on the junction of Pettits Lane and Havering Drive, Romford. There are residential properties surrounding the site.

### 2. **Description of development:**

- 2.1 The application seeks planning permission for a single storey side extension, with a width of 2.74 metres, a depth of 4.84 metres and a height of 3.2 metres to the top of the parapet coping stone. The extension features a lantern light and would be located adjacent to the northern boundary of the application site. The extension would have a rendered finish.
- 2.2 The extension would enlarge an existing room for children aged 3-5 years. The extension is required to ease the problem of differing activities within the same room and does not expand the occupation.

### 3. **Relevant History:**

- 3.1 A0002.13 – Retention of 3 No. non-illuminated fascia signs – Approved.

P0322.11 – Revised parking layout to create an additional parking space with relocated boundary fencing – Approved.

Q0177.11 – Discharge of condition 7 of P0322.11 – Discharged in part.

P0301.11 – Variation of condition 4 of planning application P2091.04 to increase the number of children on site from 20 to 30 – Approved.

P1212.10 – Single storey pavilion to rear garden – Approved.

P1211.10 – Variation of condition 3 and 4 of P2091.04 to increase the number of children on site from 20 to 34 and the number of children allowed outside from 10 to 20 – Withdrawn.

P2091.04 – Permanent retention of day nursery at first floor – Approved.

P1593.03 – Further of temporary planning permission for a further one year (use of first floor as childrens day nursery) – Approved.

P0597.02 – Erection of 2 no. covered ways and change of use to first floor from domestic to early years centre – Approved.

P1470.99 – Single storey side extension and change of use of ground floor to day nursery with self-contained flat above for use of the proprietor – Approved.

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

4.1 The occupiers of 16 neighbouring properties were notified of this proposal. One letter of objection was received with detailed comments that have been summarised as follows:

- It is alleged that there is no point in objecting as the applicant is a relative of the Deputy Mayor and therefore, the application will be approved.
- The extension would increase the number of children at the premises.
- The property has previously been extended and there are numerous sheds in the garden.
- Noise and disturbance.
- Parking.

4.2 In response to the above, each planning application is determined on its individual planning merits. The proposal does not involve increasing the number of children at the nursery. The remaining issues will be addressed in the following sections of this report.

#### **5. Relevant policies:**

5.1 Policies DC33 (Car parking), DC61 (Urban Design) and DC65 (Advertisements) of the LDF Core Strategy and Development Control Policies Development Plan Document and the Residential Extensions and Alterations SPD are material planning considerations.

#### **6. Staff Comments**

6.1 This proposal is put before the Committee as the applicant is related to a serving Councillor. The application file has been seen by the Monitoring Officer and pursuant to the constitution the Monitoring Officer has confirmed that the application has been processed in accordance with standard procedures. The issues arising in respect of this application will be addressed under the headings impact on the streetscene, amenity issues and parking and highways implications.

#### **6.2 Design/impact on street/Garden scene**

6.2.1 The single storey side extension would infill the space between the northern flank and rear façade of the building. The extension would be located a minimum and maximum of 4 and 6 metres respectively from northern boundary of the site in Havering Drive, which would help to mitigate its impact. The overall proportions and height of the extension are relatively modest. Overall, it is considered that the single storey side extension would integrate satisfactorily with the character and appearance of the existing building and the streetscene.

### **6.3 Impact on amenity**

6.3.1 It is considered that the single storey side extension would not result in material harm to No. 61 Pettits Lane, as it would not be sited on its flank boundary and it would be flush with the rear façade of the building.

6.3.2 It is considered that the proposal would not result in a loss of amenity to No. 65 Pettits Lane, as it would be located between 4 and 6 metres from the northern boundary of the site and this neighbouring property is located on the opposite side of Havering Drive.

6.3.3 It is considered that the proposal would not result in a loss of amenity to No. 68 Havering Drive, as it would infill the space between the northern flank and rear façade of the building. In addition, there would be a rear to flank separation distance of approximately 23 metres between the rear façade of the extension and the north eastern flank of 68 Havering Drive. It is considered that the proposal would not create any additional overlooking over and above existing conditions.

### **6.4 Highway/parking issues**

6.4.1 It is considered that the single storey side extension would not create any highway or parking issues. There are seven car parking spaces on the site and these would not be affected by the extension. The Highway Authority has no objection to the proposal.

## **7. Conclusion**

7.1 Staff are of the view that the single storey side extension is acceptable, would not adversely impact on the streetscene or result in a loss of amenity to neighbouring occupiers. It is considered that the proposal would not create any highway or parking issues. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

The application file has been seen by the Monitoring Officer and pursuant to the constitution the Monitoring Officer has confirmed that the application has been processed in accordance with standard procedures.

**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 24/12/2013.

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

**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

20 February 2014

**Subject Heading:**

A0086.13 – Dovers Corner Roundabout, Rainham – Free standing post mounted sponsorship signs with coloured text and graphic detail to front of design (received 19/12/13)

**Report Author and contact details:**

Helen Oakerbee  
Planning Manager  
Helen.oakerbee@havering.gov.uk  
01708 432800

**Policy context:**

Local Development Framework  
The London Plan

**Financial summary:**

None

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

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

**SUMMARY**

This matter is brought before committee as the site is Council owned. The application seeks advertisement consent for four free standing post mounted

sponsorship signs. Staff conclude the proposal to be acceptable. The application is recommended for approval subject to conditions.

<b>RECOMMENDATIONS</b>
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It is recommended that planning permission be granted subject to the following conditions:

1. Compliance with standard conditions - Compliance with the five standard conditions as defined in regulation 2(1) and set out in schedule 2 of the Town and Country Planning: (Control of Advertisements) (England) Regulations 2007, which are:
  1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
  2. No advertisement shall be sited or displayed so as to—
    - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
    - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
  3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this decision notice approved by the Local Planning Authority.

**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. No part of the signs hereby permitted shall be directly lit or constructed from retro reflective materials.

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

4. No advertisements placed on the signs hereby permitted shall carry any information which may be mistaken for a traffic sign, such as arrows.

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

#### INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The applicant is advised that planning / advertisement consent does not constitute approval for changes to the public highway. The placement of structures on the public highway such as sign boards may require the approval of the Highway Authority. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority may require a Licence under the provisions of the Highways Act 1990. The applicant should contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

<b>REPORT DETAIL</b>
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1. **Site Description:**

- 1.1 The application site comprises of a roundabout located on the junction of Bridge Road, Rainham Road and New Road, Rainham.

2. **Description of development:**

- 2.1 The application seeks advertisement consent for 4 no. free standing post mounted sponsorship signs. The signs would measure 1.5 metres in width, 0.003 metres in depth and 0.6 metres in height. The signs would have coloured text and a graphic detail to the front, with sponsor details to contain the company name/logo, strapline and one point of contact. The signs would be constructed of aluminium composite panel with black powder coated posts.

3. **Relevant History:**

- 3.1 No relevant planning history.

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

- 4.1 The occupiers of 13 neighbouring properties were notified of this proposal. No letters of representation were received.
- 4.2 The Highways Authority has no objection to the proposals and recommends two conditions if minded to grant planning permission.

#### **5. Relevant policies:**

- 5.1 Policies DC32 (The road network), DC61 (Urban Design) and DC65 (Advertisements) of the LDF Core Strategy and Development Control Policies Development Plan Document are material planning considerations.

#### **6. Staff Comments**

- 6.1 The issues arising in respect of this application will be addressed under the headings impact on the streetscene, amenity issues and highways implications.

#### **6.2 Design/impact on street/Garden scene**

- 6.2.1 Policy DC65 of the LDF Development Control Policies Development Plan Document states that express consent for advertisements will only be granted if they complement the scale, form and architectural composition of individual buildings and they are by size, design, siting and degree of illumination in character with the surrounding area.

- 6.2 In this instance it is considered that the four free standing signs would be compliant with the objectives of the above policy. It is considered that the signs would appear in keeping with the character of the local area and would not cause any adverse effect on visual amenity. It is considered that the signs would appear sympathetic to the street scene and accord with Policy DC65.

#### **6.3 Impact on amenity**

- 6.3.1 It is considered that the four free standing signs would not have an unacceptable impact on neighbouring dwellings particularly as they are non-illuminated. It is considered that the signage is relatively well separated from neighbouring properties.

#### **6.4 Highway/parking issues**

- 6.4.1 Policy DC65 states that the Council will ensure that any advertisements or signs do not pose a hazard to traffic. It is considered that the four free standing signs would not result in any distraction or significant influence to the present traffic situation. The Highway Authority has no objection to the scheme subject to two conditions. It is considered that the signs would not create any highway issues.



## 7. Conclusion

- 7.1 Staff are of the view that the four free standing post mounted signs are acceptable, would not adversely impact on the streetscene or result in a loss of amenity to neighbouring occupiers. It is considered that the signs would not create any highway or parking issues. The proposal is considered to be acceptable in all other respects and it is therefore recommended that advertisement consent be granted subject to conditions.

### IMPLICATIONS AND RISKS

#### **Financial implications and risks:**

The application relates to a site, which is within the Council's ownership.

#### **Legal implications and risks:**

None.

#### **Human Resources implications and risks:**

None.

#### **Equalities implications and risks:**

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

### BACKGROUND PAPERS

Application forms and plans received 19/12/2013.

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



**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

20 February 2014

**Subject Heading:**

A0087.13 – Roundabout on the junction of Western Road/Mercury Gardens, Romford – 4 no. non-illuminated post mounted sign boards (received 20/12/13)

**Report Author and contact details:**

Helen Oakerbee  
Planning Manager  
Helen.oakerbee@havering.gov.uk  
01708 432800

**Policy context:**

Local Development Framework  
The London Plan

**Financial summary:**

None

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

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

**SUMMARY**

This matter is brought before committee as the site is Council owned. The application seeks advertisement consent for four non-illuminated post mounted sign boards. Staff conclude the proposal to be acceptable. The application is recommended for approval subject to conditions.

## RECOMMENDATIONS

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

1. Compliance with standard conditions - Compliance with the five standard conditions as defined in regulation 2(1) and set out in schedule 2 of the Town and Country Planning: (Control of Advertisements) (England) Regulations 2007, which are:
  1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
  2. No advertisement shall be sited or displayed so as to—
    - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
    - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
  3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this decision notice approved by the Local Planning Authority.

**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. No part of the signs hereby permitted shall be directly lit or constructed from retro reflective materials.

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

4. No advertisements placed on the signs hereby permitted shall carry any information which may be mistaken for a traffic sign, such as arrows.

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

#### INFORMATIVE

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The applicant is advised that planning / advertisement consent does not constitute approval for changes to the public highway. The placement of structures on the public highway such as sign boards may require the approval of the Highway Authority. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority may require a Licence under the provisions of the Highways Act 1990. The applicant should contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

<b>REPORT DETAIL</b>
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1. **Site Description:**

- 1.1 The application site comprises of a roundabout located on Western Road and Mercury Gardens, Romford. There are various office and commercial buildings in the vicinity.

2. **Description of development:**

- 2.1 The application seeks advertisement consent for 4 non-illuminated post mounted sign boards. The signs would measure 1.5 metres in width, 0.003 metres in depth and 0.6 metres in height. The signs would have coloured text and a graphic detail to the front, with sponsor details to contain the company name/logo, strap line and one point of contact. The signs would be constructed of aluminium composite panel with black powder coated posts.

3. **Relevant History:**

- 3.1 No relevant planning history.

4. **Consultations/Representations:**

4.1 The occupiers of 7 neighbouring properties were notified of this proposal. No letters of representation were received.

4.2 The Highways Authority has no objection to the proposals and recommends two conditions if minded to grant planning permission.

## 5. **Relevant policies:**

5.1 Policies DC32 (The road network), DC61 (Urban Design) and DC65 (Advertisements) of the LDF Core Strategy and Development Control Policies Development Plan Document are material planning considerations.

## 6. **Staff Comments**

6.1 The issues arising in respect of this application will be addressed under the headings impact on the streetscene, amenity issues and highways implications.

### 6.2 **Design/impact on street/Garden scene**

6.2.1 Policy DC65 of the LDF Development Control Policies Development Plan Document states that express consent for advertisements will only be granted if they complement the scale, form and architectural composition of individual buildings and they are by size, design, siting and degree of illumination in character with the surrounding area.

6.2 In this instance it is considered that the four post mounted signs would be compliant with the objectives of the above policy. It is considered that the signs would appear in keeping with the character of the local area and would not cause any adverse effect on visual amenity. It is considered that the signs would appear sympathetic to the street scene and accord with Policy DC65.

### 6.3 **Impact on amenity**

6.3.1 It is considered that the four post mounted signs would not have an unacceptable impact on neighbouring dwellings particularly as they are non-illuminated. It is considered that the signage is relatively well separated from neighbouring properties.

### 6.4 **Highway/parking issues**

6.4.1 Policy DC65 states that the Council will ensure that any advertisements or signs do not pose a hazard to traffic. It is considered that the four free standing signs would not result in any distraction or significant influence to the present traffic situation. The Highway Authority has no objection to the scheme subject to two conditions. It is considered that the signs would not create any highway issues.

## 7. **Conclusion**

- 7.1 Staff are of the view that the four non-illuminated post mounted sign boards are acceptable, would not adversely impact on the streetscene or result in a loss of amenity to neighbouring occupiers. It is considered that the signs would not create any highway or parking issues. The proposal is considered to be acceptable in all other respects and it is therefore recommended that advertisement consent be granted subject to conditions.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

The application relates to a site, which is within the Council's ownership.

### **Legal implications and risks:**

None.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

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

## BACKGROUND PAPERS

Application forms and plans received 19/12/2013.

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

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

20 February 2014

**Subject Heading:**

P1486.13 - Land off Ravenscourt Grove, Hornchurch - The erection of 2 no. 2-bed and 1 no. 1-bed bungalows and for the provision of 14 new parking spaces (8 within the site and 6 located to west of the site off Ravenscourt Grove). (received 20/12/13, revised 05/02/14)

**Report Author and contact details:**

Helen Oakerbee  
Planning Manager  
[helen.oakerbee@havering.gov.uk](mailto:helen.oakerbee@havering.gov.uk)  
01708 432800

**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

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

**SUMMARY**

This application relates to Council owned land. The application proposes the erection of 2 no. 2 bed and 1 no. 1 bed bungalows and for the provision of 14 new

parking spaces (8 within the site and 6 located to west of the site off Ravenscourt Grove). Staff consider the proposal to be acceptable. The application is recommended for approval subject to conditions and the applicant entering into a Section 106 Agreement.

**RECOMMENDATIONS**

- 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 75m<sup>2</sup> for the 2-bed bungalows and 60m<sup>2</sup> for the 1-bed bungalow and amounts to £4,200.

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) (and subsequently on taking transfer of title to the application site from the Council to enter a further Deed under section 106 of the Town and Country Planning Act 1990 confirming that the obligation set out below bind the applicant as transferee/owner of the application site), to secure the following:

- A financial contribution of £18,000 to be used towards infrastructure costs.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement irrespective of whether the legal agreement is completed.
- Payment of 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 to which this permission relates must be commenced not later than three years from the date of this permission.

**Reason:** To comply with the requirements of section 91 of the Town and Country Act 1990.

2. Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans listed on page 1 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.

3. Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 8 no. off-street car parking spaces within the site and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

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

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

6. Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted and approved plans,) shall be formed in the flank wall(s) of the building(s)

hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

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

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

8. Hours of construction: All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;

- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

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

**Reason:** In the interest of creating safer, sustainable communities, reflecting guidance set out in 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.

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

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

- 12. Screen 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 details shall be implemented immediately on approval 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.

- 13. Lighting: Before the building (s) hereby permitted is first occupied, a scheme for any new lighting within the development shall be submitted to

and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme and permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

**Reason:** In the interest of residential amenity.

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

**Reason:** In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

15. Defensive planting: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of defensive planting to the rear of the proposed parking spaces in front of 131-161 Ravenscourt Grove. 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:** To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61

16. Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, which amends the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order) no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

## INFORMATIVES

1. Fee Informative:

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

2. Planning Obligations

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

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

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

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

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

6. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

7. In aiming to satisfy condition 10 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).
8. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

### **Mayoral CIL**

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 210m<sup>2</sup> which, at £20 per m<sup>2</sup>, equates to a Mayoral CIL payment of £4,200 (subject to indexation).

## **REPORT DETAIL**

### **1. Site Description**

- 1.1 The application site is an empty piece of land which is located to the rear of No's. 191-195 Ravenscourt Grove, Hornchurch and is currently used as a parking area. The site is surrounded by terraced maisonettes to the southwest, the rear gardens of residential dwellings to the southeast and northeast and Hornchurch Cemetery to the northwest. The ground is relatively level. The site has an overall area of approximately 1005.2m<sup>2</sup>.
- 1.2 Development in the vicinity is characterised by 2-storey residential dwellings which predominantly have a brick finish.

### **2. Description of Proposal**

- 2.1 The application seeks permission for the erection of 2 no. 2-bed and 1 no. 1-bed bungalows for the general needs for the over 55's and for the provision of 14 new parking spaces (8 within the site and 6 located to west of the site off Ravenscourt Grove).



- 2.2 The bungalows would form a terrace of three and would measure 9.5m in width and 9m in depth for the 2-bed units and 6.7m in width and 10m in depth for the 1-bed unit. The terrace of 3 bungalows will be covered by a gable ended roof measuring 2.8m in height to eaves and 5.5m to the ridge. The dwellings would be centrally situated within the site and will be set 1.8m off the closest boundary to the east.
- 2.3 The proposed 2-bed bungalows would consist of a bathroom, kitchen/dining room, living room and two bedrooms. The proposed 1-bed unit would consist of a bathroom, kitchen living/dining room and a bedroom.
- 2.4 The access arrangements are sufficient to allow access into the site for refuse collection. The storage of cycles could be accommodated in the rear gardens.
- 2.5 The dwellings would have a northwest-southeast orientation with garden spaces towards the rear (northwest), measuring approximately 87m<sup>2</sup> for plot 1, 43m<sup>2</sup> for plot 2 and 90m<sup>2</sup> for plot 3.

### **3. History**

- 3.1 No recent, relevant planning history.

### **4. Consultation/Representations**

- 4.1 Notification letters were sent to 78 neighbouring properties and 3 letters of objections were received and 1 comment. The objections received raise the following concerns:

- Not enough parking spaces available
- Ambulances have trouble getting into the car parking
- Concerns raised regarding dust associated with building
- Increase to traffic levels

- 4.2 The Highway Authority has raised no objection to the proposal
- 4.3 The Borough Designing Out Crime Officer requires a Secured by Design condition.
- 4.4 The London Fire and Emergency Planning Authority have raised no objection to the proposal.

### **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply), CP17 (Design), DC3 (Housing Design and Layout), DC33 (Car parking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design), DC63 (Crime) and DC72 (Planning Obligations of the Local Development Framework Core Strategy and Development Control Policies

Development Plan Documents and the Residential Extensions and Alterations Supplementary Planning Document (SPD), Planning Obligations SPD and the Residential Design SPD are also relevant.

- 5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) of the London Plan (2011).
- 5.3 National Planning Policy Framework (NPPF) Section 6 "Delivering a wide Choice of Homes", and Section 7 "Requiring Good Design".

## **6. Staff comments**

- 6.1 This proposal is put before the Committee owing to the application site comprising land owned by the Council. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, and parking and highways issues.

### *6.3 Principle of Development*

- 6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with the National Planning Policy Framework.

- 6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 50m<sup>2</sup> for a 1-bed 2-person dwelling and 70m<sup>2</sup> for a 2-bed 4-person dwelling. The proposed dwellings have individual internal floor space of 60m<sup>2</sup> and 75m<sup>2</sup> which is in line with the recommended guidance and considered acceptable.

### *6.3 Site Layout / Amenity Space*

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

- 6.3.2 Amenity space would mainly be provided with garden spaces towards the rear (southeast) and wrapping around to the sides, measuring approximately 87m<sup>2</sup> for plot 1, 43m<sup>2</sup> for plot 2 and 90m<sup>2</sup> for plot 3. The site currently has screen fencing around part of the site however, fencing can be required by means of a planning condition to those boundaries that do not have appropriate fencing.
- 6.3.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. Staff consider the amenity space to be sufficient and would not detract from the surrounding area. Staff are of the opinion that the garden areas would be large enough to be practical for day to day use and with the provision of fencing, would generally be screened from general public views and access, providing private and usable garden areas. Staff acknowledge that there would be some overlooking of the rear garden of plot 1 from No's. 163-177, however Staff consider this to be acceptable given the separation distance of approximately 15m to the middle of the garden and given that the new occupiers would be aware of the situation prior to occupation. As a result, it is considered that the proposed amenity areas of the new dwellings would comply with the requirements of the Residential Design SPD and is acceptable in this instance.
- 6.3.4 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 30 units per hectare which is within the acceptable range.
- 6.3.5 In terms of the general site layout, the proposed terraced dwellings would have sufficient spacing towards the front with adequate amenity areas towards the rear, and therefore are not considered to appear as an overdevelopment of the site. The proposal would be towards the rear gardens of the surrounding properties and with sufficient spacing between buildings, is not considered to appear as a cramped form of development. The layout of the site is therefore considered acceptable.

#### 6.4 *Impact on Local Character and Street Scene*

- 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The proposal would not form part of the Ravenscourt Grove street scene. The development is proposed towards the rear of garden areas of the surrounding properties and would only be partially visible from Ravenscourt Grove. Any impact on the streetscene is therefore considered acceptable.

6.4.3 The characteristic built form in the immediate surrounding area is mainly two storey brick built terraced dwellings.

6.4.4 In terms of its design and visual appearance, Staff are of the opinion that the development of the proposed terraced dwellings in this location would have an acceptable appearance with no harmful impact to the character and appearance of the surrounding area. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposal would not appear as a cramped form of development and overall would have an acceptable design and appearance, compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

6.4.5 The proposed addition of 6 No. parking spaces to the front of 131-161 Ravenscourt Grove is considered acceptable from a visual impact point of view as it would be similar to existing parking on the other side of the access road and would therefore not be out of keeping in the surrounding area.

#### 6.5 *Impact on Amenity*

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

6.5.2 The nearest neighbouring dwellings to the southwest and southeast are separated from the proposed dwellings by approximately 10m and 25m respectively at the nearest points. Neighbouring dwellings to northeast are separated from the proposed dwellings by approximately 40m at the nearest points. The distance is considered acceptable as the proposed dwellings are bungalows with no roof accommodation. Any potential overlooking from windows at ground floor would be mitigated by boundary fencing.

6.5.3 Overall, Staff do not consider unacceptable levels of overshadowing or overlooking to occur as a result of the proposed bungalows.

6.5.4 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 3 no. bungalows would not give rise to an unacceptable level of vehicular activity as the application site is currently used as an open parking area.

6.5.5 In terms of general noise and disturbance, it is not considered that the addition of 3 no. dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.

6.5.6 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed bungalows

development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwellings may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the rear garden environment and amenities of neighbouring occupiers.

6.5.7 The proposed addition of 6 No. parking spaces to the front of 131-161 Ravenscourt Grove is considered acceptable in terms of potential impact on amenity in terms of light spillage to ground floor windows as the provision of defensive planting to the rear of the proposed parking spaces would mitigate any impact.

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

#### 6.6 *Highways / Parking Issues*

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type. The development would provide a total of 8 no. on-site parking spaces and 6 no. spaces to the front of no. 131-161. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.

6.6.2 Staff do acknowledge that there would be a loss of parking as a result of the development, however on balance Staff consider the provision of 14 no. spaces to sufficiently mitigate the overall loss. Also, the Highways Authority has not raised an objection to the proposed development. Member may however give more weight to the loss of parking and the potential impact on the surrounding area.

6.6.3 The London Fire and Emergency Planning Authority has raised no objection and is satisfied that a pump appliance can access the site.

6.6.4 A condition would be added to provide storage for 2 no. cycle spaces per unit in order to comply with the Council's standards.

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

#### 6.7 *The Mayor's Community Infrastructure Levy*

6.7.1 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 75m<sup>2</sup> for the 2-bed bungalows and 60m<sup>2</sup> for the 1-bed bungalow and amounts to £4,200.

#### 6.8. *Planning Obligations*

6.8.1 In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £18,000 to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement

#### 6.9 *Trees*

6.9.1 No protected trees are located on the subject site. The existing trees to the northwest boundary adjacent the cemetery will be removed.

#### 6.9 *Other Issues*

6.10.1 The access arrangements are sufficient to allow access into the site for refuse collection. Staff therefore consider the refuse arrangements to be acceptable.

6.10.2 Objections regarding access to ambulances have been raised. Staff consider the proposed access arrangements to be sufficient to accommodate sufficient movement of emergency vehicles.

6.10.3 Objections relating to dust, noise and other issues associated with the construction are not material considerations for refusing the application. A condition requesting a construction method statement and restricting construction hours will be added in order to minimise any potential impact to neighbouring occupiers.

### **7. Conclusion**

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

## IMPLICATIONS AND RISKS

### **Financial Implications and risks:**

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

### **Legal Implications and risks:**

Legal resources will be required to prepare and complete the legal agreement.

### **Human Resource Implications:**

None

### **Equalities and Social Inclusion Implications:**

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

## BACKGROUND PAPERS

1. Application forms and plans received 20/12/2013, revised 05/02/2014.

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# REGULATORY SERVICES COMMITTEE

# REPORT

20 February 2014

**Subject Heading:**

**P1519.13: The Brittons Academy, Ford Lane, Rainham**

**Conservatory for use as a learning area. (Application received 11 December 2013)**

**Report Author and contact details:**

**Helen Oakerbee Planning Control  
Manager 01708 432800  
helen.oakerbee@havering.gov.uk**

**Policy context:**

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

**Financial summary:**

**None**

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

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 matter is brought before committee because the application site is Council owned land.

The proposal is for the construction of an 8m deep x 5m wide, and 3.6m high conservatory structure to the rear of the main entrance block. A new double doorway will be installed in the rear elevation of the block providing access through to the conservatory and the main entrance lobby. The conservatory will be used as an additional learning area for the pupils of the Academy and will include an external door onto the paved courtyard area.

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

## RECOMMENDATIONS

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

### 1) Time Limit

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

**Reason:** To comply with the requirements of section 91 of the Town and Country Act 1990.

### 2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

**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.

## INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

### REPORT DETAIL

#### 1. Site Description

- 1.1 The application site is The Britton Academy, which is located on the north side of Ford Lane. The school was originally constructed in the 1950's and consists of a large campus of single storey and two storey buildings forming an internal courtyard arrangement with surrounding playground areas and grassed playing fields. The site is surrounded by residential dwellings to the south and east.

#### 2. Description of Proposal

- 2.1 The proposal is to construct an 8m deep x 5m wide, and 3.6m high conservatory structure to the rear of the main entrance block. A new double doorway will be installed in the rear elevation of the block providing access through to the conservatory and the main entrance lobby.
- 2.2 The conservatory will be used as an additional learning area for the pupils of the Academy and will include an external door onto the paved courtyard area.

#### 3. Relevant History

- 3.1 P1098.08 – Single storey toilet block - Approved

- 3.2 P0146.05 – Retention of a single storey extension and access – Approved
- 3.3 P02149.03 – Single storey building to form adult education building - Approved

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

- 4.1 Neighbour notification letters were sent to 62 properties and a site notice was displayed. 1 representation was received as a result of the consultation stating support for the proposed scheme as it would improve the facilities for the children at the school.

#### **5. Staff Comments**

- 5.1 The issues arising from this proposal are the principle of development and the impact on the openness and character of the Green Belt.
- 5.2 Policies CP14 (Green Belt), CP17 (Design), DC29 (Educational Facilities), DC45 (Appropriate Development in the Green Belt), DC61 (Urban Design) and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document we considered to be relevant.
- 5.3 Policies 3.18 (Education Facilities) and 7.16 (Green Belt) of the London Plan (2011) and the National Planning Policy Framework (NPPF) are also relevant.

#### **6. Principle of Development**

- 6.1 Policy DC29 states that the Council will ensure that the provision of secondary education facilities is sufficient to meet the needs of residents by, amongst other things, seeking to meet the need for increased school places within existing sites.
- 6.2 This proposal represents an expansion in floor space by around 40 sq.m to provide an additional learning area. The proposal is considered to be a necessary expansion in order for the school to continue to meet the needs of residents as well as future demands from population changes.

#### **7. Green Belt Implications**

- 7.1 The NPPF makes it clear that there is a general presumption against inappropriate development which is harmful to the Green Belt except in very special circumstances. Policy DC45 states that the Council will promote uses in the Green Belt that have a positive role in fulfilling Green Belt objectives.
- 7.2 The proposed conservatory extension will form a relatively minor addition to the main school entrance block. Crucially it will be located in a rectangular

courtyard area surrounded on three sides by two-storey buildings and a single storey block along the western flank. All of the surrounding buildings will be taller than the proposed conservatory structure. As a result the proposal will not be visible from any locations outside of the courtyard and will involve a very minor increase in the overall building footprint. Due to its siting, scale and location it is not considered that the proposed conservatory is a disproportionate addition or that it will result in any undue impact on the openness or character of the Green Belt.

## **8. Impact on Amenity**

- 8.1 The proposed addition is not considered to have a harmful impact on neighbouring amenity as the extension would not be situated any closer to neighbouring properties than that of the existing school buildings.

## **9. Parking and Highway Issues**

- 9.1 Due to its location the proposed development would not result in any impact on highways or parking.

## **10. Community Infrastructure Levy**

- 10.1 Schools are exempt from CIL

## **11. Conclusion**

Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable. Staff are of the view that due to the siting, scale and location the proposal would not be disproportionate or have a harmful impact on the openness or character of the Green Belt or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

None.

### **Human Resources implications and risks:**

None.

**Equalities implications and risks:**

None

**BACKGROUND PAPERS**

Application form, drawings and supporting statement received on 11 December 2013.



# REGULATORY SERVICES COMMITTEE

# REPORT

20 February 2014

<b>Subject Heading:</b>	Securing through an agreement with the Greater London Authority (GLA) an agreement for the provision of sports and recreational facilities at the former Broxhill Centre site in association with the residential development of Phase II of the former Whitworth Centre site under enabling powers including section 111 of the Local Government Act 1972.
<b>Report Author and contact details:</b>	Vincent Healy, 01708 432467 vincent.healy@havering.gov.uk
<b>Policy context:</b>	Policy SSA2 of the Site Specific Allocations Development Plan Document adopted in 2008
<b>Financial summary:</b>	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 [X]

## SUMMARY

This report relates to the former Broxhill Centre site and the proposed development of Phase II of the former Whitworth Site which is subject to a planning application to be reported to committee in the near future (planning reference P0863.13). The context is set by site specific Policy SSA2 of the Site Specific Allocations Development Plan Document adopted in 2008. That policy includes the following statement :

*Residential development will be allowed on the Whitworth Centre site provided that:*

- *The Broxhill Centre buildings are demolished and a new public open space provided which re-provides the existing playing fields at the Whitworth Centre along with a high quality landscaped accessible public park, enhancing the openness of the Green Belt.*

The Council retains ownership of the former Broxhill Centre Site and therefore as Local Planning Authority cannot secure through planning obligations the compliance with Policy SSA2, as the Council cannot enter into a planning agreement with itself. In order to secure the requirements of Policy SSA2 in connection with consent for the residential development of the Whitworth Site the Council would enter into an agreement with the Greater London Authority (GLA) based on the heads of terms set out below.

## RECOMMENDATIONS

That pursuant to the powers contained in Section 111 of the Local Government Act 1972, section 2 of the Local Government Act 2000, Section 30 and 34 of the Greater London Authority Act 1999 and all other enabling powers the Council as Local Planning Authority enter into an agreement with the GLA to secure compliance with site specific policy SSA2 of the Site Specific Allocations Development Plan Document to undertake works pursuant to Planning Permission reference P0963.13 or any other relevant planning permission substantially in the same form to secure the provision on the former Broxhill Centre site following demolition of the Broxhill Centre buildings a new public open space, playing field and high quality accessible public park, and that any future planning consent for residential development



of the former Whitworth Centre Phase II site could proceed subject to the Section 111 agreement.

## REPORT DETAILS

- 3.1 The site specific Policy SSA2 of the Site Specific Allocations Development Plan Document adopted in 2008 links the residential development of the former Whitworth Centre site to the former Broxhill Centre site. The policy provides that residential development will be allowed on the former Whitworth Centre if amongst other things:-

*“The Broxhill Centre buildings are demolished and a new public open space provided which re-provides the existing playing fields at the Whitworth Centre along with a high quality landscaped accessible public park, enhancing the openness of the Green Belt.”*

- 3.2 The committee resolved to grant planning permission under planning reference P0963.13 on 24<sup>th</sup> October 2013 and planning permission was issued on 29<sup>th</sup> October 2013. The permission was for development of a new park including 3G artificial football pitch, multi-use games area, pavilion, car park, floodlighting, play areas, sports tracks and associated landscaping works. The report to Committee considered that the application pursuant to planning reference P0963.13 for the development of recreational and sports facilities was in compliance with site specific Policy SSA2 and policy DC18 of the Local Development Framework. Policy DC18 requires that to compensate for the loss of open space to a non-recreational/leisure use (in this circumstance residential development of the former Whitworth Centre site) it should be accompanied by improvement to the quality of open space in the vicinity. It is also considered to be in compliance with Policy 3.19 of the London Plan 2011 which addresses the provision of sports facilities.
- 3.3 An application has been submitted for Phase II of the residential development of the former Whitworth Centre site under planning reference P0863.13 and this is under consideration and will be reported to Committee in the near future. The ownership of the Broxhill Site remains with the Council therefore the applicants in respect of the Whitworth Site cannot secure through a planning obligation the necessary assurance required by the GLA that the former Broxhill Centre site will be developed in accordance with site specific Policy SSA2. In order to ensure that the development of the former Whitworth Centre for residential is accompanied by the development of the former Broxhill Centre Site to create a high quality park and sports/leisure facility.

- 3.4 The Council as both owners of the former Broxhill Centre Site and the Local Planning Authority cannot enter into a section 106 agreement with itself therefore to satisfy the GLA that the Broxhill Site will be developed in accordance with site specific Policy SSA2 staff are seeking authority to enter into an agreement with the GLA under its ancillary powers under Section 111 of the Local Government Act 1972 and other enabling powers.

## IMPLICATIONS AND RISKS

### 4.1 **Financial Implications and Risks:**

The costs associated with the works to create a high quality open space and sports/leisure facility at the former Broxhill Centre will be funded by capital receipts .

### 4.2 **Legal Implications and Risks:**

Legal Services will be required to draft the Section 111 Agreement with the GLA.

### 4.3 **Human Resources Implications and Risks:**

None directly attributable to the proposals.

### 4.4 **Equalities and Social Inclusion Implications:**

Section 149 of the Equalities Act 2010 (EA) came in to force on 1<sup>st</sup> April 2011 and broadly consolidates and incorporates the 'positive equalities duties' found in Section 71 of the Race relations Act 1976 (RRA), Section 49 of the Disability Discrimination Act 1995 (DDA) and section 76(A)(1) of the Sexual Discrimination Act 1975 (SDA) so that due regard must be had by the decision maker to specified equality issues. The old duties under the RRA, DDA and SDA remain in force.

The duties under Section 149 of the EA do not require a particular outcome and what the decision making body decides to do once it has had the required regard to the duty is for the decision making body subject to the ordinary constraints of public and discrimination law including the Human Rights Act 1998.

The equality consideration of access to facilities has been considered during the planning application process and disability access has been positively considered.

## CONCLUSION

The section 111 Agreement with the GLA will provide the assurance required that the development at the Whitworth and Broxhill sites will proceed in compliance with site specific Policy SSA2 in that the development of the Whitworth site Phase II for residential will be accompanied by the development of the Broxhill Site to create a high quality open space and sports/leisure facility.

### **Background Papers List**

1. Report of Regulatory Services Committee dated 24<sup>th</sup> October 2013 which resolved to grant planning permission under planning reference P0963.13[

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