

REGULATORY SERVICES COMMITTEE
2nd February 2012
WITHIN STATUTORY PERIOD

APPLICATION NO:	P1746.11	
WARD :	Mawneys	Date Received: 20th December 2011
ADDRESS:	62 Collier Row Road Romford	
PROPOSAL:	Change of Use from Class A1 (retail) to Class A5 (takeaway) including erection of external flue	
DRAWING NO(S):	Ordnance Survey map scale 1:1000 Site plan 58CRLCP11606093 PL-5130_02 62CRLCP110410114	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

SITE DESCRIPTION

Three storey end of terrace with a vacant retail shop at ground floor and residential above. Surroundings: Commercial row of shops with dwellings above. The site is located within the retail core of Collier Row Minor District Centre.

DESCRIPTION OF PROPOSAL

The application is for a change of use from retail (A1) to a takeaway (A5 use) and an extraction flue to the rear. It is proposed to use the premises for a Charcoal Grill.

Opening hours are proposed to be 09:00 to 23:00 every day including Sundays and Bank Holidays.

The application is accompanied by indicative floor plans which indicate the provision of a waiting area, service bar, kitchen, staff area and W.C.

In order to provide suitable extraction to the kitchen area an extraction duct is proposed on the flank wall of the building. The duct would have dimensions of 0.35 metres in depth by 0.35 metres in width by 6.7 metres in height.

RELEVANT HISTORY

No relevant planning history.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 40 local addresses. At the time of drafting this report the neighbour notification period had yet to expire. Members will be verbally updated on the evening of any representations received. Three letters of objection were received (two of which were from the same address) with detailed comments that have been summarised as follows:

- Lack of parking and highway safety.
- Late night deliveries.
- Smell.
- Rubbish including dumping of waste.
- Noise.

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- There are too many takeaway/restaurants in the immediate area.
- There should be a balance between shops and food related premises.
- Anti-social behaviour issues.

Crime Prevention Design Advisor There are no material objections concerning any crime or community safety issues that may be raised by this application.

The Council's Environmental Health Department raise no objection subject to the provision of conditions.

Highways Authority - No objection.

RELEVANT POLICIES

Policies DC16, DC23, DC33, DC55, DC61 and DC63 of the LDF Development Control Policies DPD

STAFF COMMENTS

The issues arising from this application are the principle of the development, including the impact of the proposed change of use on the retail vitality and viability of the Minor District Centre, impact on residential amenities and highways/parking.

PRINCIPLE OF DEVELOPMENT

The application site is located within the retail core of Collier Row Minor District Centre. Policy DC16 states that service uses (Classes A2, A3, A4, A5) will be permitted within the retail core only where the following criteria are met:

- The use provides a service appropriate to a shopping area;
- The proposal will not result in a group of three or more adjoining A2-A5 uses;
- Not more than 33% of the length of the relevant frontage will be in non-retail use following implementation of the proposal.

All shop fronts in retail core and fringe areas must be active and maintain the impression of a visual and functional continuity to aid in enhancing the vitality of the town centre.

This policy is intended to maintain the viability and vitality of the town centre by protecting the predominantly retail use so that the range and choice of goods sold are maintained. At the same time, it recognises that uses such as banks, building societies and restaurants provide a complementary service for the shopping public, and it is therefore appropriate to make some provision for them in the centre. The retail core of the town centre has been defined in such a way as to single out the most concentrated areas of shopping for protection. In these areas the policy seeks to restrict the number of non-retail uses and also to prevent their grouping as this would interrupt the continuity of individual shopping frontages thus undermining their contribution to the centre as a whole.

The proposed takeaway would provide services appropriate to this Minor District Centre of Collier Row Road and therefore would contribute to the vibrancy and vitality of the locality.

The proposed use would not result in a group of three or more adjoining A2-A5 uses or other non-retail uses. In determining the relevant frontage for the purposes of the above, it is considered that the frontage runs between Nos 50 and 62 Collier Row Road. The frontage

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begins at Percy Ingle bakers (No. 50 Collier Row Road) and ends at the application site at No. 62 Collier Row Road. This frontage has a total length of 38 metres.

There are 6 units within this parade. The three non-retail uses comprise No. 52 Santander Bank, No. 54-56 - The Colley Rowe Inn PH and No. 58 Domino's takeaway pizza. These three non-retail uses with a frontage measuring 22.85 metres, represents 60% of the total length of the parade in non-retail use. The proposed change of use at No. 62 Collier Row Road (with a frontage of 5.2 metres) would result in 73.5% of the total length of the parade in non-retail use, exceeding the 33% given in policy.

It is noted that this is a short parade of shops, which only comprises of six units. In addition, the Colley Rowe Inn occupies a double frontage comprising of 54-56 Collier Row Road. Taking into account the factors outlined above, Staff are aware that the percentage of non-retail units are likely to be significantly higher than other neighbouring parades of shops in Collier Row Minor District Centre. Consideration has been given as to whether the percentage of non-retail units should take into account the adjoining parade of shops comprising No. s 26 48 Collier Row Road, although this would be inconsistent with Policy DC16, which states that the frontage will be measured in metres along continuous built development between significant breaks such as a road or footpath.

A letter was submitted from a letting agent for 62 Collier Row Road, which detailed that a significant period of pro-active marketing was implemented since December 2009. The landlord undertook an extensive refurbishment programme to attract a tenant. In November 2010, the property was let to A1 retail tenant, Black Wolf Marketing Ltd, who traded as locksmiths. This A1 business could not sustain successful trade in this location and had to close a few months later. Prior to the locksmiths taking occupation the property was empty from December 2009. The subject property was immediately placed back on the open market. A sales board was erected and the property was extensively advertised on all the usual property websites and in house marketing activities including many mailing exercises.

The property has been empty since June 2011 and very little active enquiries have been generated for Class A1 retail use, although serious enquiries have been generated by Class A5 uses. There are a number of vacant units in Collier Row Minor District Centre, which could satisfy A1 retail operators.

The proposed use would however be likely to attract both dedicated customers and those on more general shopping trips. Staff are of the view that the proposal has the potential to make a contribution to pedestrian flows. It is proposed that the premises be open seven days a week during normal shopping hours.

Although the change of use would be contrary to Policy DC16, it is considered that on balance, the A5 use would be acceptable, particularly as it would be bringing a vacant A1 retail unit back into use, which would contribute positively to the vitality of Collier Row Minor District Centre. For the above reasons, the change of use is a matter of judgement for members.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Policy DC61 states that planning permission will only be granted where proposals would not result in unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.

The extraction flue would be visible from Collier Row Road and Carter Drive, although it is

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considered that it would not be materially harmful to the streetscene, as it would be located on the western flank of the building and would be set back approximately 7.1 metres from the front facade of the building. In addition, the width and depth of the extraction flue are relatively modest in size. Details of the colour and external finish of the extraction flue will be secured by condition if minded to grant planning permission. Overall, it is considered that the extraction flue would be within the realms of acceptability.

IMPACT ON AMENITY

With regard to the impact upon neighbouring properties consideration must be given to potential implications in terms of operating hours and noise and disturbance, particularly in view of the fact that there are residential properties located on the upper floors the parade.

The application site is located in an area which is characterised by commercial premises where a certain level of activity and associated noise is to be expected. Staff are of the view that a use such as that proposed is more suitably located within a town centre location than within a predominantly residential setting and that the amenities of residents living within the town centre are not normally expected to be as high as for residents living in purely residential locations. As there is no parking outside the premises, it is expected that patrons would park nearby and/or arrive on foot.

The application property lies within a row of commercial premises which forms part of retail core of Collier Row Minor District Centre. From the site visit it was observed that Collier Row Road is a heavily trafficked road with high ambient noise levels. Given the nature of this road, there is no reason to believe that these observations are unusual. It is reasonable to assume, given the location of the application site that the ambient noise level would remain reasonably high in the evening, Sundays and Bank/Public Holidays.

It is Staff's view that the proposal would not result in significant noise and disturbance from pedestrian movements over and above existing conditions. If minded to grant planning permission, conditions will be placed for the following aspects: opening hours, trading days, deliveries and refuse storage.

In this instance, opening hours are proposed to be 09:00 to 23:00 every day including Sundays and Bank Holidays.

It is considered that the proposed opening hours would not result in a significant increase in noise and disturbance over and above existing conditions, as the site is located on a relatively busy main road with arguably higher ambient noise levels throughout the week. Consideration has been given to a closing time of 23:00 on Sundays and Bank Holidays, although this time is comparable with other premises in the vicinity of the site, including Domino's pizza takeaway at No. 58 Collier Row Road (planning application P0807.11).

Although the extract duct would be visible in the streetscene and rear garden environment, it is considered that it would not result in an adverse visual impact, as it would be located on the flank wall of the two storey building. It is considered that the extract ducting would not result in a significant loss of amenity to neighbouring properties, as conditions from Environmental Health will be placed including one in respect of odours.

HIGHWAY/PARKING

The application site has no off-street car parking facilities. There is disc parking only Monday to Saturday between 8am - 6.30pm adjacent to the site in Carter Drive. The site is accessible by a

variety of transport modes including public transport, walking, cycling and the car. For these reasons it is considered that the proposal would pose no adverse effect on the function of the highway. The Highways Authority has no objection to the proposal. It is considered that the proposal would not result in any highway or parking issues. Servicing would take place from the rear of the unit.

KEY ISSUES/CONCLUSIONS

Although the change of use would be contrary to Policy DC16, it is considered that on balance, the A5 use would be acceptable, particularly as it would be bringing a vacant A1 retail unit back into use, which would contribute positively to the vitality of Collier Row Minor District Centre. It is considered that the opening hours are deemed to be acceptable. It is considered that the proposal would not be detrimental to neighbouring amenity. There are no parking issues as a result of the proposal and it is not considered the proposal would give rise to any other highway issues. Approval is recommended.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs

2. SC32 (Accordance with plans)

3. SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00 and 23:00 every day including Sundays, Bank and Public Holidays without the prior consent in writing of the Local Planning Authority.

Reason:-

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

4. SC58 (Storage of refuse)

5. SC62 (Hours of deliveries)

6. Non standard condition

Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be designed and certified by a competent engineer and after installation a certificate to be lodged with the Planning Authority. Thereafter, the equipment shall be properly maintained and operated within design specifications during normal working hours.

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

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7. Non standard condition

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

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

8. Non standard condition

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

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

9. Non standard condition

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

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

10. Non standard condition

Before the use commences, details of the colour and external finish of the extraction flue hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The colour and external finish of the extraction flue shall be maintained in accordance with the submitted details.

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.

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- 1 The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC16, DC23, DC33, DC55, DC61 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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

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APPLICATION NO:	P1855.11	
WARD :	St Andrew's	Date Received: 13th December 2011
ADDRESS:	25-55 Jonathans House Chaplaincy Gardens Allenby Road Hornchurch	
PROPOSAL:	Construction of 2 x 1 bedroom flats within the undercroft area to flat 25-55 including Jonathan House Revised Plans Received 23.01.2012	
DRAWING NO(S):	Location Plan 392:KAH:05 KAH:392:01-A 392:KAH:02-A	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

Councillor Mylod has called in the application on the grounds of restricted car parking and overdevelopment.

SITE DESCRIPTION

The site is located to the northern edge of the High Street and comprises a three storey flatted block set back from the highway by a landscaped green. The building is finished with facing brickwork and contrasting cladding between symmetrically placed windows.

To the rear of the building is a line of garages and hard standing used as informal car parking for the flats, an under croft within the building provides an additional 4 car parking spaces. The site has vehicular access from Allenby Drive to the north. Beyond are further residential dwellings, in a range of architectural styles.

DESCRIPTION OF PROPOSAL

Permission is sought for the construction of 2 No. 1 bedroom flats within the existing under croft of the building, currently used to provide 4 parking spaces.

Each flat is arranged with a open plan living room and kitchen, separate bedroom and bathroom. The flats would be accessed by an internal corridor.

RELEVANT HISTORY

P1331.05 - Proposed fourth storey residential extension forming 17 additional units - refused.

P0136.06 - Addition of a fourth storey to the residential units - 14 additional units - refused, appeal dismissed.

P1894.08 - Replacement doors and glazing to upper levels of the three storey common entrance stairways to the flats, including glazed canopies over the entrance doors and postal boxes approved.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 22 properties. 9 representations had been received at the time of writing this report, stating the following objections:

- overdevelopment
- no amenity space
- parking is insufficient
- loss of views

A site notice was also displayed advertising a development within the St. Andrews Conservation Area.

RELEVANT POLICIES

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC20 (Access to recreation and Leisure Including Open Space), DC33 (Car Parking), DC36 (Servicing), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC68 (Conservation Areas) of the LDF Core Strategy and Development Control Policies Development Plan Document, the Supplementary Planning Document for Residential Design and government guidance contained in Planning Policy Statement 3 (Housing) and PPS 5 (Heritage) are considered relevant to the determination of this application.

London Plan 3.3, 3.5 and 3.8.

STAFF COMMENTS

Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 970 per year) to be built on sites which are not designated for other purposes. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for housing development in principle subject to the detailed design of proposals. PPS3 encourages high quality residential development with access to a good range of facilities. The site is currently vacant and the re-use of previously developed land is also encouraged.

Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 37 square metres for a 1 person flat and 50 square metres for a 1 bed, 2 person flat. Flat 'A' has a floor space of 49.3 square metres and Flat 'B' a floor space of 48.8 square metres, Staff consider that this would be acceptable.

Representations received have stated that additional accommodation within the site is unacceptable. Previous application P0136.06 was refused and later dismissed on appeal for the construction of an additional 14 flats within an extended 4th floor. However, this application is for the conversion of an existing undercroft, where no increase in height of building footprint is proposed. This is materially different to previous applications for residential provision on site and Staff consider is acceptable in principle.

CONSERVATION AREA

The site lies within the St. Andrews Conservation Area. This is focused upon the Grade 1 listed St. Andrews Church and grounds which lie to the south of the site. The application site forms part of an existing building which lies to the rear of the Conservation Area. The proposed dwellings are set within the existing building footprint and are not considered to materially alter

the character of appearance of the Conservation Area.

DENSITY/SITE LAYOUT

Policy DC2 states that development in this location should have a density between 50-80 dwellings per hectare. The existing development has a density of 78 units per hectare, with the proposed development increasing the density to 81 units per hectare. This is just above the stated ranges, however, density levels are only one measure of acceptability. In this particular context Staff consider that this density would be acceptable for the location and would make efficient use of the site.

The adopted Residential Design Supplementary Planning Document (SPD) does not provide prescribed levels of amenity space, but instead expects balconies and communal spaces to be provided for flatted schemes. The existing block does not provide any private amenity space; instead all flats have access to a shared communal area to the front of the building. Staff consider that the communal provision is acceptable and prospective buyers would be aware of this arrangement.

DESIGN/IMPACT ON STREET/GARDEN SCENE

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

The site forms part of an established group of flatted blocks which line the northern edge of the High Street. These are set well back from the highway and are well landscaped to the front. The rear of these blocks are characterised by car parking and garaging, a soft landscape strip provides a buffer to the ground floor flats. It is proposed to enclose an existing undercroft to the rear of the building to provide two additional flats. These would be finished in a mixture of facing brickwork and rendered panel beneath the windows. This would be of a similar appearance to the main building and, provided that matching materials are used, raises no objection from Staff. The works would not increase the building footprint and would be of little impact in the streetscene.

IMPACT ON AMENITY

Policy DC4 states that where there is a provision of residential units, permission will only be given where each unit has a reasonable outlook and aspect, safe and secure access from the street and separate sleeping area.

Both proposed flats provide self contained sleeping accommodation which is acceptable and would be accessed from an internal corridor which is acceptable. With regard to outlook the flats would look onto the rear garages and hard standing, this is a view shared amongst existing ground floor flats located to the rear of the building. Staff consider that the outlook would be acceptable and future occupiers aware of the limited views prior to occupancy.

The existing undercroft provides an additional entrance into the communal corridor which serves the development, there is another entrance located to the flank elevation. This existing undercroft door would become the main front entrance into Flat B. An additional door would be

inserted to serve the entrance to Flat A. These entrances are considered acceptable and would be secure within the building.

Within the representations received, objection was raised with regard to the loss of views. This however, is not material planning consideration for which a refusal could be substantiated in this case.

HIGHWAY/PARKING

Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 3-4 and therefore requires 1.5-1 parking spaces per unit for a development of this type nature. The development does not provide allocated parking for the flats. It is instead proposed to allocate additional parking within the existing site. Within the representations received, objections have raised concern over the level of car parking and inadequate access.

Plans were originally proposed to provide 3 additional spaces in front of the existing ground floor units in place of an existing soft landscape buffer. These spaces could have resulted in a loss of residential amenity through car headlights shining directly into habitable rooms. Accordingly, the applicant has removed these spaces and the soft landscape buffer is to remain as existing. With the removal of these 3 spaces, there would be a total of 56 spaces for 57 flats. This level of parking is considered acceptable where the London Plan (adopted July 2011) recommends lower levels of parking for residential developments over the current adopted 2008 LDF, where table 6.2 for Policy 6.13 (parking) states 1-2 bedroom units should provide less than 1 parking space per unit, as a maximum. The parking spaces are not allocated to flats within the development, and occupiers would need to park where there is an available space. This is an existing situation where the addition of 2 no. 1 bed flats is not considered to significantly alter the demand for car parking.

It is proposed to utilise the existing access from Allenby Drive. This access is sufficient and raises no objection from Staff or the Highways Authority.

OTHER ISSUES

Secured by Design:

The Metropolitan Police CPDA has indicated that if planning permission is granted, suitable conditions would need to be attached in order to ensure that this development meets the Secure by Design standard. Concern was originally raised due to the lack of defensible space and as such revised plans have been submitted which provide a 1.1m high railing around the external edge of the site; this is therefore considered to address the Crime Prevention Design Advisors concerns.

Refuse and recycling:

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

Fire Brigade:

Representations from the London Fire Brigade have requested the installation of a private fire hydrant within the site in order to address a lack of existing hydrant coverage.

KEY ISSUES/CONCLUSIONS

In conclusion, Staff consider that the provision of two self contained residential units acceptable. They would be contained within the existing footprint of the building and be constructed in matching materials.

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

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs
2. SC32 (Accordance with plans)
3. SC10 (Matching materials)
6. SC59 (Cycle Storage)
4. Non standard condition
Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason:

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

5. Non standard condition
Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;
 - a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
 - b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
 - c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

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

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

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

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

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

Reason:

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

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

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

- 3** 1. In aiming to satisfy condition 4 The applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of Havering Development and Building control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ. It is the policy of the Local Planning Authority to consult with the Borough CPDA in discharging of community safety condition(s)

2. The applicant is informed that the London Fire Brigade require the installation of a private fire hydrant. This is to be numbered P112106 and conform to BS 750:1984.

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APPLICATION NO:	P1870.11	
WARD :	Emerson Park	Date Received: 15th December 2011
ADDRESS:	44 Herbert Road Emerson Park Hornchurch	
PROPOSAL:	Demolition of existing bungalow, construction of 6 detached dwellings with associated vehicle access and landscaping revised plans received 11/1/2012	
DRAWING NO(S):	010726/Pln/103 010726/Pln/104 010726/Pln/101 010726/Pln/105 010726/Pln/106 010726/Pln/107 010726/Pln/102 010726/Pln/108 010726/Pln/109 010726/Pln/110 010726/Pln/111 010726/Pln/112 010726/Pln/113 010726/Pln/114 010726/Pln/116 010726/Pln/117 010726/Pln/118 010726/Pln/119 010726/Pln/120 010726/Pln/121 010726/Pln/122 010726/Pln/123 010726/Pln/126 010726/Pln/127 010726/Pln/124 010726/Pln/125	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

The application has been called in by Councillor Rochford and Councillor Kelly.

SITE DESCRIPTION

The site lies to the southern side of Herbert Road and currently comprises a vacant detached chalet bungalow, in need of repair.

The existing dwelling is located to the front of the site with vehicular access from Herbert Road

via a unmade track to the western edge.

The rest of the site is heavily vegetated with large trees, centrally is a set of derelict garages which have been overgrown with vegetation and are no longer serviceable.

Surrounding the site are detached dwellings in a range of architectural styles.

DESCRIPTION OF PROPOSAL

Permission is sought for the demolition of the existing bungalow and erection of 6 No. detached dwellings.

Plot 1 and 2 are accessed via Herbert Road via private driveways. Both dwellings have double integral garages with 2 parking spaces provided to the front on a driveway with turning area. At ground floor there is a kitchen/ family room, living room, dining room and study. At first floor there are 4 bedrooms, 3 bathrooms and laundry room. Within the roof space there is a further bedroom, bathroom and tv room. Plot 1 measures 13.5m wide, a maximum of 14.9m deep (including the single storey rear projection) and 10.44m high to a pitched roof. Plot 2 measures 14.2m wide, maximum of 13.64m deep and 10.2m high.

Plot 3 measures 13.56m wide, 14.45m deep as a maximum and 10.2m high. Plot 4 measures 14.4m wide, 13.8m deep as a maximum and 9.98m high. Both plots are set centrally within the site to the south of Plot 1; these provide double integral garages with three parking spaces within private driveways. Both plots have 5 bedrooms, 3 bathrooms.

Plot 5 is located to the rear of the site and measures 12m wide, 13m deep and 9.5m high. This plot is provided with a detached double garage measuring 5.9m deep, 6.3m wide and 4.8m high with a fully pitched roof. This is a 5 bedroom, 3 bathroom dwelling.

Plot 6 is also located to the rear of the site and measures 14.3m wide, 13m deep and 9.7m high. This dwelling has an integral double garage. A first floor terrace, serving the master bedroom is located over the single storey rear projection. This is a 5 bedroom, 3 bathroom dwelling.

An access road, utilising the existing vehicle crossover serves Plot 3-6 and extends down the site adjacent to the western boundary measuring a minimum of 4.5m wide.

RELEVANT HISTORY

None

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 34 properties. 5 letters of representation were received at the time of writing the report, including one from the Emerson Park and Ardleigh Green Residents Association, stating the following objection:

- Detrimental to the streetscene
- Plot 1 and 2 would appear cramped and contrary to the Emerson Park SPD
- Loss of protected trees
- Density levels are too high for the locality
- Overlooking and unacceptable loss of amenity
- High vehicular movement would result in excessive noise levels to the detriment of residential amenity.

RELEVANT POLICIES

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC20 (Access to recreation and Leisure Including Open Space), DC33 (Car Parking), DC36 (Servicing), DC61 (Urban Design) and DC63 (Delivering Safer Places) DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document, the Supplementary Planning Document for Residential Design and Emerson Park and government guidance contained in Planning Policy Statement 3 (Housing) are considered relevant to the determination of this application.

London Plan Policies 3.3, 3.5, 3.8.

STAFF COMMENTS

Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9700 new homes (or 970 per year) to be built on sites which are not designated for other purposes. The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for housing development in principle subject to the detailed design of proposals. PPS3 encourages high quality residential development with access to a good range of facilities. The site is currently comprised a vacant detached dwelling in need of repair, and the re-use of previously developed land is also encouraged.

Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor does not quote space standards for 5-6 bed detached dwellings. The properties proposed have an internal floor space in excess of 350 square metres which Staff consider is acceptable.

The site is located within sector 6 of the Emerson Park Policy Area. The adopted Supplementary Planning Document states that within sector 6, infill development will be permitted provided it does not give a cramped appearance to the streetscene and its massing and architectural style is in keeping with surrounding properties. However, redevelopment of backland generally result in higher densities and reduced rear garden depths, which is stated as being harmful to the special character of sector 6. The following guidance is therefore provided:

- Redevelopment to create plot sizes equivalent to immediately surrounding properties.
- Redevelopment would not materially increase the existing density of the immediately surrounding area.
- Be of detached, single family, large and architecturally varied dwellings.
- Provide a minimum plot width of 23m.

DENSITY/SITE LAYOUT

Policy DC2 provides acceptable density levels across the borough; however, within the Emerson Park Policy Area the density matrix does not apply. This is to retain the existing special character of large units in generous landscaped plots and to ensure that an adequate stock of this type of housing is maintained.

The adopted Residential Design Supplementary Planning Document (SPD) does not provide prescribed levels of amenity space, but instead encourages single, enclosed garden areas which benefit from both acceptable levels of sun light and shade.

Plot 1 and 2 have a south facing garden and measure 218 sqm and 265 sqm respectively. Plot 3

and 4 have private gardens facing east and measure 326 sqm and 303 sqm respectively. Plot 5 and 6 have south facing gardens which measure 236 sqm and 340 sqm respectively. All proposed garden areas are located in single enclosed blocks to the rear and side of dwellings.

In terms of plot width, the SPD states that a minimum frontage of 23m is required. Plot 1 and 2 would have the most direct impact in streetscene terms; these have a plot width of 18m and 20m respectively. This falls short of the SPD requirement, however, reviewing immediately surrounding plot frontage width; these vary from between 14m to 38m. This significant difference in frontage width results in a varied streetscene. Staff consider that the frontages to plot 1 and 2 would be acceptable for this particular locality, especially where they make provision for soft landscaping and retain the large protected trees. Staff consider that the layout of the dwellings is acceptable and would appear as a planned development, similar to Fairlawns Close and The Lombards.

DESIGN/IMPACT ON STREET/GARDEN SCENE

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

Plot 1 is accessed via an independent access from Herbert Road. It is shown as being a brick built dwelling and is arranged with a two storey front gable projection with portico entrance and double integral garage. The main roof is fully hipped. Each flank elevation has a brick built chimney. Towards the rear there is a single storey rear projection serving the family room/kitchen and two flat roof dormers in the roof space. These are set centrally, well below the roof line and raise no objection from Staff.

Plot 2, is similarly finished in brick and has two equal sized front facing gables with centrally positioned portico entrance with double integral garage. Within the fully hipped roof there is a centrally set front dormer. Two chimneys flank the dwelling. To the rear there is a similar single storey rear projection with three centrally set dormers in the roof space. Plots 1 and 2 would be partially screened from Herbert Road by the existing large trees which are to be retained. This will add instant maturity to the development. The present frontage is overgrown has not been maintained for some time with large shrubs and other planting which appear messy in a locality of well kept frontages. The existing large protected tree adjacent to the existing vehicle crossover would also be retained; this would continue to provide a mature buffer between this frontage and the adjacent No. 42 Herbert Road.

Plot 3 is a variation in design from Plot 1 but with a different treatment to the garage doors, windows and entrance, which incorporates tiled canopy and differing treatment to the front gable. The facing brick and tiled roof are also indicated to be a different colour in order to increase variation.

Plot 4 has two front gables; the larger provides a two storey projection which links to a tiled canopy to cover the entrance and integral garage. This two storey gable projection has a ground floor bay window. A first floor oriel window over the garage is finished with a smaller gable; these are separated by a hipped roof with centrally located front dormer window similar to plot 2. The gables differ in treatment to the other plots with applied timber detailing and the introduction of

oriel windows.

Plot 5 differs in that it does not include an integral garage. Instead the dwelling is arranged with two projecting gables with ground floor bay windows. These are linked by a tiled canopy over a recessed entrance. Between the gables at roof level is a centrally set dormer window. To the rear there is an L shaped single storey projection, this serves the sitting room and family room. This dwelling is indicated to be constructed from facing brick at ground floor with render above. A detached garage is provided for this dwelling, set forward of the front elevation but back to the edge of the site. It is indicated to be of a facing brick construction with fully hipped tile roof over. The design raises no objection from staff.

Plot 6 is arranged with a flat, symmetrical elevation with projecting gabled entrance finished in brick. There is a variation in the design of windows to the other plots with two gable features within the roof space with finials. The main roof is finished with gable ends and a single flank chimney to the western elevation. A two storey projection is located to the east comprising a double garage at ground floor with two dormer windows set over at eaves level within the roof space. These are set at the same level as the first floor windows in the main dwelling and serve bedroom 2. To the rear is a part single, part two storey rear projection. The single storey element is flat roofed and partly forms a roof terrace for bedroom 1. The two storey element which serves bedroom 1 has a fully hipped roof. A dormer is also provided to the rear elevation within the roof space, set well below the ridge line and gable end. This raises no objection from Staff.

With regard to materials, the applicant has indicated that there would be a pallet of facing brick work in differing colours, painted render, tiled roofs in a range of colours. Gable treatments include finial detailing, applied timber and stone caps. Some front elevations include brick and stone header detail to windows. This creates variety within the development. Varying roof treatments with steep pitches and detailed gables further add to the variety between dwellings here which complies with the Emerson Park SPD which states that dwellings in this sector must be detached, single family, large and architecturally varied dwellings. Staff consider that the dwelling would reflect the varied character of Herbert Road in particular.

Plot 1 is set 13m and plot 2; 14m back from the edge of the highway and provide an area for parking and soft landscaping. This large set back would allow for generous planting and the retention of the existing protected trees to the highway edge. Staff consider they would not appear cramped in the streetscene.

With regard to the back of the site, these would not form part of the Herbert Road streetscene and have been designed to be similar in character to The Lombards, directly to the east. Areas of soft landscaping and their set back from the access road would mean that they have a limited impact from surrounding public view points.

Staff consider that the dwellings are of an individual appearance and would reflect the surrounding character of this part of Emerson Park. The access road is shown in two finishes, similar to that of the Lombards to the east. Details of this surfacing material can be attached via condition.

The Emerson Park SPD states that development within 'sector 6' is required to be inset from the boundaries at ground floor by at least 1m, and 2m at first floor. In many instances, Staff expect these distances to be increased. The development incorporates Each dwelling is set at least 2m in from the boundary. This is exceeded in many instances, for example, Plot 1 is set 4.2m from the eastern boundary, Plot 5 is set 4.4m from the eastern boundary, Plot 6 is set 7.3m from the

western boundary.

IMPACT ON AMENITY

Plots 1 and 2 have a north/ south orientation with windows overlooking Herbert Road to the front and respective gardens to the rear. The rear elevation of Plot 1 is set 16.4m north from the flank elevation of Plot 3. The rear south west corner of plot 2 is set 15.6m from the flank elevation of Plot 3. This distance is considered acceptable, where current guidance does not prescribe back to back distances. This relationship is not considered to result in a loss of amenity to Plot 3, given the indicated mature boundary screening which is to be secured by condition.

Plot 3 and 4 are inset 2m from their shared boundary. They share a similar rear boundary line and are considered to be acceptable. Plot 4 is located 16.7m from the front elevation of Plot 5 and 19.5m from Plot 6 and is separated by the access road, areas and areas of soft landscaping.

With regard to adjacent existing properties, Plot 5 is located 17m west of No. 3 The Lombards. Concern has been raised from this resident as to the boundary screening. At present the mature Leylandii hedging thins out towards the rear of the site, and supplementary planting would be required, this would be in addition to a 2m fence to secure the boundary of Plot 5. This is to be secured via condition. Furthermore, given the front to flank relationship this is not considered to be harmful, where the front windows of the adjacent property are angled away from Plot 5.

Plot 6 is located over 7m from the eastern boundary shared with No. 7 Fairlawns Close. There would be a separation distance of 36m to the rear elevation of this property. This is considered an acceptable distance. It is proposed to utilise part of the single storey rear projection of this dwelling 6 as a roof terrace which serves bedroom 1. This would face onto the rear garden and boundary shared with properties in Channing Close. Staff do not consider that this terrace would result in overlooking. Furthermore, unlike a flatted scheme where balconies are incorporated into living rooms, a balcony to a bedroom is unlikely to result from the same usage.

Properties in Channing Close to the south are located approximately approximately 20m from Plot 5. At present this rear boundary has little screening with a few trees. These are of landscape value and will be retained. It is also proposed to add supplementary planting to this boundary. This distance is considered acceptable.

Objections received state that the visibility of these dwellings is harmful to amenity. However, in a residential suburb, it is not unusual to see neighbouring dwellings as part of a general view and this is not considered reasonable grounds to warrant a refusal, as there would be no harmful overlooking or loss of privacy. A 2m fence would be installed on this boundary, to provide a secure enclosure for the plots with replacement landscaping. This would screen the view of the dwellings from The Lombards. Landscaping to this boundary can be secured by way of a landscaping condition. It is also considered that the provision of a high quality fence would not be harmful to outlook, as this is a typical residential boundary enclosure. Once landscaping has matured, this would soften the appearance of the fence.

In all, Staff consider that the proposals are of an acceptable layout and spacing between dwellings to result in a satisfactory relationship.

In terms of additional noise and disturbance, it is not considered that the addition of 6 family dwelling would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area. With regard to

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construction noise, an hours of construction condition is attached and a construction methodology required to be submitted by condition.

Staff consider the proposal to be acceptable in its current form. Given the spacious planned soft landscaped areas and gardens, large extensions or future additions to the properties could result in a harmful appearance. 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.

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

HIGHWAY/PARKING

Each dwelling provides secure garaging for 2 vehicles with a further 2-3 vehicles within an off street driveway. This level of parking is acceptable given the size of each dwelling.

The access road measures 4.5m in width and would utilise the existing vehicle crossover from Herbert Road. This access is considered acceptable and there are already the formations of an access drive down the site into the existing derelict garages within the rear garden.

The width of the access road is sufficient to accommodate refuse and emergency vehicles which normally require a width of 3.7m.

OTHER ISSUES

Biodiversity and Ecology:

The site is heavily vegetated with large trees and areas of grass. These are covered by a group Tree Preservation Order. Objections received refer to the loss of these trees and natural habitat. An ecology report has been submitted with the application. The ecology officer is satisfied that the development would not be harmful to wildlife and has requested specific conditions.

It is proposed to fell the majority of the trees within the site. A site visit was undertaken with the Council's Tree Officer and a review of the trees carried out. Their removal has been considered acceptable as many are in poor condition, planted too close together or are an inappropriate species for the locality. From a human safety perspective some of the much larger trees which are in poor condition are liable to collapse in the centre of the site, and their removal is encouraged. Their removal and replacement planting is considered to be a chance to improve the sites landscape value.

With regard to the proposed retained trees, conditions are attached which require a scheme to be submitted for their protection. These include the provision of bat boxes to the larger trees that are to be retained and the restriction on the clearance of trees/ vegetation, outside of the bird nesting season. The enhancement of the eastern and western boundaries is also recommended and this is to be secured by way of a landscape plan.

Secured by Design:

The Metropolitan Police CPDA has indicated that if planning permission is granted, suitable

conditions would need to be attached, these have been attached accordingly.

Refuse and recycling:

With regard to refuse the dwellings would have a sack collection as per the rest of the borough. The access drive is wide enough for a refuse vehicle to enter and turn around, although representations from StreetCare have stated that bags may need to be dropped off at the entrance on collection day. Conditions are attached which require details of refuse storage.

Fire Brigade:

Representations from the London Fire Brigade have requested the installation of a private fire hydrant within the site in order to address a lack of existing hydrant coverage.

KEY ISSUES/CONCLUSIONS

In conclusion, Staff consider that the demolition of the existing dwelling to be acceptable. The proposed replacement 6 detached dwellings would be of an individual appearance which would acceptably integrate into the Herbert Road streetscene. The formation of an access road lined with dwellings down the site is similar in form to the adjacent developments The Fairlawn s and The Lombards.

Staff consider that the spacing between dwellings and surrounding boundary screening sufficient not to result in a loss of residential amenity to neighbouring occupiers. There are additionally no highway implications which arise from the development. It is therefore recommended that planning permission is granted, subject to conditions.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs
2. SC32 (Accordance with plans)
4. SC08 (Garage - restriction of use)
5. SC11 (Landscaping)
6. SC13 (Screen fencing) ENTER DETAILS

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

Reason:-

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

7. SC46 (Standard flank window condition)

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- 8. SC58 (Storage of refuse)
- 9. SC59 (Cycle Storage)
- 10. SC62 (Hours of construction)
- 11. SC63 (Construction Methodology)
- 13. SC12 (Preserved trees)
- 16. SC48 (Balcony condition)
- 17. SC45A (Removal of permitted development rights) ENTER DETAIL

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and its subsequent revisions Article 3, Schedule 2, Part 1, Classes A, B, C, D or E no extensions, roof extensions or roof alterations shall take place and no outbuildings or other means of enclosures shall be erected within the garden areas of the dwelling shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

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

- 18. SC57 (Wheel washing)

- 3. Non standard condition

Before any of the development hereby permitted is commenced, samples of all materials for plots 1-6 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.

- 12. Non standard condition

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

Reason:

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

'Delivering Safer Places' of the LBH LDF.

14. Non standard condition

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

Reason:

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

15. Non standard condition

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

Reason:-

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

19. Non standard condition

Prior to first occupation of the units, the access road shall be completed in full.

Reason:-

in the interests of amenity.

20. Non standard condition

Any work to clear scrub or trees should be undertaken outside the bird breeding season, from March to August inclusive.

Reason:-

In the interests of biodiversity.

21. Non standard condition

Prior to the commencement of works, details of 3 No. bat boxes 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:-

In the interests of biodiversity.

4 The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC2, DC33, DC36, DC55, DC61, DC69 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the

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Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

- 5
1. 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.
 2. 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.
 3. 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.
 4. 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.
 5. In aiming to satisfy Condition 12 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).
 6. 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 licence from the Council.
 7. Any new vehicular access may require commercial standard construction details to ensure that the footpath is able to endure demolition and construction traffic. Any statutory undertakers equipment requiring diversion due to this construction shall be diverted at the developers cost.
 8. If the existing vehicular access is damaged during the construction or demolition processes, the applicant will be required to make good these damages. If it is foreseen that such damages will occur the applicant may wish to engage the Council Highways officers prior to the commencement of works.

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9. The applicant is advised that the London Fire Bridge require the installation of a private fire hydrant to be numbered P615 and conform to British Standard 750:1984.

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APPLICATION NO:	P1905.11	
WARD :	Upminster	Date Received: 22nd December 2011
ADDRESS:	Springfield Park Corner Farm Hacton Lane/Park Farm Road Upminster	
PROPOSAL:	The installation of a 22m slim line pole with 6 no. antennas encased within a GRP shroud, 1 no. 300m dish, 4 no. radio equipment housing, chain link fencing and ancillary development	
DRAWING NO(S):	101 A 200 A 300 A 400 A 500 B	
RECOMMENDATION :	It is recommended that planning permission be GRANTED subject to conditions given at the end of the report.	

CALL-IN

The application has been called in Councillor Ower on the grounds of visual intrusion and Green Belt location.

SITE DESCRIPTION

The application site is located 380m to the South of Hacton Drive, accessed via Hacton Lane, which lies 423m east, and is wholly located within the designated Metropolitan Green Belt, with the exact location being through Springfield towards the dense woodland which borders Gaynes Parkway. Gaynes Parkway travels from North-East to South-West and separates dense urban localities of Hornchurch and farm land. The woodland trees in Gaynes Parkway are mature and between 5m and 20m in height.

DESCRIPTION OF PROPOSAL

Permission is sought for the provision of a 22m high telecommunications column with 6 no. antennas encased within a shroud.

It is also proposed to install an ancillary dish, radio equipment housing within a chain linked fence measuring 6.2m wide by 4.7m deep.

This is located to the corner of Springfield Park adjacent to a heavy line of trees. Access into the site for servicing would be from Hacton Lane.

The applicant has submitted an ICNIRP compliance certificate.

RELEVANT HISTORY

P1180.07 - Installation of new 22.5 metre column supporting 6 no. antennas with 4 no. outdoor equipment cabinets and associated ancillary development - Refused

P0404.08 - Installation of a new 'dead tree' style column to 20m supporting integral 3no. Multi-

band antennas with 3 no. outdoor equipment cabinets and associated ancillary development - approved, but not implemented. This permission has now lapsed.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to 27 properties, one representation was received, stating the following objections:

- There is already a mobile phone pole in the area.

A site notice was displayed advertising a telecommunications proposal, and a development within the Green Belt.

RELEVANT POLICIES

PPG8 (Telecommunications), PPG2 (Green Belts) and Policies DC32, DC34, DC45, DC61, DC64, DC69 of the LDF Core Strategy and Development Control Policies DPD are considered relevant.

STAFF COMMENTS

The issues in this case are the visual impact of the proposal, its effect on the character of the area and the appearance of the Green Belt as well as the Ingrebourne Valley and the aspect for any nearby residential properties.

Guidance contained within PPG8 sets out that whilst local planning authorities are encouraged to respond positively to telecommunications development proposals, they should take account of the advice on the protection of urban and rural areas in other planning policy guidance notes.

Government advice is that local planning authorities should seek to approve such proposals in support of national interests unless they are sufficiently and demonstrably harmful as to override that interest. Consideration must be as to whether the impact from this proposed telecommunications installation is sufficiently serious to override the presumption in its favour under PPG8.

Staff note that planning permission has already been given for a 20m high dead tree installation, but that permission has been refused for a 22.5m installation and that a judgement will need to be made in order to assess the acceptability of this revised scheme.

PRINCIPLE OF DEVELOPMENT

Policy DC45 indicates that within the Metropolitan Green Belt particular care will be taken to ensure that the proposed use does not have a greater impact on the openness of the Green Belt. Development considered to be appropriate within the Green Belt is defined by PPG2. Development falling outside of these categories is deemed to be inappropriate and as such, inappropriate development will only be permitted in very special circumstances. Very special circumstances to justify inappropriate development can only exist where the harm by reason of the inappropriateness, together with any other harm, such as visual impact, is clearly outweighed by other considerations. The proposed installation is inappropriate development. Very special circumstances are therefore needed. These are considered below.

GREEN BELT IMPLICATIONS

The character of this area is open and has a rural appearance associated with its Green Belt

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and Ingrebourne Valley location. Although the proposed installation would be surrounding view points and the highway the impact would be minimised by some planting and tightly knit mature trees immediately adjacent to the application site.

This proposed installation is positioned closer to this group of trees than previously approved which lines the southern boundary of the field and is located at a greater distance from residential properties in Hacton Drive, now measuring 380m. This would reduce the distance of the installation to Hacton Drive/ Park Farm Road from 450m, to around 423m; however, given its tighter positioning to the tree screening, there would be more substantial screening.

With regard to mitigating against the increase in height from 20m to 22m, the pole has been design to be as slim as possible. Taking account of the vegetation around the proposed site, Staff are of the opinion that the installation would not detract from the openness of the Green Belt. Staff do acknowledge that there would be some visual impact associated with the proposed development, however the potential harm to the Green Belt should be weight against the very special circumstances associated with this development.

The associated equipment at ground level are located in close proximity to the trees, away from the open views of the Green Belt. The perimeter of the enclosure for the equipment remains the same as previously approved and is enclosed by a chain link fence. Staff consider, that provided it is painted green, it would not appear visually intrusive.

IMPACT ON AMENITY

The proposed location of the mast does not lie adjacent or encroach upon any residential property. Given its rural location away from residential development, Staff consider that there would be no adverse impact upon amenity.

In respect of health issues a Certificate has been submitted with the application which confirms that the proposal complies with ICNIRP guidelines. Although health considerations and public concern can, in principle, be material planning considerations, PPG8 makes it clear that it is the Government's view that the planning system is not the place for determining health safeguards. It states that "in the Government's view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them".

In this case, an ICNIRP Certificate has been submitted. It is not therefore considered that there are any justifiable grounds to refuse the proposals on health grounds.

HIGHWAY/PARKING

The proposed installation does not obstruct or encroach upon the public highway or parking. No objections are raised in this instance on Highway grounds.

OTHER ISSUES

Paragraph 17 of PPG8 states that telecommunications development is likely to be inappropriate development in the Green Belt. Inappropriate development may proceed only if very special circumstances which outweigh the degree of harm to the Green Belt. The lack of suitable alternative sites which would meet the needs of the network coverage or capacity might be considered very special circumstances.

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In support of the application, the applicant has stated that the need for the proposed mast was due to the loss of the current O2 service at St. George's hospital. The proposed replacement service would integrate Vodafone coverage to become a dual user installation.

The proposal submitted represents a 2m increase in height over the previous 20m approval. The previous 'dead tree' design had an increased column width over that proposed and compared to the natural background vegetation would be more visually dominant than the taller slimmer column. When regarding visual intrusion and dominance, width is equally a factor as height, and the slimmer column is considered to integrate with the background vegetation more successfully than a larger column. The encased antennas within the shroud are also slim line in appearance and are considered to reduce the visual width and clutter over the 22.5m high refused installation proposals.

Staff note that a shared installation, in this case O2 and Vodafone also reduces the long term need for additional installations by single operators, in the built up urban areas. Mast sharing is also strongly encouraged within paragraph 66 of PPG8. The applicant has additionally shown that alternative sites have been explored and discounted, reasons for this range from the proximity to residential property, playground and other public facilities, unwilling land owners and the sites that are too far from the required area. Staff consider that on balance, it would be more appropriate to utilise a rural location for a telecoms development, less visible from surrounding view points than add to a defined residential street for example.

With regard to the visibility of the pole, if it is to be painted grey or a suitable dark colour this would mitigate against its visibility against the sky and surrounding backdrop. The colour of the column is recommended to be attached via condition.

There have been several proposals in the area for O2 and Vodafone installations in and around the St. Georges hospital site and Suttons Lane, both of which are in the Green Belt. These have been refused due to the increase in street clutter and visual intrusion in the Green Belt. This application proposes a more rural site which would seek to overcome previous concerns with regard to street and skyline clutter.

Whilst an increase in height may seem to increase visual intrusion and not be materially different from a previously refused 22.5m high installation, It is worth noting that the higher the installation, the greater the area it can serve, thus reducing the need for additional future telecoms proposals in the area. Reducing future demand for additional installations is also achieved through mast sharing which the applicant has sought to achieve.

The increase in height remains a judgement, where different weight can be attached to the question of visual amenity, depending on opinion about the character of the locality, and resultant impact. It is fully acknowledged that the scheme will have some form of a visual impact although this should be placed in the context of the very special circumstance associated with this development. Government advice is that Councils should seek to approve such proposals in support of the National interests unless they are sufficiently and demonstrably harmful as to override that interest.

The issue for Members therefore, is whether the impact of this mast is sufficiently serious to override the presumption in its favour under PPG8. Although it is for Members to give appropriate weight in reaching their decision, staff are of the view, given Government advice, that the appearance and impact of the mast are within acceptable limits and recommends approval accordingly. Should Members take a contrary view, areas in which case for refusal can be based should be restricted to siting and appearance only.

KEY ISSUES/CONCLUSIONS

The proposed telecommunications installation is not considered to detract from the openness of the Green Belt as well as the Ingrebourne Valley. Very special circumstances have been promoted in this instance that would justify an exception from policy with regard to the potential visual impact in the Green Belt. The increase in height over the previously approved 20m high columns remains a judgement for Members however.

RECOMMENDATION

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

1. SC4 (Time limit) 3yrs
2. SC32 (Accordance with plans)
3. Non standard condition
Prior to the commencement of development, details of the colour for the column and perimeter fencing shall be provided and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

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

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

- 7 The applicant is informed that the Council would not look favourably upon additional O2 and Vodafone installations within this cell area, given the circumstances and cell coverage promoted by this application.
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