



# Havering

LONDON BOROUGH

## REGULATORY SERVICES COMMITTEE AGENDA

**7.30 pm**

**Thursday  
8 January 2015**

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

Members 11: Quorum 4

**COUNCILLORS:**

**Conservative  
( 5)**

Robby Misir (Chairman)  
Ray Best (Vice-Chair)  
Philippa Crowder  
Steven Kelly  
Michael White

**Residents'  
( 2)**

Stephanie Nunn  
Reg Whitney

**East Havering  
Residents'( 2)**

Linda Hawthorn  
Ron Ower

**UKIP  
( 1)**

Phil Martin

**Independent  
Residents  
( 1)**

Graham Williamson

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

**Richard Cursons 01708 432430  
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## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

## **AGENDA ITEMS**

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

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

The Chairman will announce the following:

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

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

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

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

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

(if any) - receive.

### **3 DISCLOSURE OF PECUNIARY INTERESTS**

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

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

### **4 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 28)**

### **5 P1439.14 - WYKEHAM PRIMARY SCHOOL, RAINSFORD WAY, HORNCHURCH (Pages 29 - 36)**

### **6 P1103.14 - BUDDIES SCHOOL OF MOTORING, 9-11 CHASE CROSS ROAD, ROMFORD (Pages 37 - 56)**

- 7     **P1158.14 - 168 HORNCHURCH ROAD, HORNCHURCH** (Pages 57 - 72)
  
- 8     **APPLICATION FOR THE STOPPING UP OF HIGHWAY LAND ADJACENT TO 26 CURTIS ROAD, HORNCHURCH,** (Pages 73 - 78)
  
- 9     **PLANNING CONTRAVENTION - 33 HORNMINSTER GLEN, HORNCHURCH** (Pages 79 - 84)
  
- 10    **PLANNING CONTRAVENTION - 203 UPPER RAINHAM ROAD, HORNCHURCH** (Pages 85 - 92)
  
- 11    **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**

**Regulatory Services Committee**

**8 January 2015**

<b>Page No.</b>	<b>Application No.</b>	<b>Ward</b>	<b>Address</b>
1-7	P1466.13	Pettits	58 Parkway, Gidea Park, Romford
8-13	P0133.14	Heaton	Land to the R/O 70 Straight Road, Romford
14-19	P1381.14	Emerson Park	39 Nelmes Way, Hornchurch
20-25	P1540.14	Upminster	Park Corner Farm, Park Farm Road, Upminster

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<b>APPLICATION NO:</b>	<b>P1466.13</b>	
<b>WARD :</b>	Pettits	<b>Date Received:</b> 3rd December 2013 <b>Expiry Date:</b> 28th January 2014
<b>ADDRESS:</b>	58 Parkway Gidea Park Romford	
<b>PROPOSAL:</b>	Proposed construction of single storey side extension, a single storey rear extension and a two storey rear extension and various alterations.	
	Revised Plans Received 06.11.2014	
<b>DRAWING NO(S):</b>	Drawing No. 209 Rev. C Drawing No. 210 Rev. C Drawing No. 100 Rev. A Drawing No. 001 Rev. A Drawing No. 101 Rev. A	
<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.	

## **CALL-IN**

The matter has been called in to Committee by Councillor Misir on the grounds that the impact on the conservation area should be considered by Members rather than at officer level.

## **SITE DESCRIPTION**

The application relates to the property 58 Parkway, Gidea Park in Romford. The property is a 1911 Exhibition House and is located within the Gidea Park Conservation Area and as such is subject to a Article 4 Direction. This is a two-storey detached house, with a single storey lean-to store structure to the side, parking area and garden to the front and spacious garden to the rear. The site is located opposite to the Raphael Park tennis courts and the surrounding area is predominantly residential and recreational in character.

## **DESCRIPTION OF PROPOSAL**

The application has been revised on several occasions since its first submission. As such the application is seeking planning permission for the construction of single storey side extension, a single storey rear extension and a two storey rear extension with various alterations.

The single storey side extension would replace the existing timber store structure, projecting 1.8m from the side elevation of the house to within 0.3m of the side boundary with No.60 Parkway. The front section of the extension would include a 0.7m set back from the main front elevation and a 3.2m set back from the rear elevation. The single storey extension would incorporate a mono-pitched roof design and would include a front window with the design matching the style and proportions of the existing house.

An extension would project 4m from the main rear elevation at single storey level, set in 1.8m from the boundary with No.60 Parkway and 1.9m from the boundary with No.56. This section of the extension would incorporate a flat roof and a contemporary light weight glazed design

including large aluminium glazed sliding doors.

At first floor level the extension would project 3m across half of the main rear elevation providing an extension to the master bedroom. The first floor section will incorporate a hipped pitched roof design, matching the roof slope of the existing front section of the dwelling. The proposed windows in the first floor section would be timber casements with leaded lights matching the style and proportions of the existing 1911 exhibition house.

## **RELEVANT HISTORY**

P0784.09 - Repainting of existing timber framed windows from black to grey  
Apprv with cons 29-07-2009

## **CONSULTATIONS/REPRESENTATIONS**

It should be noted that several amendments have been made to the proposal since the original consultation. Following the formal submission of amended plans a re-consultation was undertaken on 6 November 2014. Neighbour notification letters were sent to 6 properties and 2 representations have been received. The representations can be summarised as follows:

- The revised plan appears as even more unacceptably dominant.
- The proposed depth would not adhere to a 45 degree angle.
- The revisions would result in a loss of light to the side of No.56.
- The new windows in the side elevation would overlook the side window at No.56.
- The boundary hedge has not been drawn accurately on the submitted plan and would offer less screening than shown.
- The side extension will be too close to the boundary harming the separated character of the Parkway Exhibition Houses.
- From a practical viewpoint it will be very difficult to maintain the side wall of the extension as it is so close to the boundary and will close in the narrow gap between the flank wall and boundary fence.
- The scale and massing of the proposed extension will result in an excessive increase.
- Loss of views over open space against the garden suburb principles of the Exhibition estate.
- Loss of privacy in back garden due to installation of proposed first floor windows.

Gidea Park Civic Society - objected to the proposal on the grounds that the size, scale and contemporary design of the proposed extensions would harm the Gidea Park Conservation Area and not be in-keeping with the character and appearance of the 1911 Exhibition house.

Heritage Officer - no objections to the revised scheme. The amendments to the current proposal have been formed and directed following advice given through a series of lengthy discussions with the architect.

## **RELEVANT POLICIES**

### LDF

- CP18 - Heritage
- DC61 - Urban Design
- DC67 - Buildings of Heritage Interest
- DC68 - Conservation Areas
- DC69 - Other Areas of Special Townscape or Landscape Character
- SPD2 - Heritage SPD



LDF

SPD4 - Residential Extensions & Alterations SPD

SPD9 - Residential Design SPD

**MAYORAL CIL IMPLICATIONS**

There are no Mayoral CIL implications for application.

**STAFF COMMENTS**

The main issues relate to the impact on the character and appearance of the Gidea Park Conservation Area, the impact of the extensions and alterations on a 1911 Exhibition House regarded as a heritage asset and the implications for the residential amenity of the neighbouring residential dwellings.

**CONSERVATION AREA**

The Heritage SPD sets out specific design principles for conservation areas and states that extensions should be subordinate to the mass and height of the main building and complementary in terms of design, detailing and materials. The SPD goes on to recognise the notable characteristics of the Gidea Park 1911 Exhibition Houses, stating amongst other things, that key characteristics include a complex roof profile, emphasis on horizontally proportioned windows, timber casement windows with a small pane glazing and rough cast render painted in pale tones and a plain clay tile. Policy DC68 states that the character of Conservation Areas will be preserved or enhanced.

58 Parkway is an original 1911 Exhibition property and the house is considered to make a positive contribution to the character and appearance of the Conservation Area.

The side extension will replace an existing lean-to timber structure, which is a later addition to the dwelling and encloses the area to the side of the house offering little in visual quality to enhance the appearance of the conservation area. The proposed window to the front of the extension would match the style and proportions of the original house.

Internal alterations and the conversion of the garage store to part of the enlarged kitchen would involve the removal of the existing double timber doors and result in the roof being recessed back to the eaves line of the original roof. This aspect of the proposal would see the altered elevation rendered in matching materials and the installation of a new window matching those of the original dwelling.

The proposed ground floor rear extension will be of a contemporary light weight glazed design incorporating a flat roof. Although predominantly glazed along the frontage the side sections will be finished with a matching white render.

The two storey element of the extension to the rear would replicate the projecting section of the main front elevation, emphasising the sympathetic nature of the addition and allowing the 1911 Exhibition House to largely retain its original form and appearance from views along Parkway. Although the two storey extension would not necessarily be subordinate to the height of the original building, it is considered that a reduced roof height on the extension would jar with the existing roof ridge line arrangement and take on an incongruous appearance that would be harmful to the character of the dwelling. Therefore in this instance a continuous ridge line from front to rear is judged to be more respectful of the building's individual character and aesthetic.

The proposed single storey section of the rear extension will project 4 metres from the main back wall of the dwelling and has been designed to be a contemporary, light-weight addition to the dwelling. The form and style of the extension would contrast to some extent with the architecture of the original sections of the property, however, it is considered that the design maintains a strong link with the garden setting, thus reflecting the character of the area as a garden suburb.

The lighter modern touch of the single storey element would also provide a modern, open planned living space whilst preserving the integrity of the heritage asset by not attempting to replicate and create pastiche extensions which cannot follow the special arts and crafts style identically. Given the more simplistic nature of the two storey section, this element of the development is easier to replicate without causing undue harm to the character of the dwelling. As a result it is considered that the combination of traditional and modern styles provides a positive addition to the Exhibition House, and would suitably preserve the special character and appearance of the conservation area in accordance with Policies DC68 and the Heritage SPD.

In this instance, it is considered that a pastiche design would not have been a suitable approach to this building, as it would have compromised the architecture of the 1911 house, and therefore the character of the Conservation Area. As each of the 1911 houses were individually architecturally designed properties, this would be an individual, architecturally designed extension which responds sympathetically to the design and setting of this specific property.

It is acknowledged that the contemporary style of the proposed extensions are an alternative design approach to what has previously been applied to extensions and alterations within the Gidea Park Conservation Area. However, the recent contemporary extensions to the property at 5 Risebridge Road under application P1197.11 have demonstrated how this approach can be applied successfully.

The submitted plans indicate that the existing timber casement windows and leaded lights within the dwelling are to be overhauled and repaired. There are no objections in principle to these works which would improve the appearance of the dwelling. No details have been provided as to the extent of the repair works proposed however further details can be secured via condition.

## **IMPACT ON AMENITY**

Policy DC61 states that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.

The proposed rear extensions would project out 4m from the existing main rear wall at ground floor and 3m at first floor level, both of which are distances advised as being acceptable projections for a detached dwelling under the guidance of the Residential Extensions and Alteration SPD. In addition the extension would not project beyond the rear building line of existing rear extensions at both No.s 56 & 60 Parkway.

In terms of the impact on No.56, the proposal would be set in from the boundary by a minimum of 1.6m. No.56 has a ground floor kitchen window in the side elevation which appears to have been installed or enlarged after the house was originally constructed. The kitchen window provides some outlook over the garden of the application site, albeit through the trellis of the boundary fence. The proposed extension would be located to the north of No.56 and as such would not result in overshadowing to the neighbouring property. The extension would comply with the projection requirements for a detached dwelling and would be set-in from the boundary,

respecting the rear building line of the extension at No.56. Any loss of daylight or outlook from the side window as a result of the proposed extension would be no more severe than the effects from the installation of a 2m high boundary fence or hedgerow and as such it is not considered in this instance to be exceptionally harmful to the occupants amenity.

The proposed additional first floor en-suite bathroom window in the side elevation will be obscure glazed to prevent overlooking of No.56 and to protect privacy.

In terms of the impact on No.60 Parkway the rear extension will be sited 1.8m from the boundary, incorporating a flat roof with a height of 2.87m. The proposal has been amended significantly and the side section forming an 'L-shape' link to the side extension has now been removed from the current scheme, considerably reducing the impact on No.60. The single storey extension will adopt a similar projection to the existing rear conservatory at No.60 and given the height of the proposed extension and distance from the boundary will not result in any undue impact on the amenity of the neighbouring occupants.

The side extension will be 2.4m in height up to the eaves with a mono-pitched roof rising to 3.4m, but will in effect replace an existing structure in this location. The proposed extension would be higher, but will be located 0.3m away from the boundary with No.60. Given the limited height of the extension it is considered that it would not be harmful to the amenity of the neighbouring property and as a replacement to the existing structure would not be more materially harmful than the existing situation. This element of the proposal is therefore also judged to be acceptable.

On balance it is considered that the proposed side and rear extensions would not result in an undue impact on the amenity of the neighbouring residents at No.s56 & 60 Parkway and as a result the proposal is considered to be in accordance with the provisions of Policy DC61 and the the Residential Extensions and Alterations SPD.

## **HIGHWAY/PARKING**

The proposed extensions would be located to the side and rear will not effect the existing off street car parking arrangements and therefore the proposal presents no highway or parking issues.

## **KEY ISSUES/CONCLUSIONS**

The proposed extensions are considered to preserve and enhance the character and appearance of the 1911 Exhibition House, and as such, preserve the character and appearance of the Gidea Park Conservation Area. Accordingly, it is recommended that planning permission be granted subject to conditions.

## **RECOMMENDATION**

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

### **1. S 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:-

**2. M SC09 (Materials)**

Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the extensions, including render, brick, tile and other roofing materials as well as the proposed fenestration 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. S SC32 (Accordance with plans)**

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

Reason:-

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

**4. SC34 (Obscure glazing) ENTER DETAILS**

The proposed windows, namely the first floor en-suite bathroom window in the south side elevation of the dwelling and the proposed high level ground floor window in the side elevation of the single storey rear extension, shall be permanently glazed with obscure glass and thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason:-

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

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

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

Reason:-

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

**6. S SC48 (Balcony condition)**

**6. S SC48 (Balcony condition)**

The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

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

**7. Non standard condition**

Prior to the commencement of the development hereby permitted, a detailed specification shall be submitted to and approved in writing by the Local Planning Authority for a) the windows to be refurbished (on a window by window basis). The works shall be carried in strict accordance with the agreed specification.

Reason: To preserve the character and appearance of the original house and the character of the Gidea Park Conservation Area.

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**INFORMATIVES**

**1 Approval following revision**

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.

<b>APPLICATION NO:</b>	<b>P0133.14</b>	
<b>WARD :</b>	Heaton	<b>Date Received:</b> 10th February 2014 <b>Expiry Date:</b> 26th February 2015
<b>ADDRESS:</b>	Land to the R/O 70 Straight Road Romford	
<b>PROPOSAL:</b>	Creation of 1 No. 2 bed bungalow. Revised Plans received 8/7/2014 an revised description	
<b>DRAWING NO(S):</b>	X10 PL60 PL61 PL62	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report given at the end of the report.	

### **CALL-IN**

The application has been called before the Regulatory Services Committee by Councillor Steven Kelly for consideration as the applicant has reduced the number of bungalows from two to one.

### **SITE DESCRIPTION**

The site is to the rear of No. 70 and 70a Straight which consists of a inter-war semidetached house which has recently been extended to form a terrace of 3 dwellings. The site is situated on the eastern side of Straight Road, within a predominantly residential area to the north east of the centre of Romford. The site has at the front onto Straight Road and Appledore Close to the rear.

The site is adjoined to the north by a public footpath which gives pedestrian access to Appledore Close to the rear of the site.

Ground levels fall away to the rear of the site. The surrounding area is residential in character and comprises of two storey terraced dwellings with the exception of a vehicle service yard to the north.

### **DESCRIPTION OF PROPOSAL**

The applicant proposes a 2-bedroom detached bungalow to the rear of No. 70 and 70a Straight Road. The proposed bungalow would measure 8.7m in overall depth and 10.3m in width. The bungalow will be finished with a hipped ended roof to a height of 2.6m to eaves and 4.9m to the ridge. The proposed bungalow would consist of a kitchen/lounge area, bathroom and 2 no. bedrooms. The bungalow will be set approximately 1m off the northern and southern boundaries and 3.4m off the rear (western) and front (eastern) boundaries. Parking space would be provided for 1 vehicles on a hardstanding to the front of the bungalow. Access to bungalow would be gained via an approximately 3m wide access off Appledore Close.

### **RELEVANT HISTORY**

P1213.13 - Creation of 2 no. 1-bed bungalow dwellings  
Withdrawn 16-12-2013

- P1442.12 - Proposed creation of new 2 Bedroom dwelling  
Apprv with Agreement 01-04-2014
- P1904.11 - Single/two storey side/rear extension  
Apprv with cons 05-03-2012
- P1409.10 - Three bedroom dwelling to the side of the existing house.  
Refuse 09-12-2010
- P1641.08 - erection of a two bed room infill house to the side of the existing house  
Lapsed application 21-12-2011
- P1319.08 - Erection of new house  
Withdrawn 16-09-2008
- P0256.08 - Erection of a 2 bedroom infill house to the side of the existing house  
Refuse 09-06-2008
- P0385.91 - Conversion to residential home for The Elderly including 2 storey side & rear extension, single storey front and rear extensions and dormer windows  
Refuse 18-07-1991

### **CONSULTATIONS/REPRESENTATIONS**

Neighbouring notification letters were sent to 62 neighbouring occupiers and 9 letters of objection were received objecting to the proposal on the grounds, among other things, not sufficient parking and traffic problems, over-development of the site, out of keeping with surrounding area, increase in noise and pedestrian safety.

The London Fire and Emergency Planning Authority Brigade has raised no objection to the proposal.

Environmental Health requested soil and land contamination conditions. Also, a conditions is requested for sound insulation and limited construction hours.

The Highways Authority have raise an objection to the lack of sufficient parking provided.

### **RELEVANT POLICIES**

#### LDF

- CP1 - Housing Supply
- CP17 - Design
- DC2 - Housing Mix and Density
- DC3 - Housing Design and Layout
- DC33 - Car Parking
- DC35 - Cycling
- DC61 - Urban Design
- DC72 - Planning Obligations
- SPD9 - Residential Design SPD

#### OTHER

LONDON PLAN - 3.3 - Increasing housing supply

## OTHER

LONDON PLAN - 3.4 - Optimising housing potential  
LONDON PLAN - 3.5 - Quality and design of housing developments  
LONDON PLAN - 3.8 - Housing choice  
LONDON PLAN - 6.13 - Parking  
LONDON PLAN - 6.9 - Cycling  
LONDON PLAN - 7.4 - Local character  
LONDON PLAN - 8.3 - Community infrastructure Levy  
NPPF - National Planning Policy Framework

## **MAYORAL CIL IMPLICATIONS**

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 63m<sup>2</sup> and amounts to £1260.

## **STAFF COMMENTS**

The main considerations in this case are the principle of development, the density, layout, scale, design and the impact of the development in the street scene, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

## **PRINCIPLE OF DEVELOPMENT**

In deciding whether the development of the rear garden land, for the erection of a new detached dwelling, provides justification for such a development, it is of relevance to consider the change in government policy which involved the revision to delete gardens from the classification of "previously developed land" as contained within the National Planning Policy Framework.

This does not mean that such development is automatically unacceptable, but it results in the presumption in favour of its development, as previously developed land, being removed. As a result, any application has to be determined on its merits in line with development plan policy and taking into account other material considerations.

## **DENSITY/SITE LAYOUT**

The site is located within a low ranked Public Transport Accessibility Level Zone (PTAL 1-2). Within this zone, housing density of between 30-50 dwellings per hectare is anticipated. The site comprises 0.048ha. The proposal would produce a density of 62 dwellings per hectare. In this instance the density is above the density range, however density on its own may not be a reason for refusal as other design issues should also be considered.

The proposed dwelling would be served by usable amenity areas to the rear and front totalling approximately 53m<sup>2</sup>. Also, the amenity space of No. 70 and 70a Straight Road would be reduced to approximately 51m<sup>2</sup> and 33m<sup>2</sup> respectively. The level of provision to the proposed and existing dwellings are considered to be unsatisfactorily for the size of development and given the size of existing gardens to established properties in the immediate area. The amenity space provided to the existing dwelling and proposed bungalow would be inadequate and insufficient for the requirements of day to day living, out of keeping with the surrounding properties.

In broader layout terms, the proposed bungalow in the rear garden environment, given its position close to neighbouring boundaries and small rear garden, would result in development which would appear cramped and uncharacteristic in the rear garden environment and surrounding area. Staff are of the opinion that the proposal would stand out as a separate entity and would not integrate well within this rear garden environment and surrounding area.



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

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

According to Policy CP2, sustainable, attractive, mixed and balanced communities should be created by ensuring that the required sizes and types of new housing are compatible with the prevailing character of the surrounding area and ensuring that in their design and layout, new homes provide for the lifetime of households.

In line with the National Planning Policy Framework, and with regard to the above guidance, the Council requires good design in new housing developments in order to create attractive, safe and secure, high-quality living environments which are sustainable and where people will choose to live.

Staff do not consider the proposal to be compatible with the streetscene given that the prevailing character is of two storey terraced dwellings. The proposal will introduce a bungalow at the end of a cul-de-sac which is out of keeping with the prevailing character of the streetscene.

The proposal is also considered to be out of keeping with the rear garden environment of the properties situated along Straight Road as it would result in a more compact and tighter layout than is the norm in the locality. It would be on a site of restricted area, with greater building site coverage and would have a significantly smaller garden than most other houses in the surrounding area. Due to this, it would be out of character. In addition, in this location, the fact that there would be a sizeable development where none existed previously, would mean that it would erode the open character of this rear garden scene, in which the proposed bungalow would be sited.

## **IMPACT ON AMENITY**

The Residential Design SPD states that the provision of amenity space is a key consideration for new residential developments and every home should have access to suitable private and/or communal amenity space through one or more of the following: private gardens, communal gardens, courtyards, patios, balconies and roof terraces. Amenity space is proposed to the rear and front of the property. Staff do not consider the amenity area to the rear to be suitably private as it would only be 8m away from the first floor bedroom window situated to the rear of 70a Straight Road.

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

Staff do not consider the proposal to result in a loss of amenity to neighbouring occupiers in terms of overlooking as there are no windows proposed at first floor and any overlooking from the ground floor windows would be restricted by high boundary fences.

## **HIGHWAY/PARKING**

Policy DC33 seeks to ensure all new developments make adequate provision for car parking. The application site falls within an area with a PTAL rating of 1 - 2 which means that the site has low level of accessibility to public transport. PTAL Zone 1-2 anticipates 2-1.5 car parking spaces

for each property. In this instance, 1 no. spaces are proposed. Staff consider the shortfall to be unacceptable as it would result in an overspill of vehicles into Appledore Close to the detriment of Highway safety.

### **OTHER ISSUES**

With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days. The development in close proximity to Appledore Close and no concerns are therefore raised regarding refuse collection.

Provision for storage of cycles will be conditioned in the event of an approval.

### **SECTION 106**

In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £6,000 to be used towards infrastructure costs arising from the new development is required. This should be secured through a Unilateral Undertaking in the event that Members are minded to approve the application.

### **KEY ISSUES/CONCLUSIONS**

The proposal in its current form would be a cramped development, uncharacteristic in the back garden environment and considered by staff to be harmful to the character of the surrounding area. Furthermore, the amount and quality of amenity space provided is considered to be unacceptable and inadequate facility for off street parking is proposed.

It is therefore considered that the proposal fails to satisfy Policies CP1, CP17, DC2, DC3, DC33, DC61 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and a refusal is recommended accordingly.

### **RECOMMENDATION**

It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

#### **1. Reason for refusal - Streetscene**

The proposed development would, by reason of its bungalow design and position within the rear garden environment would appear as a visually intrusive feature in the Appledore Close street scene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

#### **2. Reason for refusal - Density/over-development**

The proposed development would, by reason of the restricted plot size and positioning of the building close to the boundaries, as well as the limited provision of amenity space, result in a cramped over-development of the site to the detriment of the amenity of future occupiers and the character of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

#### **3. Refusal non standard Condition**

The proposal, by reason of the location of the amenity space, does not provide for

sufficiently private and usable amenity space, thereby harmful to the privacy and amenity of the future occupiers of the bungalow, contrary to the provisions of the Residential Design SPD and Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

**4. Refusal non standard condition**

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

**5. Reason for Refusal - Planning Obligation**

In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document.

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**1 Refusal - No negotiation**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than negotiation, was in this case appropriate in accordance with para 186-187 of NPPF

**2 Refusal and CIL (enter amount)**

The proposal, if granted planning permission on appeal, would be liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be ££1260. Further details with regard to CIL are available from the Council's website.

<b>APPLICATION NO:</b>	<b>P1381.14</b>	
<b>WARD :</b>	Emerson Park	<b>Date Received:</b> 6th October 2014 <b>Expiry Date:</b> 1st December 2014
<b>ADDRESS:</b>	39 Nelmes Way Hornchurch	
<b>PROPOSAL:</b>	Demolition of existing bungalow and erection of a 5 bedroom double storey dwelling house	
<b>DRAWING NO(S):</b>	PL01 PL02 PL06 PL07 PL08 PL09 PL03A PL04A PL05A PL10A	
<b>RECOMMENDATION :</b>	It is recommended that <b>planning permission be REFUSED</b> for the reason(s) given at the end of the report given at the end of the report.	

## **CALL-IN**

This application has been called-in to the Committee by Councillor Ower on the grounds of consistency with other decisions in the area.

## **SITE DESCRIPTION**

The application relates to the property at 39 Nelmes Way, Hornchurch. The site is located on the corner of Nelmes Way and Nelmes Crescent and comprises a single storey detached bungalow of approximately 151.5 sqm. The property is set back from both Nelmes Way and Nelmes Crescent, with a garden to the front and sides and a driveway accessed from Nelmes Crescent.

The site lies in an established residential area predominantly comprising 2 storey detached properties.

The site falls within the Emerson Park Policy Area Sector 2 as designated by policy DC69 of the Core Strategy and Development Control Policies DPD.

## **DESCRIPTION OF PROPOSAL**

The proposal is for the demolition of the existing bungalow and erection of a five bedroom two storey dwelling house of approximately 234sqm with accommodation in the roof and a conservatory on the southern side elevation.

The proposal also comprises a detached out building of 41.8sqm and an outdoor swimming pool in the garden to the south east of the proposed dwelling.

Vehicular access will continue to be from Nelmes Crescent and an additional access point is

proposed on Nelmes Way, creating a driveway through the site to the north west of the proposed dwelling. Three off street parking spaces are proposed.

The proposed dwelling will be brick with a slate hipped roof, with two front dormers. Double entrance doors are proposed with a canopy supported by columns on the front elevation. The proposed conservatory will have a glass roof and bi-folding doors.

It is proposed that the ground floor will contain the kitchen, dining and living area, study, reception room and integrated single garage. The first floor will comprise 4 bedrooms, 3 with en-suite and family bathroom. A home cinema and en-suite bedroom are proposed in the roof.

## **RELEVANT HISTORY**

None

## **CONSULTATIONS/REPRESENTATIONS**

Notifications were sent to 15 neighbouring properties. One comment was received which raised concerns regarding the obstruction to traffic flow in the area during the construction period and the need to keep this disturbance to a minimum.

The Fire Brigade did not raise an objection to the proposal.

Highways did not raise an objection to the proposal subject to conditions and informatives being attached in event of an approval. The conditions relate to pedestrian visibility splays, vehicular access and vehicle cleansing. The informatives relate to changes to the public highway, highway legislation and temporary use of the public highway.

Public protection did not raise an objection to the proposal subject to a condition relating to noise being attached in the event of an approval.

Environmental Protection did not raise an objection to the proposal but recommends conditions relating to contaminated land be attached in the event of an approval.

The London Fire and Emergency Planning Authority did not raise an objection to the proposal but observed that a pump appliance should be able to approach to within 45m of all points within the dwelling.

## **RELEVANT POLICIES**

### LDF

- CP17 - Design
- CP2 - Sustainable Communities
- DC11 - Non-Designated Sites
- DC2 - Housing Mix and Density
- DC3 - Housing Design and Layout
- DC33 - Car Parking
- DC35 - Cycling
- DC61 - Urban Design
- DC63 - Delivering Safer Places
- DC69 - Other Areas of Special Townscape or Landscape Character
- DC7 - Lifetime Homes and Mobility Housing
- SPD4 - Residential Extensions & Alterations SPD

LDF

SPD5 - Emerson Park Policy Area SPD

SPD9 - Residential Design SPD

OTHER

LONDON PLAN - 3.4 - Optimising housing potential

LONDON PLAN - 3.5 - Quality and design of housing developments

LONDON PLAN - 3.8 - Housing choice

LONDON PLAN - 5.12 - Flood risk management

LONDON PLAN - 6.13 - Parking

LONDON PLAN - 6.9 - Cycling

LONDON PLAN - 7.1 - Building London's neighbourhoods and communities

LONDON PLAN - 7.3 - Designing out crime

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 8.3 - Community infrastructure Levy

NPPF - National Planning Policy Framework

**MAYORAL CIL IMPLICATIONS**

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. Havering's Mayoral CIL rate is £20 per sqm. The applicable fee is based on the net additional gross internal floorspace.

The proposed new dwelling will create a total gross internal floorspace of 535sqm and will result in the demolition of 133sqm of existing gross internal floorspace. This equates to a net additional gross floorspace of 402sqm (535sqm -133sqm)and a Mayoral CIL payment of £8040.00 (402sqm x £20).

**STAFF COMMENTS**

The main considerations relate to the site layout, the impact on the character and appearance of the street scene and wider character of the Emerson Park Policy Area and the implications for the residential amenity of the future occupants and of neighbouring properties.

**PRINCIPLE OF DEVELOPMENT**

Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The continued use of the site for residential purposes is therefore acceptable in principle and in accordance with Policy CP1.

The application site lies within the Emerson Park Policy Area. As such, any development is expected to retain the character of the area typified by a generous level of landscaping. Development will not be permitted unless its massing and architectural character and the resultant spaces between buildings are compatible with the character of the local street scene.

More specifically the development site lies within Sector 2 of the Emerson Park Policy Area which contains in the main, medium sized family houses. Development must comprise detached, single family, individually designed dwellings.

In line with the above, the proposal is acceptable in principle, subject to the details also being acceptable.

## **DENSITY/SITE LAYOUT**

London Plan Policy 3.5 sets minimum space standards for new dwellings. The property has a gross internal floorspace of 535sqm which is far in excess of the minimum standards and is considered acceptable.

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

The proposed rear private amenity space will be well in excess of 200sqm and therefore of adequate size for a five bedroom property. The proposed swimming pool is located in the south-eastern corner of the garden and is located in the most private part of the garden, although it will be subject to overlooking from 41 Nelmes Way.

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

The proposal will result in a dwelling that is significantly larger both in terms of height and footprint than the existing property. The proposed new dwelling will have a footprint of 234sqm, which is 82.5sqm larger than that of the existing property. Whilst there are numerous examples of large properties in Emerson Park, the corner location and extensive front and side garden make this a particularly prominent location.

The proposed new dwelling is of significant scale and mass. The footprint is both wider and deeper than the dwelling it replaces and the building is substantially higher than the existing bungalow, at approximately 8.3m high to ridge. The overall scale, bulk and width of the property is considered to be such that it will have an overly intrusive and dominating impact on the street scene of Nelmes Way and Nelmes Crescent. The width of the dwelling is exacerbated by the single storey element to the side of the building and the scale of development increased by the addition of an outbuilding, located forward of the building line of the proposed dwelling in Nelmes Way.

The location of the outbuilding on Nelmes Way, to the front of the dwelling, is considered to be inappropriate due to the negative impact it will have on the street scene.

Officers consider that the proposal would stand out as an overly large and prominent addition in the streetscene at this corner location and relate poorly to the scale of neighbouring development in Nelmes Crescent and have a material adverse impact on the street scene of Nelmes Way and this is considered to be sufficient to justify refusal of planning permission. However, it is noted that the acceptability of the impact on the street scene is a matter of judgment and Members may reach a different view in this respect.

The proposal is of a modern design with brick walls, slate roof tiles and glazed feature on the side elevation. Nelmes Way consists of a varied range of residential design and styles and as such the modern design is acceptable.

The front building line of the proposed dwelling would be in-keeping with other properties on Nelmes Way although the dwelling would project well to the front and rear of the adjacent property in Nelmes Crescent, albeit without any significant detrimental impact upon amenity.

With regards to the front boundary treatment, Nelmes Way is characterised by similar types of

front boundary treatment ranging from 1 to 2 m in height consisting of brick walls, railings and sliding and outward/inward opening gates. The proposal reflects what is elsewhere in the street and is considered acceptable.

### **IMPACT ON AMENITY**

Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties and should not have an unreasonably adverse impact.

There would be no significant adverse impact on the amenities of adjoining dwellings. Whilst the building would be much more visible and appear closer, the proposed siting on the plot would accommodate the extended building without any significant adverse impacts. There would be no overlooking issues and given the separation the new dwelling would not appear overbearing from the nearest residential properties. Therefore, the proposals would be in accordance with Policy DC61 in terms of impact on amenity.

### **HIGHWAY/PARKING**

Provision is made for 3 parking spaces for the proposed new dwelling. This is above the standards set out in Policy DC2 of the Core Strategy and Development Control Policies DPD and is therefore considered to be acceptable.

No details have been provided of cycle parking provision, however this could be secured by condition.

### **KEY ISSUES/CONCLUSIONS**

Having regard to all relevant factors and material planning considerations officers are of the view that this proposal would not be acceptable.

Officers are of the view that due to the scale and massing of the proposed dwelling this will create an intrusive and prominent structure resulting in a material harm to the street scene

The proposal is therefore considered to be contrary to policy and it is recommended that planning permission is refused.

### **RECOMMENDATION**

It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

#### **1. Reason for refusal - Streetscene**

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

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#### **1 Refusal - No negotiation**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal, rather than



negotiation, was in this case appropriate in accordance with para 186-187 of the National Planning Policy Framework 2012.

<b>APPLICATION NO:</b>	<b>P1540.14</b>	
<b>WARD :</b>	Upminster	<b>Date Received:</b> 5th November 2014 <b>Expiry Date:</b> 31st December 2014
<b>ADDRESS:</b>	Park Corner Farm Park Farm Road Upminster	
<b>PROPOSAL:</b>	Demolition of existing conservatory and replace with a two storey rear extension  Revised Plans Received 05.12.2014	
<b>DRAWING NO(S):</b>	101-01 101-02 101-03 101-04 101-03 showing volume calculations 101-04 showing volume calculations Photocopy of article titled 'Hacton in the 1920s' by Peter Hills	
<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.	

## **SITE DESCRIPTION**

The application site is located on the northern side of Park Farm Road, at its junction with Hacton Lane and Berwick Pond Road. The residential curtilage of the site is some 100m away from this junction. The residential curtilage consists of one two-storey dwellinghouse with a single storey rear conservatory, which is some 17m from the Park Farm Road boundary. There are also four outbuildings associated with the dwelling on site.

The subject dwellinghouse is isolated from other dwellinghouses, as the closest one is some 130m west of the site on Hacton Lane. There are a number of farm buildings adjacent to the application site within neighbouring properties, including a large heritage barn which is to the north-east of the site, and another large barn to the south-east of the site adjacent to the Park Farm Road boundary. The application site is located within the green belt.

## **DESCRIPTION OF PROPOSAL**

The application proposes to remove the existing rear conservatory at ground floor level and erect a part one, and part two storey rear extension with balcony and double gabled roof.

The ground floor extension would measure between 5.25m to 6.15m deep, and 11.7m wide, whilst the first floor extension would be between 3.2m to 4.1m deep by 11.7m wide. The extension including the new roof space would have a total volume of 353 cubic metres.

## **RELEVANT HISTORY**

There is no planning history on site which is relevant to the subject application.

According to the applicant, the original farm house for Park Corner Farm was located further north-east of the application site, closer to the heritage barn as previously mentioned. The original farm house was bomb damaged and a subsequent new farm house was built in the

current form in its current location in the 1950s.

Building Regulation records verify the form and extent of the building as it currently exists.

P0814.14 - Extension to existing 25m high lattice tower to 28.5m and associated works  
Apprv with cons      07-10-2014

### **CONSULTATIONS/REPRESENTATIONS**

The proposal was advertised by way of a site notice and in the local press as development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development Control Policies Development Plan Document.

Four neighbouring occupiers were consulted. No letters of representation were received.

### **RELEVANT POLICIES**

Policies CP14 (Green Belt), CP17 (Design), DC33 (Car Parking), DC45 (Green Belt) and DC61 (Urban Design) of the LDF Core Strategy and Development Plan Document are considered material, together with the Residential Extensions and Alterations Supplementary Planning Document.

Policies 6.13 (parking), 7.4 (local character) and 7.16 (green belt) of the London Plan 2011 are relevant.

Chapters 7 (Requiring good design) and 9 (Protecting Green Belt land) of the National Planning Policy Framework are relevant.

### **MAYORAL CIL IMPLICATIONS**

The proposed extensions have a gross internal floor area of 57 square metres and as such, are not liable for Mayoral CIL.

### **STAFF COMMENTS**

The subject application is brought forward to the Regulatory Services Committee as it is partially inconsistent with Policy DC45 of the LDF Core Strategy and Development Control Policies DPD, adopted 2008. More specifically, the proposed extensions would result in the finished building exceeding 50% of the cubic capacity of the original dwelling.

For purposes of this application, the existing dwelling on site is considered to be the 'original' dwelling on the basis that the original farm house no longer exists, and there are no plans and documents to verify its form.

### **PRINCIPLE OF DEVELOPMENT**

The application site falls within the Metropolitan Green Belt.

Chapter 9 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Subject to any extensions being proportionate therefore, this form of development can be acceptable in principle.

Where extensions are considered to be disproportionate and therefore inappropriate, such applications should not be approved except in very special circumstances. The NPPF advises

that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In this case, the use of the proposed development is considered to be appropriate as it is a residential domestic extension to an existing dwelling and is not creating a change of use in the Green Belt. The proposed extension is also considered to be acceptable as it is proportionate to the host dwelling and attempts to replicate the double-gabled form of the original farm house on site before it was bomb damaged, whilst also largely retaining the form of the host dwelling.

### **GREEN BELT IMPLICATIONS**

As indicated above, the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

The volume of the existing dwelling (minus the rear conservatory as this was a later addition) is 495 cubic metres, whilst the volume of the proposed addition is 353 cubic metres, which constitutes an increase of 71%. Although this is not consistent with Policy DC45, it is considered to be acceptable in this case given the site circumstances.

The proposal would not have an adverse impact on the perception of openness in the area, as it would not significantly alter its relationship with surrounding buildings. The closest point of the rear extension would be some 7.5m from the closest outbuilding, whereas the existing rear wall is also some 7.5m away from the same outbuilding. Although the extension may be visible from certain vantage points along Park Farm Road and Hacton Lane, it would not have a dominating impact on the streetscene or affect the perception of distance to other buildings. The extension is located to the rear of the dwelling and would largely be screened by the existing boundary treatment and windbreaker vegetation on the application site and neighbouring sites.

It is acknowledged that the subject dwelling is located amongst a cluster of other buildings including domestic and non-domestic outbuildings of various sizes, the proposal is not of an extent to alter the massing hierarchy between the surrounding buildings, especially when viewed against the backdrop of the large barns (located within the neighbouring property to the east). The proposal represents very limited infilling of an existing development rather than redeveloping it, and is not of an extent to visually merge the subject cluster of buildings to the next cluster (which is located over 130m to the west).

On this basis, it is considered that the proposed extension would not have an unacceptable impact on the open nature and character of the Green Belt in terms of its massing. Overall, Staff consider that the proposed extension would not result in disproportionate additions over and above the size of the original building and although contrary to Policy DC45 as it would in excess of 50%, does not constitute inappropriate development in the Green Belt when assessed against Chapter 9 of the NPPF.

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

Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must therefore respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context.

The proposed extension will not have a significant detrimental impact on the streetscene given it would be located to the rear of the host dwelling. The extension may be visible from some vantage points along Hacton Lane or Park Farm Road, however, its visual impact will be minimised by its physical separation from these boundaries, as well as its largely unchanged relationships with neighbouring buildings. Furthermore, the existing landscaping along the boundaries of the application site and neighbouring sites will further soften the proposal's visual impact to an extent where it would be de minimus.

The subject dwelling is well-isolated from other buildings of a similar scale (the closest being a large barn to the south-east some 30m away), and the proposed extension will not change its relationship with these buildings. The application site is very large, and the extension will not appear to be closer to any boundaries than existing due to the vastness of the site.

The proposal would not significantly alter the general form of the dwelling as it would still be a two-storey detached house. The proposed extension is to the rear of the dwelling and will not alter its width or height. The first floor extension will be stepped back from the ground floor extension, which replicates the existing relationship between the original dwelling and the existing rear conservatory. The twin gabled roof helps reduce the visual impact of the extension by shifting the visual focal point towards the centre of the roof and away from the side walls.

In light of the above, the proposal is considered to be appropriate and will not have a detrimental impact on the streetscene or the character of the surrounding area. This is consistent with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Extensions and Alterations SPD.

#### **IMPACT ON AMENITY**

As previously discussed, the proposal is well-isolated from neighbouring residential buildings, with the closest being over 130m to the east, off Hacton Lane. On this basis, the proposed development will have no impact on these properties in terms of overlooking, noise and disturbance, or shadowing and dominance.

The proposal is considered to be well-designed, with small high opening flank windows to avoid overlooking into any neighbouring property. It is noted that there would be a large balcony at first floor level which is some 23sqm in area. However, as previously discussed, the subject dwelling is isolated from other residential properties, and the terrace is facing the rear, which is towards the application site, and its view will be partially obstructed by an existing Weeping Willow tree.

#### **HIGHWAY/PARKING**

The proposal would have no impact on the safe and efficient operation of the highway network as there are no proposed changes to any parking areas or vehicle accesses.

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

The proposal is considered to be appropriate due to its proportion to the host dwelling, without fundamentally altering its form. The host dwelling has sufficient physical separation from other buildings of a similar scale so the proposal would not unbalance the setting of the built form in the area. The proposed extension is located to the rear of the dwelling and its visual impact will be softened by the boundary screening and on-site landscaping of the application site as well as neighbouring sites.

On this basis, the proposal would not have a detrimental impact on the integrity of the greenbelt,

nor would it have an adverse impact on the streetscene or the character of the area. The proposal would not affect the amenity of neighbouring properties.

The proposed development is considered to be consistent with relevant policy and guidance and it is recommended that planning permission be granted.

## **RECOMMENDATION**

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 accord 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.

### **3. SC10 (Matching materials)**

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

Reason:-

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

### **4. SC62 (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.

**INFORMATIVES**

**1 Standard Green Belt Informative**

The application property is within the Metropolitan Green Belt where there are restrictions over development. In view of those extensions which have already taken place and/or been granted permission, it should not be assumed that further extensions will be agreed.

**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**

8 January 2015

**Subject Heading:**

P1439.14 – Wykeham Primary School,  
Rainsford Way, Hornchurch

Demountable nursery building to the  
playing field at Wykeham Primary School  
- Retrospective (received 17/10/14)

**Report Author and contact details:**

Suzanne Terry  
Interim Planning Manager  
suzanne.terry@havering.gov.uk  
01708 432755

**Ward**

Hylands

**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**

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 application site is Council owned. The application seeks retrospective planning permission for a demountable nursery building to the playing field at Wykeham Primary School. 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. 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.

2. Hours of use – The demountable building and the associated play area shall not be used for the pre-school nursery hereby permitted other than between the hours of 08:00 and 18:00 on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

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

3. Restricted use - Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the demountable building hereby permitted shall be used for a pre-school nursery only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 and D2 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the 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 is Wykeham Primary School, which is accessed from Rainsford Way and Barton Avenue. The site is bounded by a mixture of single and two storey detached, terraced and semi-detached residential properties with associated rear gardens. The demountable building and associated play area are located adjacent to the rear gardens of neighbouring properties in Barton Road, Saunton Road and Mansard Close.

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

- 2.1 The application seeks retrospective planning permission for a demountable nursery building to the playing field at Wykeham Primary School. The building has a width of 12.3 metres, a depth of 23.4 metres and a height of 2.8 metres. The space created provides three classrooms, toilets, store and an office. The building is located approximately between 4.7 and 6.4 metres from the eastern boundary and 17.5 metres from the southern boundary. There is a play area for the nursery, which is approximately 3.6 metres from the eastern boundary and abuts the southern boundary of the site. The pre-school is accessed from Barton Road and Mansard Close. The opening hours for the pre-school are between 8am and 6pm Monday to Friday. The nursery provides spaces for up to 60 children. There is a green shipping container located adjacent to two sheds and to the north of the building, which has a width of 2.4 metres and a depth of 6 metres.

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

- 3.1 There is extensive history, the most recent is listed as follows:

P0482.14 – Proposed new demountable nursery building to the playing field at Wykeham Primary School – Approved.

P0332.10 – Single storey children’s centre, incorporating general office multi-function/counselling rooms, crèche area, medical room, toilet facilities and secure fenced off external soft and hard landscaped areas – Withdrawn.

P0117.10 – Proposed external canopy/shade – Approved.

P1528.09 - Canopy/shelter in reception shelter – Approved.

P0983.09 – Canopy/shelter in reception playgroup – Approved.

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

- 3.1 The occupiers of 48 neighbouring properties were notified of this proposal. One letter of objection was received with detailed comments that have been summarised as follows:
- Access and parking.
  - Litter.
  - Access for emergency vehicles.
- 3.2 English Heritage – The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.
- 3.4 The Fire Brigade is satisfied with the proposal provided that the gateway from Barton Road is made available and has a minimum clear opening of 3.1m and the playground can support a pump appliance with a minimum carrying capacity of 14 tonnes.
- 3.5 Highway Authority – No objection.

## 5. **Relevant policies:**

- 5.1 Policies CP8 (Community needs), CP17 (Design), DC26 (Location of community facilities), DC29 (Educational Premises), DC32 (The Road Network), DC33 (Car parking), DC34 (Walking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design) and DC62 (Access) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 3.18 (Educational facilities), 3.6 (Children and young people's play and informal recreation facilities), 6.13 (Parking) and 7.4 (Local character) of the London Plan and Chapters 4 (Promoting sustainable transport), 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework are relevant.

## 6. **Staff Comments**

- 6.1 This proposal is put before the Committee owing to the land being Council owned and an objection being received. Planning permission was granted at the Regulatory Services Committee meeting on 26<sup>th</sup> June 2014 under application P0482.14 for a new demountable nursery building. There was a discrepancy regarding the dimensions of the demountable building referred to in the report for application P0482.14. Also, the demountable building that was sourced has a front canopy and different dimensions to that previously approved. In this case, the width of the building has increased from 9.8 metres to 12.3 metres and its height has increased from 2.2 to 2.8 metres. The issues arising in respect of this application are the principle of development, impact on the streetscene, amenity issues and parking and highways implications.

## 6.2 **Principle of Development**

- 6.2.1 The development is subject to aspects of DPD policies DC26 and DC61, which provide, in combination, that new development, including the provision

of community facilities, should not have a significant adverse effect on residential character and amenity. This will be assessed in the following sections of this report. Nurseries are accepted as being 'community facilities', where there is a requirement for places within the borough. The principle of development was deemed to be acceptable for application P0482.14. It is considered that the demountable nursery building to the playing field at Wykeham Primary School is acceptable in principle and complies with LDF Policy DC26.

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

6.3.1 It is considered the increased width and height of the building has not adversely affected the streetscene, given its relatively modest increase in proportions. Furthermore, the building is located approximately between 4.7 and 6.4 metres from the eastern boundary and 17.5 metres from the southern boundary and is largely screened by the adjacent neighbouring properties and their rear gardens, which helps to mitigate its impact. In addition, the building is single storey and remains relatively low in height at 2.8 metres with a flat roof, which minimises its bulk. Overall, it is considered that the demountable building integrates satisfactorily with the existing school building and has no material impact on the wider streetscene. Staff consider that the shipping container does not appear visually intrusive in the streetscene, as it is largely screened by two sheds and the northern elevation of the demountable building, its green colour minimises its prominence and its proportions are relatively modest.

### **6.3 Impact on amenity**

6.3.1 It is considered that the increased width and height of the demountable nursery building compared to that previously approved is not harmful to residential amenity, as the increase in its proportions is relatively modest, it is single storey, has a flat roof that minimises its bulk and is located approximately between 4.7 and 6.4 metres from the eastern boundary and 17.5 metres from the southern boundary. It is considered that the building does not result in any increased noise and disturbance compared to the previous approval, as the number of children for the nursery remains unchanged. The opening hours for the pre-school are from 08:00 to 18:00 Monday to Friday and are deemed to be acceptable as they remain the same as those previously approved.

6.3.2 It is considered that the nursery building and associated play area do not result in a significant loss of amenity (including overlooking) to neighbouring properties, as there is a separation distance of between approximately 13 and 30 metres between the eastern and southern boundaries of the application site and the rear elevation of neighbouring properties in Saunton Road, Barton Road and Mansard Close. It is considered that the fencing, trees and soft landscaping on the boundaries of the site help to buffer the noise from the nursery building and the associated play area and provide some screening.

6.3.3 Staff consider that the shipping container does not adversely impact on residential amenity, as it is set off the eastern boundary by approximately 3.8

metres, is largely screened by timber fencing, two sheds and the northern elevation of the demountable building, its green colour minimises its prominence and its proportions are relatively modest. Overall, it is considered that there are no reasonable grounds to base a refusal on harm to residential amenity.

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

6.4.1 The pre-school is accessed from Barton Road and Mansard Close. The Highway Authority has no objection to the proposals, as the number of children remain the same as that previously approved under application P0482.14. The numbers of staff for the pre-school remain unchanged with four full time and two part time staff. There are 35 car parking spaces within the application site which serve Wykeham Primary School. The pre-school itself does not change the pattern of arrivals and departures and on that basis; it is considered that the nursery does not result in any highway or parking issues.

#### **7. Conclusion**

7.1 Staff are of the view that the demountable nursery building to the playing field at Wykeham Primary School and the shipping container are acceptable, do not adversely impact on the streetscene or result in a significant loss of amenity to neighbouring occupiers. It is considered that the nursery does not create any highway or parking issues. The demountable building and shipping container are considered to be acceptable in all other respects and it is therefore recommended that retrospective planning permission be granted subject to conditions.

### **IMPLICATIONS AND RISKS**

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

None.

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

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

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

None.

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

The Council's planning policies are implemented with regard to Equalities and Diversity. The proposal enables the continued provision of a nursery facility on the site, which benefits the wider community.

**BACKGROUND PAPERS**

Application forms and plans received 17/10/2014.

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

8 January 2015

**Subject Heading:**

P1103.14 – Buddies School of Motoring,  
9-11 Chase Cross Road, Romford

Demolition of the existing building and the construction of a new A1 ground floor unit and two, one bedroom self-contained flats above. Provision of onsite parking: 9 spaces for retail (application received 22/8/14; revised plans received 2/10/14).

**Ward**

Havering Park

**Report Author and contact details:**

Suzanne Terry  
Interim Planning Manager  
suzanne.terry@havering.gov.uk  
01708 432755

**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**

- 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]
- Valuing and enhancing the lives of our residents [x]
- Delivering high customer satisfaction and a stable council tax [ ]

**SUMMARY**

This report concerns an application for the demolition of the existing building and the construction of a new A1 retail store on the ground floor with 2 no. one bedroom self-contained flats above. The provision for onsite parking comprises of 9 car spaces for the retail store. A Section 106 Legal Agreement is required for the review, advertisement and installation of loading facilities within Clockhouse Lane, to prevent any residential occupiers from obtaining residents parking permits in the area and to secure a financial contribution in accordance with the Planning Obligations Supplementary Planning Document. Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal 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 would be £2,180. This is based on the creation of 109 sqm of new gross internal floor space.

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

- A financial contribution of £25,000 prior to commencement to be used for the review, advertisement and installation of loading facilities within Clockhouse Lane.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme
- A financial contribution of £12,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement, prior to completion of the agreement, irrespective of whether the agreement is completed;

- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

1. Time limit - The development hereby permitted shall not be commenced later than three years from the date of this permission.

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

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

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

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

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 - Before the development hereby permitted commences, details of the proposed refuse storage and recycling facilities to be provided at the site for the use, together with arrangements for refuse disposal and details of recycling and collection shall be submitted to and approved in writing by the Local Planning Authority. The facilities as approved shall then be provided at the site prior to the commencement of the use and retained at the site thereafter in accordance with the approved drawings at all times.

**Reason:** In order to ensure that any such facilities respect the visual amenity of the locality, and the amenity of surrounding residents.

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

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

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

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

9. Car parking - Before the building(s) hereby permitted is first occupied, the area set aside for car parking 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 and details of measures to be employed to ensure that the residential parking spaces are kept as such shall be submitted prior to the first occupation of the retail unit.

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

10. Hours of construction – 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.

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

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

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

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

12. Boundary fencing - Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority 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. Land contamination - (1) Prior to the commencement of any works or occupation of the site, 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 or occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

14. Land 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 to the 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. 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.

17. Vehicle access - The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the commencement of the development.

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

18. Sound insulation – Prior to the commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floors and ceilings separating the commercial part(s) of the premises from the residential premises above. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  is enhanced by at least 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the 'Good' criteria of BS8233:1999 within the residential premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

**Reason:** To ensure that the amenity of occupiers of the development site are not adversely affected by noise.

19. External noise level – Prior to the commencement of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/machinery/equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery and equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:1997 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

**Reason:** To ensure that the amenity of occupiers of the development site and surrounding properties are not adversely affected by noise from plant, mechanical installations and equipment.

20. Hours of Use - The retail store hereby permitted shall not be used for the purposes hereby permitted other than between the hours of 07:00 and 23:00 on any day 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 the LDF Development Control Policies Development Plan Document Policy DC61.

21. Details of trolley bays - Prior to first occupation of the retail store hereby permitted, details of any external trolleys and trolley bays shall be submitted to and approved by the Local Planning Authority. Once approved, they shall be implemented in accordance with the approved details and retained thereafter.

**Reason:** To protect residential amenity and on highway safety grounds in accordance with Policies DC61 and DC32 of the LDF Development Control Policies Development Plan Document.



22. Delivery and servicing hours - No deliveries or servicing shall take place other than between the hours of 06:00 and 22:00 any day 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 the LDF Development Control Policies Development Plan Document Policy DC61.

23. Delivery and servicing plan –Prior to commencement of the development hereby approved a delivery and servicing plan (DSP) shall be submitted to and agreed in writing by the Local Planning Authority. The DSP shall include details of the servicing arrangements including the exact location, times and frequency of deliveries and collections, vehicle movements, silent reversing methods and quiet loading/unloading measures. The development shall thereafter be operated strictly in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity of occupiers of the development and surrounding premises are not adversely affected by noise, in the interests of pedestrian and highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC36.

24. Delivery Vehicles Specification - The delivery vehicles for the retail store hereby permitted shall have a maximum length of 11 metres unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interests of pedestrian and highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC36.

## 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. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via [DOCOMailbox.NE@met.police.uk](mailto:DOCOMailbox.NE@met.police.uk) or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

3. 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. If new or amended access as required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

4. The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of 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 of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

5. 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. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

#### Planning Obligations

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

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

### REPORT DETAIL

#### 1. Site Description:

- 1.1 The site comprises of a two storey detached building with a retail/commercial use at ground floor with self-contained flats above. There is a single storey workshop to the rear of the site with pedestrian access from Clockhouse Lane. There is an area of hardstanding to the front of the site with access from Chase Cross Road. There is a bus stop adjacent to the front boundary

of the site. The site is located in the fringe area of Collier Row Minor District Centre. Chase Cross Medical Centre is located to the north east of the site. There is a parade of shops with residential accommodation above to the south west of the site.

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

- 2.1 The application is for the demolition of the existing building and the construction of a new A1 ground floor unit and two, one bedroom self-contained flats above. The building would be two storeys in height with a flat roofed single storey rear projection. There is a communal entrance for the flats adjacent to the south western boundary of the site. The provision for onsite parking comprises of 9 car spaces for the retail store.
- 2.2 The ground floor of the building would have a width of between 18 and 19.3 metres and a depth of 25 metres (not including the plant area and bin store). The first floor of the building would have a depth of between 8.8 and 10.6 metres. The two storey building would measure 5.7 metres to the eaves and a maximum of 8.7 metres to the ridge of the pitched roof. The flat roofed rear projection would have a height of 3.9 metres. External materials are indicated to be brickwork, render, concrete interlocking roof tiles, aluminium and uPVC windows and aluminium, timber and uPVC doors. A shop front is provided to the front elevation of the building. Any signage displayed on this shop front would be subject to a separate application for advertisement consent.

## **3. Relevant History:**

- 3.1 P1199.11 - Demolition of existing rear workshop and construction of five apartments, comprising 3No. 2-Bed and 2 no. 1-bed units, and revised internal layout to existing first floor residential unit at 9a Chase Cross Road – Approved.

P1616.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 3no. 2-bed and 2no. 1-bed units. New projecting bay window to existing first floor residential unit at 9A Chase Cross Road – Refused. Dismissed on appeal.

P0001.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 2no. 2-bed and 3no. 1-bed units - Refused.

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

- 4.1 The occupiers of 23 neighbouring properties were notified of this proposal. No letters of representation have been received.
- 4.2 The Fire Brigade is satisfied with the proposals. No additional fire hydrants are required.

- 4.3 Environmental Health – Recommend five conditions if minded to grant planning permission.
- 4.4 The Highway Authority does not object to the highway and servicing arrangements for the retail store but does object to the lack of parking provision for the flats. Recommends conditions regarding a pedestrian visibility splay, vehicle access, wheel washing, a construction method statement and the length of vehicle servicing the site and various informatives if minded to grant planning permission. In the event that planning permission is granted, it is requested that a Section 106 Legal Agreement is secured for the review, advertisement and installation of loading facilities within Clockhouse Lane and to prevent any residential occupiers from obtaining residents parking permits in the area

## **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP4 (Town centres), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC15 (Locating retail and service development), DC16 (Core and fringe frontages in district and local centres), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Shopfront Design Supplementary Planning Document, the Landscaping Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.
- 5.2 Policies 2.15 (town centres), 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 4.7 (Retail and town centre development), 4.8 (Supporting a successful and diverse retail sector), 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.
- 5.3 Chapters 1 (Building a strong, competitive economy), 2 (Ensuring the vitality of town centres), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities) and 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework are relevant.

## **6. Staff Comments:**

- 6.1 Staff consider the proposed development to be acceptable in principle. It is considered that the siting, design and scale of the proposed building is compatible with the prevailing scale and character of development within the

locality. Staff are of the view that the proposal would not result in a significant loss of amenity to neighbouring properties subject to the imposition of planning conditions. The Highway Authority objects to the lack of car parking provision for the two flats. Staff consider that the lack of off street car parking provision for two, one bedroom flats is acceptable in this instance and would not result in an unacceptable overspill onto adjoining roads, particularly as the Highway Authority seek a Section 106 undertaking to prevent any residential occupiers from obtaining residents parking permits in the area in the future, amongst other factors. Members are invited to apply their judgement as to whether the level of provision for the flats is acceptable.

## **6.2 Principle of Development**

6.2.1 The site is located in the fringe area of Collier Row Minor District Centre. Policy DC16 states that planning permission for A1 retail uses will be granted throughout the primary shopping area. It is considered that an A1 unit at ground floor with residential accommodation above would be acceptable in principle. There is no objection in principle to the demolition of the existing building.

## **6.3 Density and site layout**

6.3.1 Policy DC2 indicates a density requirement of 30-50 dwellings per hectare would be appropriate in this location. The proposal achieves a density of some 20 units per hectare on this 0.0996 hectare site, which is below the range indicated by Policy DC2.

6.3.2 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. The Residential Design SPD Document states that balconies should be incorporated into all flatted developments and should as a minimum be 1.5 metres in depth and 5 square metres in overall size to allow adequate space for a table and chairs. Both of the proposed balconies would have a depth and area which complies with policy. The balconies would be sufficiently screened to provide a sufficient degree of privacy and amenity for future occupiers.

6.3.4 In terms of layout Policy DC4 states that subdivided or converted residential units should have a safe secure access from the street and decent outlook and aspect. There is a front entrance for the residential units which provides safe and secure access. It is considered that the flats would have a reasonable outlook and aspect.

6.3.5 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and

to the wider environment. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. The London Plan seeks a minimum internal floor area of 50 square metres for a one bedroom, two person flat. The floor area of the flats is in accordance with the London Plan standards and therefore acceptable.

- 6.3.6 The remaining 'public' area within the development is largely hard surfacing and consists of parking provision with some soft landscaping. It is considered that the layout of the site is acceptable.

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

- 6.4.1 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 development is compatible with the character of the local street scene and the surrounding area. The site is located between a two storey parade of shops and a pair of semi-detached properties. In street scene terms, the provision of a two storey building with a gabled front projection is considered to be acceptable and would provide an articulated frontage. It is considered that the building would integrate satisfactorily with the prevailing scale and character of development within the locality. It is noted that the front building line for No.'s 7, 13 and 15 Chase Cross Road is staggered and the proposal respects this with a first floor front projection.
- 6.4.2 The proposed hipped roof minimises the bulk of the building. It is considered that the height of the building is acceptable and would appear in character with the streetscene. The proposed building would utilise a mixture of materials comprising brickwork, render, concrete interlocking roof tiles, aluminium and uPVC windows and aluminium, timber and uPVC doors. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring buildings. Full details of the samples of materials will be secured by condition if minded to grant planning permission.
- 6.4.3 It is considered that the single storey flat roofed rear projection of the building would integrate satisfactorily with the Clockhouse Lane streetscene, as its flat roof minimises its bulk and it would be partly screened by some advertisement hoardings and a brick wall in Clockhouse Lane. The proposal would replace an existing asbestos roofed workshop building to the rear of the site and the brickwork façade of the single storey rear projection would appear in character with the streetscene.

#### **6.5 Impact on amenity**

- 6.5.1 No. 7 Chase Cross Road is occupied by a restaurant at ground floor with a flat above at 7a Chase Cross Road. It is considered that the proposal would not result in a loss of amenity to No. 7 Chase Cross Road given the commercial use of the property and the flat at 7a Chase Cross Road flat does not feature any first floor flank windows. In addition, there would be a flank to flank

separation distance of between approximately 3.5 and 13 metres between the proposed building and 7 and 7a Chase Cross Road, with a triangular parcel of land in between. Also, 7 and 7a Chase Cross Road are sited at an oblique angle from the application site, which would help to mitigate the impact of the proposal.

- 6.5.2 It is considered that the proposal would not result in a significant loss of amenity to No.'s 13 and 15 Chase Cross Road, as they are occupied by Chase Cross Medical Centre, which is a commercial use.
- 6.5.3 Staff consider that the proposal would not result in a significant loss of amenity to the day nursery at 28 Clockhouse Lane, given its commercial use. The single storey rear projection (including the plant area) would be set off the rear boundary of the site by between approximately 2.6 and 5.5 metres, which would help to mitigate its impact. It is considered that the flats would not result in any undue overlooking or loss of privacy, as their rear façade would be set back between approximately 16 and 18 metres from the single storey rear projection of the building.
- 6.5.4 When reviewing the merits of this application, consideration was given to the fact that the proposal would replace an existing two storey building with a pitched roofed single storey workshop building to the rear of the site. The existing single and two storey building has a depth of approximately 32 metres and in comparison, the proposed single and two storey building has a depth of 25 metres (not including the plant area), although the proposed single storey element is substantially wider than the existing workshop building. The proposed single storey rear projection of the building features a flat roof, which minimises its bulk and Staff consider that it is not unduly high at 3.9 metres.
- 6.5.5 It is considered that the proposal would not create any additional overlooking over and above existing conditions, as the flats do not feature any flank windows and several first floor windows on the rear façade of the two storey building serve corridors to the flats, which are not habitable rooms. There is one first floor window on the rear façade of the two storey building, which serves an open plan kitchen, dining room and lounge and this is located adjacent to the north eastern boundary of the site.
- 6.5.6 This proposal is for the creation of a retail unit. It is considered that the traffic, both via car and foot, and general activity at and within the vicinity of the site from the proposed retail use, would be similar to that generated by the previous commercial use of the site including motor spares, car repairs and servicing. From this, it could also be reasonably concluded that the use of the premises along with customers entering and leaving the site, would give rise to a similar degree of impact in terms of noise and general disturbance, as its former commercial use. When reviewing the merits of this application, consideration was given to the fact that Chase Cross Road is a relatively busy main road which is served by bus routes with fairly high ambient noise levels throughout the week. Given the nature of this road, there is no reason to believe that these observations are unusual.

- 6.5.7 The operation of the retail unit during the core daytime hours is unlikely, in Staff's view, to be materially harmful to residential amenity given the ambient noise levels already present in this location. The proposed opening hours for the retail unit are between 7am – 11pm seven days a week. Staff consider that the opening hours are acceptable taking into account the former commercial use of the site. It is noted that the restaurant at No. 7 Chase Cross Road has similar opening hours of 9am -11pm every day including Bank and Public Holidays (approved under application P1129.08). The Tesco store at 316-318 Collier Row Lane has opening hours of 7am – 11pm Monday to Friday, 7am – 10pm on Saturday and 10am-4pm on Sunday. It is considered that the opening hours are acceptable and would not result in a significant loss of amenity to neighbours, although Members may however wish to apply their judgement to this aspect of the scheme.
- 6.5.8 Another form of noise which would be likely to result from this proposal is from deliveries and the associated unloading. Daily deliveries are required, as fresh produce deliveries are needed each day to maintain supply. A Delivery & Servicing Plan has been submitted with this application regarding the management of delivery and servicing activity for the proposed convenience store. Deliveries to the store will not take place outside of the hours 06.00 to 22.00 Monday to Sunday. The retail unit would be serviced north of the bus stop on Clockhouse Lane. At present, the servicing location is marked by double yellow lines and pay and display parking bays. The Plan states that the applicant will seek an amendment of the existing Traffic Management Order, which will allow the safe and efficient servicing from Clockhouse Lane. Deliveries from Clockhouse Lane will be transferred to the rear of the site by roll pallets.
- 6.5.9 The Delivery & Servicing Plan states that it is anticipated that the retail store will have two main deliveries per day which will be sufficient for daily customer trade. This will allow the retail occupant to transport recyclable materials and food waste in empty vehicles back to the respective depot, which reduces servicing trips. In addition to depot deliveries, it is likely that there will be approximately five direct deliveries made each day by third-party suppliers, such as bread, milk and newspapers. Also, there would be one weekly delivery of cigarettes. Therefore, the combined total of depot and direct deliveries is likely to be seven per day.
- 6.5.10 The Delivery & Servicing Plan states that the retail occupant approach to deliveries is to organise time windows, whereby staff know when to expect a delivery and so are in place to process it efficiently. Thus, service vehicles should not arrive at the same time. The retail unit manager will be responsible for co-ordinating servicing and delivery movements. The Delivery & Servicing Plan provides some useful general information, although more detailed plan will be secured by condition. Subject to the imposition of conditions limiting opening, delivery and servicing hours and requesting a more detailed servicing and delivery plan, it is considered that any noise impact arising would not be unduly harmful.



6.5.11 Environmental Health has recommended conditions regarding sound insulation and the transmission of noise from any new plant, machinery and equipment to ensure that this equipment does not result in noise nuisance.

## 6.6 Highway/parking issues

6.6.1 Policy DC36 seeks to ensure that new developments make adequate provision for servicing. The retail store would be serviced from Clockhouse Lane, which the Highway Authority has confirmed is acceptable, along with refuse collection for the residential element. The frontage at Chase Cross Road is not an acceptable place to service the site from the highway because of the impact on the bus stop and the pelican crossing. Clockhouse Lane has a bus stop in close proximity to the flank of the site and a further stop near the North Romford Community Centre. It is possible that a loading bay could be provided on Clockhouse Lane, subject to all other issues being reasonably addressed. The Highway Authority has confirmed that a condition limiting the maximum length of vehicle servicing to the site to 11 metres would be acceptable to overcome their concerns about turning lorries around in the Clockhouse Lane area.

6.6.2 In the event that planning permission is granted, the Highway Authority has requested a Section 106 contribution for the review, advertisement and installation of loading facilities within Clockhouse Lane. As there would potentially be changes to the bus stop layout in Clockhouse Lane, the Highway Authority seek a sum of £25,000 to be paid prior to commencement of the development and used within two years of payment.

6.6.3 The Highway Authority has advised that the existing vehicle access points to the site from Chase Cross Road will need amending based on the submitted plans and will require upgrading to deal with smaller delivery vehicles which might use the forecourt area. The proposals appear to reduce the length of the accessible kerb to the bus stop outside the site which is a concern. This is a busy bus stop and the Highway Authority wish to limit any changes to the normal height kerb. Given that nine spaces are to be provided for the retail unit, the Highway Authority would insist on a dropped kerb access, rather than a junction style as shown and this can be secured by condition. Staff are of the view that the parking and servicing arrangements for the retail unit are acceptable.

6.6.4 Car parking standards contained within the LDF recommend the provision of one off street parking space for 35-50 square metres of floor space for a retail shop. The proposal would result in a retail floor space of 415 square metres which equates to 8 to 11 spaces. The proposal would provide 9 off street parking spaces for the proposed retail unit, which the Council's Highway Authority deem to be acceptable.

6.6.5 For the residential use, the PTAL of the site is 3 (moderate) and the parking provision at the Collier Row district centre is 1 to 1.5 space per unit. The Highway Authority objects to the lack of car parking provision for the two flats.

Members will be aware that the Council's parking standards are maximum standards and as such it is appropriate to apply them flexibly having regard to site specific circumstances. Consideration should also be given to Government planning policy which encourages local planning authorities to be flexible with parking standards in areas where effective on-street parking control is present or can be secured. Consideration has been given to the town centre location of the site (enabling easy access to services and facilities) and being fairly well served by public transport, including bus routes.

- 6.6.6 Staff consider that the lack of off street car parking provision for two, one bedroom flats is acceptable in this instance and would not result in an unacceptable overspill onto adjoining roads, particularly as the Highway Authority seek a Section 106 undertaking to prevent any residential occupiers from obtaining residents parking permits in the area in the future. In order to make the best use of land, some compromise can be required and the compromise here is in relation to car parking for the flats. Indeed, in choosing whether to purchase/rent a property in such a location, potential occupants would be aware of the lack of car parking facilities prior to occupation. Taking these circumstances into account, Members are invited to apply their judgement as to whether the level of provision for the flats is acceptable.
- 6.6.7 There is provision for cycle spaces for the retail unit and the flats and further details would be secured by condition if planning permission were to be granted. Refuse storage for the retail unit and flats would be provided to the rear of the site and details would be secured by condition if minded to grant planning permission.

## **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. A CIL form was submitted with the application. The applicable fee is based on an internal gross floor area of (558 sq.m. – 449 sq.m.) 109m<sup>2</sup> which equates to a Mayoral CIL payment of £2,180 (subject to indexation).

## **8. Planning Obligations**

- 8.1 A Section 106 Legal Agreement is required to secure a financial contribution of £12,000 to be used towards infrastructure costs in accordance with Policy DC72 and the Planning Obligations Supplementary Planning Document.

## **9. Conclusion**

- 9.1 Staff consider the site to be acceptable in principle for the demolition of the existing building and the construction of a new A1 ground floor unit and two, one bedroom self-contained flats above. It is considered that the siting, design and scale of the proposed building is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and

would provide suitable amenity provision for future occupiers. The proposal is judged to be acceptable in respect of potential impact on adjacent residential properties subject to the imposition of planning conditions. There would be a financial contribution of £12,000 towards infrastructure improvements. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

## IMPLICATIONS AND RISKS

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

None.

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

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

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

None.

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

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

## BACKGROUND PAPERS

Application forms and plans received 22/08/2014 and revised plans received 2/10/14.

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# REGULATORY SERVICES COMMITTEE

8 January 2015

# REPORT

**Subject Heading:**

P1158.14 168 Hornchurch Road,  
Hornchurch

Demolition of vehicle workshop;  
construction of four residential apartments  
in new two storey building; construction of  
three residential apartments in existing  
residential and car showroom property;  
change of use to Class A1 and/or A2 retail  
use and/or car showroom in the ground  
floor car showroom together with ancillary  
development.

**Ward:**

Hylands

**Report Author and contact details:**

Suzanne Terry 01708 4322755  
suzanne.terry@havering.gov.uk

**Policy context:**

Local Development Framework  
Development Control Policies  
Development Plan Document

National Planning Policy Framework

London Plan

**Financial summary:**

Not applicable

**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	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input checked="" type="checkbox"/>
Value and enhance the life of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

## SUMMARY

The site lies within the urban area of Hornchurch and within a minor local retail centre. The mixed-use of the site is considered acceptable in principle in accordance with LDF policies and the guidance in the NPPF. The provision of seven new residential units would also help to meet Havering’s housing needs. The development would have no material adverse impact on residential amenity and the scale and form of the new built development would be in keeping with the character and appearance of the area. Overall the development would have a positive impact on the local streetscene. The continuation of car sales or a change to A1 or A2 use is considered acceptable in the minor local centre. Approval is recommended subject to the prior completion of a legal agreement and appropriate conditions.

## RECOMMENDATIONS

1. 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 £5,040 subject to indexation. This is based on the creation of a net increase of 252 sq. metres of new internal floor space.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
  - A financial contribution of £30,000 to be used towards infrastructure costs in accordance with the Policy DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and the Planning Obligations Supplementary Planning Document.
  - All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
  - The Developer/Owner to pay the Council’s reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.

- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That Head of Regulatory Services 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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. *Accordance with plans* - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (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. *Car parking* - No building shall be occupied or use commenced until the car/vehicle parking area shown on the approved plans has been completed, and thereafter, the area shall be kept free of obstruction and available for the parking of vehicles associated with the development

Reason: To ensure that there are adequate parking facilities to serve the development in the interests of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. *Materials* - The development hereby permitted shall not be commenced until samples of all materials to be used in the external construction of the buildings and hard landscaped areas have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

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

5. *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.

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.

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

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

7. *Secured by Design* - The development hereby permitted shall not be commenced until details of the measures to be incorporated into the development demonstrating how the principles and practices of the Secured by Design scheme have been included have been 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 and DC63 of the LDF Development Control Policies Development Plan Document.

8. *External lighting* - The development hereby permitted shall not be commenced until a scheme for the lighting of external areas of the development, including access roads, has been submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details and retained thereafter.

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

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. *Wheel washing* - The development hereby permitted shall not be commenced until details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during the construction works has been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained within the application site and used at relevant entrances to the site throughout the course of construction works.

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

11. *Construction methodology* - The development hereby permitted shall not be commenced until a scheme has been 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 that phase on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

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

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

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

12. *Pedestrian visibility splays*- Pedestrian visibility splays shall be provided, and thereafter maintained, on either side of the access onto Northdown Road of 2.1 by 2.1 metre 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.

13. *Landscaping* - No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local

Planning Authority a scheme of hard and soft landscaping, which shall include: i) 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, and ii) planting and turfing within the rear communal amenity area, including privacy screening for the private amenity area of the ground floor flat adjacent to Brooklands approach. 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.

14. *Alterations to the highway/vehicle access* - All necessary agreements, notices or licences to enable the proposed alterations to the Public Highway as required by the development shall be entered into prior to the commencement of development.

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

15. *Land contamination* - The development hereby permitted shall not be commenced until the developer has submitted for the written approval of the Local Planning Authority:

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

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 two parts:

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

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

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 and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

16. *Lifetime Homes* - The development hereby permitted shall not commence until a Lifetime Homes methodology statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate how the development will achieve Lifetime Home standards. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers in accordance with policy DC7 of the Havering LDF Core Strategy and Development Control Policies Development Plan Document and policy 3.8 of the London Plan.

17. *New building frontage* – No enclosure of the ground floor floorspace frontages for car sales, A1 or A2 uses under this planning permission shall take place except in accordance with details of the proposed design and construction that have been submitted to and agreed in writing by the local planning authority.

Reason: To protect the visual amenities of the area in accordance with LDF Development Control Policies Development Plan Document Policy DC61.

## **Informatives**

1. *DMO Statement* - 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. *Mayoral CIL* - 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 £5,040 (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. *Planning obligation* - The planning obligation required has 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.

4. *Temporary use of the highway* - If any 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. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.

5. *Highway alterations* – The Highway Authority advises 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. The necessary agreement, notice or licence to enable alterations to the public highway (including temporary works) must be entered into prior to the commencement of the works concerned. In order to obtain a licence for the works the applicant should contact Streetcare, Traffic & Engineering on 01708 433750 to commence the submission/licence approval process.

6. *Secured by Design* - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via [DOCOMailbox.NE@met.police.uk](mailto:DOCOMailbox.NE@met.police.uk) or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

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

1.1 The application site is located on the northern side of Hornchurch Road at the junction with, and to the eastern side of, Northdown Road. It comprises a car

showroom (currently vacant) and first floor residential accommodation. The workshop to the rear has now been demolished.

- 1.2 On the northern boundary is an access road to the commercial properties to the east of the application site. The surrounding area is mixed in character with commercial development along Hornchurch Road with residential accommodation above and residential to the north in Northdown Road. Opposite the site in Northdown Road is a car showroom. The application site is within the Hornchurch Road Minor Local Centre.

## **2. Description of Proposal**

- 2.1 The application proposes the conversion of part of the existing building to provide residential accommodation to the rear and above the retained frontage motor car showroom and erection of a two-storey building to the rear. There would be seven residential units in total, including those to be retained.

- 2.2 The proposal is as follows:-

i) Construction of two storey block on site of demolished workshop containing four two-bed duplex units with roof terraces;

ii) Retention of two first floor flats above the showroom, converted from a single three-bed unit under P0582.09;

iii) Conversion of part of existing car showroom to provide a single residential unit;

iv) Change of use of showroom to a flexible planning permission for Class A1, A2 or car showroom.

- 2.3 Two of the duplex units would front onto Northdown Road and the other two onto the proposed rear parking area. A single parking space would be provided to the front of the building with access from Northdown Road. Each unit would have its own private amenity space on the roof of the building amounting to about 12sqm each. The space would have wooden decking each separated from that adjoining with wooden screens. The building would be constructed in brick and render under a tiled crown style roof. The roof slope would provide screening to the amenity space behind.

- 2.4 The ground floor two-bed unit to the rear of the converted car showroom would have amenity space to the front and rear and access from Northdown Road. A single parking space would be provided to the front. The building is currently rendered and this would be retained.

- 2.5 Previously there was a flat above the car showroom which was converted into two units under the 2009 permission; the conversion was not carried out fully in accordance with the approved plans. This application seeks their retention in their converted form.

- 2.6 There would be 11 parking spaces in total with four provided to the front of the rear block (fronting onto Northdown Road), one to the front of ground floor conversion and six to the rear of the new block. There would be a landscaping strip to the front of each of the new block and around the front amenity area. A cycle store would be provided to the rear of the main block and bin storage between the new block and converted building.
- 2.7 The area adjacent to Hornchurch Road would remain paved and provide car parking for the retained car showroom or for the A1 or A2 use. No details are provided of any shop frontage. There are no changes proposed to the first floor residential unit at no.168 which would be retained.

### **3. Relevant History**

- 3.1 P0582.09 - Demolition of existing B1 workshop and creation of 4 new build apartments in new two storey building and roof terrace. Extension of existing 4 bed apartment to create 2 apartments and refurbishment of ground floor retail unit – approved.
- 3.2 P1377.08 -Demolition of existing B1 workshop and creation of 4 new build apartments in new two storey building and roof terrace. Extension of existing 4 bed apartment to create 2 apartments and refurbishment of ground floor retail unit – refused.
- 3.3 P1729.02 – Change of use to car sales – approved.

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

- 4.1 36 neighbour notification letters have been sent out and one objection letter received in response raising the following issues:
- Workshop already demolished with no planning;
  - Car sale trading with no planning;
  - Where will the parking go?
  - Developer already gone ahead.
- 4.2 London Fire Brigade (Water) - happy for works to go ahead;
- 4.3 Thames Water - recommend petrol/oil interceptors fitted and that notification/agreement required for works with 3m of any of its pipes. The developer should make proper provision for the drainage of surface water. No objections in terms of sewerage infrastructure.
- 4.4 Metropolitan Police (Designing out crime officer) - i) The alleyway between the buildings will be vulnerable to crime unless it is gated with access controls at each end -2m high metal railings recommended; ii) Bulkhead or column lighting should be used instead of the proposed bollard luminaries. Conditions are recommended to address these matters and provision of secure cycle storage.

- 4.5 London Fire and Emergency Planning Authority - access to the ground floor commercial element is acceptable.
- 4.6 Public Protection - recommends conditions to cover: i) demolition and construction statement; ii) prior notification of these works; iii) noise assessment and iv) contaminated land.
- 4.7 Streetcare (Refuse) - specifies bin storage space required.
- 4.8 Streetcare (Highways) - no objection. Site has PTAL of 2 which is poor and LDF parking standard is 1.5 to 2 spaces per unit which equates to 10.5 -14 spaces. The 11 spaces proposed are acceptable even allowing for the existing unit. Parking spaces in Northdown Road appear to be overhanging the footway. Other detailed changes requested. A lighting column may be affected by the proposed access.

## **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply); CP4 (Town Centres); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 (Environmental management); CP17 (Design); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC7 (Lifetime Homes and Mobility Housing); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC53 (Contaminated Land); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC72 (Planning obligations) of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.
- 5.2 In addition, the Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, and Sustainable Design and Construction SPD are also material considerations.
- 5.3 Policies 2.15 (Town Centres) 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 4.7 (Retail and Town Centre Development); and 8.2 (planning obligations) of the London Plan and the provisions of the National Planning Policy Framework and the National Planning Policy Guidance are also relevant.

## **6. Staff Comments**

### Background

- 6.1 Planning permission was granted in 2009 for a similar scheme for six new residential units. The main difference is that the 2009 application did not propose a new ground floor flat by converting part of the existing building and included a first floor link between the existing and new buildings. The existing ground floor car show room was to be retained and upgraded.

- 6.2 The conversion of the first floor accommodation has been implemented but not in accordance with the approved plans and is in breach of conditions of the 2009 permission. This application seeks approval of the internal layout as constructed and for the new block to a slightly modified design and internal layout. It now includes an additional flat and a reduced car showroom area.

#### Principle of the development

- 6.3 The application site lies within an existing minor local centre where the redevelopment of a site for retail and residential purposes would be acceptable in principle in accordance with Policy CP1 of the LDF Core Strategy and Development Control Policies DPD and the guidance in the National Planning Policy Framework (NPPF). The principle of a mixed use development on the site has already been considered acceptable against the same LDF policies through the grant of planning permission in 2009. However the NPPF has been published since the 2009 permission and is now a material consideration.
- 6.4 The proposal includes the retention of the car showroom with a reduced floorspace or the change of use of the space to either A1 (retail) or A2 (profession/financial services). The A1 and A2 uses would be acceptable in principle in a local centre and there is already a permitted use for the sale of used cars.
- 6.5 The site is in a sustainable location with good access to public transport. The site is very close to local amenities, including shops, schools, sports centre and public parks. Therefore, subject to an acceptable impact on the character and appearance of the area, the streetscene and the amenities of adjoining occupiers the development can be considered acceptable. The provision of seven new residential units would also help to meet Havering's housing needs.

#### Density/Site layout

- 6.6 The density of the residential element would be 78 units per hectare or 200 habitable rooms per hectare. The London Plan Housing SPG and LDF Policy DC2 set out densities for new residential development. The densities proposed would be in accordance with the policy and guidance. Therefore, for a local centre development of the density proposed is considered acceptable. The SPG also sets minimum floorspace standards for all housing types. The proposed units would meet these standards. However, whilst meeting these layout parameters, which indicates that the development would be broadly acceptable, account also needs to be taken of the character of the local area and whether the scale of the development is appropriate in terms of its appearance in the local context. Account also needs to be taken of any adverse impact on the amenity of nearby occupiers.

#### Design/impact on the streetscene

- 6.7 The application site is in a prominent corner location on the main route between Hornchurch and Romford. The current use of the site for car sales is one that would not normally be considered appropriate in a local shopping centre.



However, the use is permitted and its continuation in a reduced form is considered acceptable. The forecourt canopy along the Northdown has been removed and no replacement is proposed. This would improve the overall appearance of the site in the local streetscene when viewed from Hornchurch Road.

- 6.8 With regard to the Northdown Road frontage there would be a significant improvement to the appearance of the local streetscene. The loss of the workshop and car showroom and forecourt parking would make a marked difference to the visual amenities and character of the area. The proposed new block would have a domestic scale similar to the dwellings further along Northdown Road and would not be out of character. The block would respect the building line, scale and character of the houses to the north along Northdown Road. The converted showroom adjacent would also help improve the character and appearance of the area.
- 6.9 The Planning Practice Guidance states that good quality design is an integral part of sustainable development. The guidance in the NPPF is that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. LDF Policy DC61 requires that new buildings and extensions to existing ones complement or improve the character of the area and respect the scale, massing and height of the surrounding physical context.
- 6.10 In this case staff consider that the proposed development would bring about a marked improvement to the character and appearance of the area. The design of the new building would be appropriate in the local streetscene and respect the scale and character of existing buildings. The proposed conversion would also reduce the scale of commercial development along Northdown Road. The proposed development is, therefore, considered to be in accordance with LDF policies DC3 and DC61 and the guidance in the NPPF.

#### Impact on amenity

- 6.11 The nearest dwelling in Northdown Road would be separated from the nearest part of the new development by the upgraded access roadway. There would be no windows facing toward that property and no overlooking of rear garden areas. However, there are windows in the side elevation of the dwelling and the new building would extend further into the site than the former workshop. This would result in some limited loss of light, but the first floor window is not to a habitable room and there is already a fence on the boundary that restricts light to the ground floor window. Given the separation of 4 metres there would be no material impact. The use of the road to access rear parking areas is unlikely to have a significant adverse impact, especially when compared with the previous usage connected with the former workshop.
- 6.12 The new block would be visible from the rear windows of the existing first floor flats above the shops fronting onto Hornchurch Road. These overlook the existing rear courtyard and parking areas. The new building would extend into the courtyard but it is not considered that there would be any material adverse

visual impact or loss of outlook for the occupiers of the flats. The building would be about 12 metres away and would not result in any material loss of light.

- 6.13 Overall staff consider that there would be no material adverse impact on residential amenity.

#### Parking and highways issues

- 6.14 The application proposed 11 parking spaces for the new residential development and forecourt parking would be retained for the car showroom or for the A1 or A2 uses. The site has a low public transport accessibility level (PTAL) of 2 which is poor; however, the proposed parking would be in accordance with LDF and London Plan standards. There are no objections from the highway authority to the use of the existing access for the residential use or for new dropped kerbs to the proposed frontage parking spaces. In highway terms the development is considered acceptable.

#### Other issues

- 6.15 All of the proposed residential units would have private amenity space which is similar in scale and location to that considered acceptable for the 2009 application. The amenity space for the new block of flats is in the form of a roof terrace with each unit having its own amenity space separated from the others by wooden screens. The guidance in the Residential Design SPD is that the space should be both private and usable. The space is considered to meet these requirements.
- 6.16 With regard to the other flats the two existing on the first floor would benefit from a shared amenity area to the rear of the converted show room. The converted flat itself would have an amenity area to the front adjacent to the highway. The communal space is considered adequate for the first floor flats, which do not have any amenity space at present; a situation that was considered acceptable for the 2009 application. The amenity space for the converted flat would not meet the guidance in the SPD as it would be neither private nor usable. Whilst some of the space is considered to be deficient overall it is considered acceptable for the development. The site is in an urban location where there are public parks and open spaces close to the site. However, it is recognised that the acceptability of the quality and usability of the amenity space provision is a matter for judgement of Members.
- 6.17 The application seeks a flexible permission in respect of the use of the retained car showroom floorspace. Whilst a car showroom would not normally be considered appropriate in a retail centre the continuation of the use at a reduced scale is considered acceptable given the existing planning permission. There is a history of such uses along this part of Hornchurch Road. A change from this use to retail (A1) or to profession or financial services (A2) would also be acceptable as such uses are appropriate in shopping centre. However, the addition of a new shop front does not form part of these proposals and any

change of use should be subject to conditions requiring the submission of further details.

#### Secured by Design

- 6.18 LDF Policy DC 63 seeks to ensure that new developments are designed to discourage crime and adopt the principles and practices of the 'Secured by Design' award scheme. The advice of the Crime Prevention Design Advisor have been taken into account in the design of the development and that subject to conditions to cover lighting and security measures the development would be acceptable.

#### Section 106 Planning obligations

- 6.19 The dwellings would result in additional local infrastructure demand such that a financial contribution is needed in accordance with Policy DC72 and the SPD on Planning Obligations. There would be a net increase of five new units and at £6,000 per new dwelling the charge would be £30,000 which would need to be secured through a S106 Planning Obligation.

### **7. Mayor's Community Infrastructure Levy (CIL)**

- 7.1 All new floorspace is liable for Mayoral CIL, but in assessing the liability account is taken of existing usable floorspace that has been lawfully used for at least six months within the last three years. The new build taking account for the building demolished would amount to 252 sq. metres and the CIL rate is £20 per square metre giving a CIL liability of £5,040.

### **8. Conclusions**

- 8.1 The site lies within the existing urban area of Hornchurch and within a minor local retail centre. The mixed-use of the site is considered acceptable in principle in accordance with LDF policies and the guidance in the NPPF. The provision of seven new residential units would also help to meet Havering's housing needs.
- 8.2 The proposed new building would be of a similar scale to the nearby residential properties and would be in keeping with the character and appearance of the area. The proposed conversion is also considered acceptable. Overall it is judged that the development would result in improvements to the visual amenities of the area by the reduction in the area of car sales and maintenance. The development, would, therefore make a position contribution to the character and appearance of the area and respect the scale of existing development. There would be no material adverse impact on the amenities of existing residential occupiers.
- 8.3 The continued use of the frontage of the site for car sales is considered acceptable given the existing planning permission for the use. A change to A1 or A2 would be appropriate in a retail centre. The grant of planning permission is recommended accordingly subject to the prior completion of a S106 legal

agreement to secure a financial contribution towards local infrastructure costs and appropriate conditions.

## IMPLICATIONS AND RISKS

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

None

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

Legal resources will be required to prepare and complete the S 106 legal agreement.

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

None

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

The Council's planning policies are implemented with regard to equality and diversity.

## BACKGROUND PAPERS

1. Application form and plans received 22<sup>nd</sup> August 2014

# REGULATORY SERVICES COMMITTEE

# REPORT

8 January 2015

**Subject Heading:**

Application for the Stopping Up of Highway Land adjacent to 26 Curtis Road, Hornchurch, Essex RM11 3NP (OS 554,925.7E, 187,668.0N; 554,916.1E, 187,692.3N; 554,879.7E, 187,700.00N )

(Application received 28<sup>th</sup> January 2013)

**Report Author and contact details:**

Vincent Healy – 01708 432467  
[Vincent.healy@havering.gov.uk](mailto:Vincent.healy@havering.gov.uk)

**Policy context:**

Local development Framework

**Financial summary:**

None

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

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

**SUMMARY**

1. This report relates to an application received on 28<sup>th</sup> January 2013 for the stopping up of highway to enable the development of land pursuant to a planning permission (planning reference P1084.12). The planning

permission (planning reference P1084.12) dated 21<sup>st</sup> December 2012 involves the demolition of existing dwelling and construction of a replacement detached dwelling and erection of front and side boundary walls involving some encroachment on public highway land (“the Planning Permission”).

- 1.1 The developer has applied to the Council under S.247 of the Town and Country Planning Act 1990 (as amended) (“the Act”) to stop up the area of highway shown zebra hatched on the plan (entitled ‘Land Adjacent to 26 Curtis Road, Hornchurch, Essex - Stopping Up Plan’) annexed to this report (“the Plan”) so that the development can be carried out. The Council’s highway officers have considered the application and consider that the stopping up is acceptable to enable the Planning Permission to be carried out.

## **RECOMMENDATIONS**

2. Subject to the developer paying the Council’s reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of the Stopping Up Order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 and subject to the lawful implementation of the Planning Permission that:-
  - 2.1 The Council makes a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway shown zebra hatched on the attached Plan, being adopted highway verge, as the land is required to enable development for which the Council has granted the Planning Permission.
  - 2.2 In the event that no relevant objections are made to the proposal or that any relevant objections that are made are withdrawn then the Order be confirmed without further reference to the Committee.
  - 2.3 In the event that relevant objections are made, other than by a Statutory Undertaker or Transport Undertaker and not withdrawn, that the application be referred to the Mayor for London to determine whether or not the Council can proceed to confirm the Order.
  - 2.4 In the event that relevant objections are raised by a Statutory Undertaker or Transport Undertaker and are not withdrawn the matter may be referred to the Secretary of State for their determination unless the application is withdrawn.

## **REPORT DETAIL**

- 3.1 On 21<sup>st</sup> December 2012 the Council resolved to grant the Planning Permission, under delegated authority, (planning reference P1084.12) for development comprising the demolition of existing dwelling and construction of a replacement detached dwelling and erection of front and side boundary walls involving some encroachment on public highway land. The Planning Permission was issued on 21<sup>st</sup> December 2012.
- 3.2 The stopping up is necessary in order that the development can be implemented and it involves the stopping up of a section of existing public highway.
- 3.3 The section of public highway to be stopped up measures approximately 47.60 meters in length and 1.50 meters in width (at its widest point) and lies adjacent to the side of number 26 Curtis Road, Hornchurch. The boundary points of this section of land are: (a) OS grid reference point 554,925.7E, 187,668.0N; (b) OS grid reference point 554,916.1E, 187,692.3N; (c) OS grid reference point 554,879.7E, 187,700.00N.
- 3.3 The development involves building on land which includes areas of adopted highway (maintained verge). In order for this to happen, the areas of the highway shown zebra hatched on the attached Plan need to be formally stopped up in accordance with the procedure set out in the Town and Country Planning Act 1990 (as amended). The Stopping Up Order will not become effective however unless and until it is confirmed.
- 3.4 Section 247 (2A) of the Town and Country Planning Act 1990 allows a London Borough to make an Order authorising the stopping up of any highway if it is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission.
- 3.5 The Council makes the necessary Order, advertises it, posts Notices on site and sends copies to the statutory undertakers. There is then a 28 day period for objections to be lodged. If there are no objections or any objections that have been made are withdrawn the Council may confirm the Order, thereby bringing it into legal effect. If objections are made and not withdrawn then the Council must notify the Mayor of London of the objections and the Mayor may determine that a local inquiry should be held. However under Section 252(5A) of the 1990 Act the Mayor of London may decide that an inquiry is not necessary if the objection/s are not made by a local authority, statutory undertaker or transport undertaker and may remit the matter to the Council for confirmation of the Order. If however a Statutory Undertaker of Transport Undertaker makes a relevant objection which is not withdrawn then the matter may be referred to the Secretary of State for determination.

## IMPLICATIONS AND RISKS

**4.1 Financial implications and risks:**

The costs of the making, advertising and confirmation and any associated costs, should the Order be confirmed or otherwise will be borne by the developer pursuant to The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000.

**4.2 Legal implications and risks:**

Legal Services will be required to draft the Stopping Up Order and Notices as well as carry out the Consultation process and mediate any negotiation with objectors.

**4.3 Human Resources implications and risks:**

None directly attributable to the proposals.

**4.4 Equalities implications and risks:**


None directly attributable to the proposal.

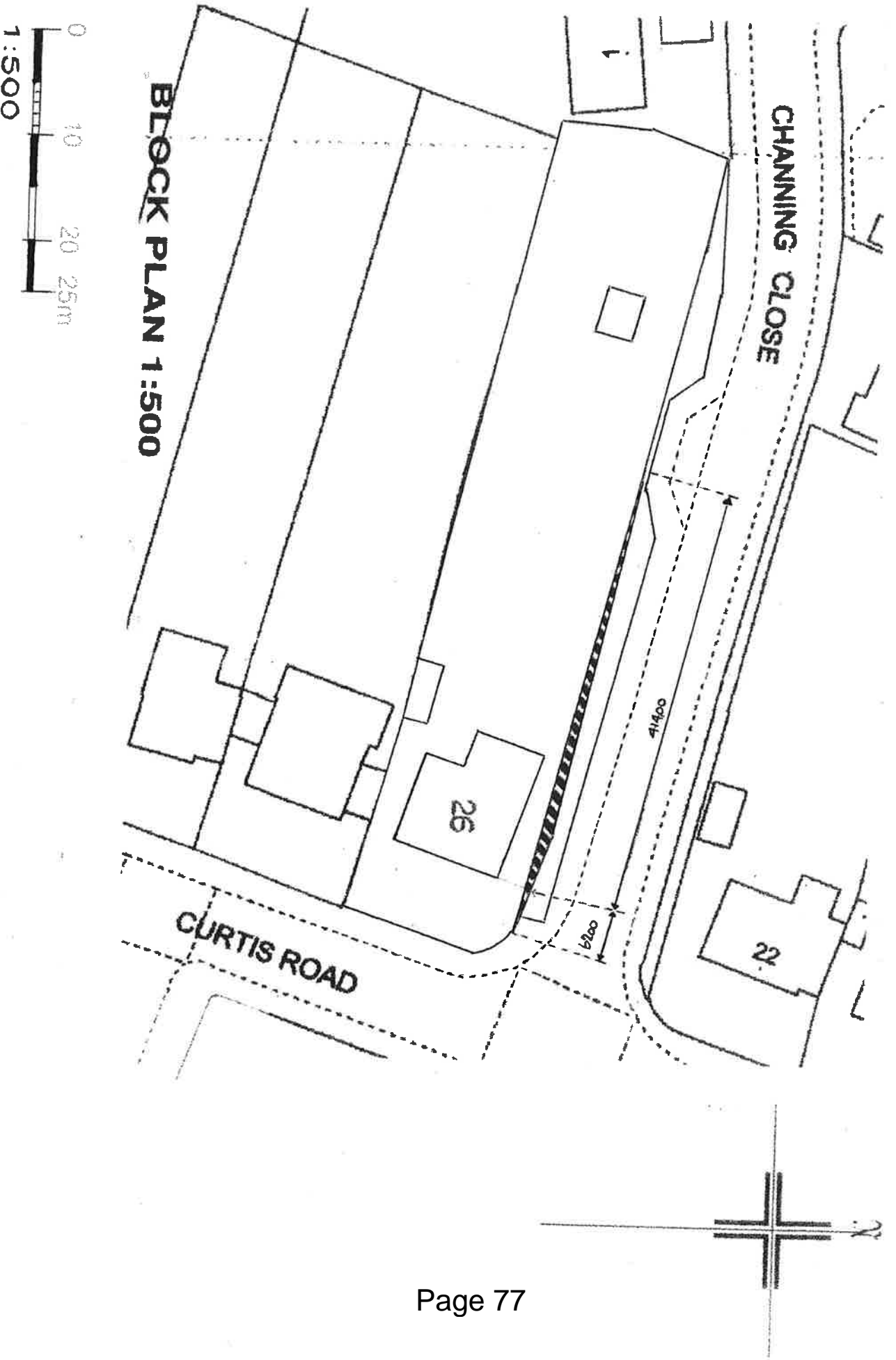
**BACKGROUND PAPERS**

1. Officers Report under delegated authority dated 21<sup>st</sup> December 2012 which granted planning permission under planning reference P1084.12
2. Plan (entitled 'Land Adjacent to 26 Curtis Road, Hornchurch, Essex - Stopping Up Plan') showing the area to be stopped up.



LAND ADJACENT TO 26 CURTIS ROAD, HORNCHURCH, ESSEX  
STOPPING UP PLAN

 = AREA TO BE STOPPED-UP



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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

8 January 2015

**Subject Heading:**

Planning Contravention  
33 Hornminster Glen, Hornchurch

**Report Author and contact details:**

Simon Thelwell  
Projects and Regulations Manager  
01708 432685  
[simon.thelwell@havering.gov.uk](mailto:simon.thelwell@havering.gov.uk)

**Policy context:**

Local Development Framework

**Financial summary:**

Enforcement action and a defence of the Council's case in any appeal will have financial implications.

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

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity in thriving towns and villages
- Value and enhance the life of our residents
- Delivering high customer satisfaction and a stable council tax

**SUMMARY**

This report concerns the placement of a summerhouse in the front garden of the property at 33 Hornminster Glen, Hornchurch RM11 3XL. The summerhouse has been placed forward of the principal building line of the main residential dwelling and by reason of its siting, design and appearance is considered detrimental to the visual amenity of the area. Therefore it is requested that authority be given to issue and serve Enforcement Notices to remedy the breach.

## RECOMMENDATIONS

That the committee consider it expedient that an Enforcement Notice be issued and served to require within 3 months of the effective date of the notice:

- i) Remove the unauthorised summerhouse.
- ii) Remove from the Land all materials, rubble, machinery, apparatus and installations used in connection with or resulting from compliance with (i) above.

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

## REPORT DETAIL

### 1. **Site Description**

- 1.1 33 Hornminster Glen, Hornchurch RM11 3XL shown outlined bold black on the site plan (“the Property”) is a 2 storey, semi-detached residential dwelling located at the end of a cul de sac. The surrounding area comprises of two storey semi-detached dwellings.

### 2. **The Alleged Planning Contravention**

- 2.1 Without planning permission, the placement of a summerhouse in the front garden of the Property forward of the principal building line in the area hatched black on the site plan.

### 3. **Enforcement Background**

- 3.1 On 26 November 2012 the Local Planning Authority received a complaint that a summerhouse had been erected in the front garden of the Property. Following investigation the complaint was substantiated. A letter was sent to the owner of the Property giving notice of the breach of planning control.
- 3.2 Officers were informed by the owner of the Property that the summerhouse was in temporary use as auxiliary storage space because essential works by London Underground had led to the demolition of a garage at the Property.
- 3.3 The owner advised that she intended to relocate the summerhouse to the original site of the double garage, at the front of the Property. Officers informed the owner that any location forward of the principal building line of the Property would require planning permission.

3.4 The essential works by London Underground are continuing.

4. **Policy and Other Material Considerations**

4.1 Article 3 and Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (“the GPDO”) provide that, within the curtilage of a dwelling house, the provision of any building for a purpose incidental to the enjoyment of the dwelling house is permitted development. However, this is subject to Condition E1. The condition states that development is not permitted where any part of the building would exceed beyond a wall comprised in the principal elevation of the original dwelling house.

4.2 As the summerhouse has not constructed within permitted development criteria it is considered that the development is unauthorised.

4.2 The main planning issue in this case is that the summerhouse is located forward of the principal building line of the Property and looks out of character in the street scene.

4.5 It is regarded that the summerhouse fails to comply with the requirements of policy DC61of the Council’s Local Development Framework Development Control Policies Development Plan Document.

5. **Recommendation for action**

5.1 The owner of the Property has had an opportunity to submit a planning application for the retention of the summerhouse in its current location but has failed to do so. The summerhouse has been in its current location since November 2012 and officers consider it necessary to serve Enforcement Notices in order to protect the Council’s position and to prevent the summerhouse becoming immune from enforcement action.

5.2 It is considered that three months is sufficient time to enable compliance with the requirements of the Enforcement Notice.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

Enforcement action may have financial implications for the Council.

**Legal implications and risks:**

Enforcement action, defence of any appeal and, if required, prosecution procedures will have resource implications for the Legal Services.

**Human Resources implications and risks:**

No implications identified.

**Equalities implications and risks:**

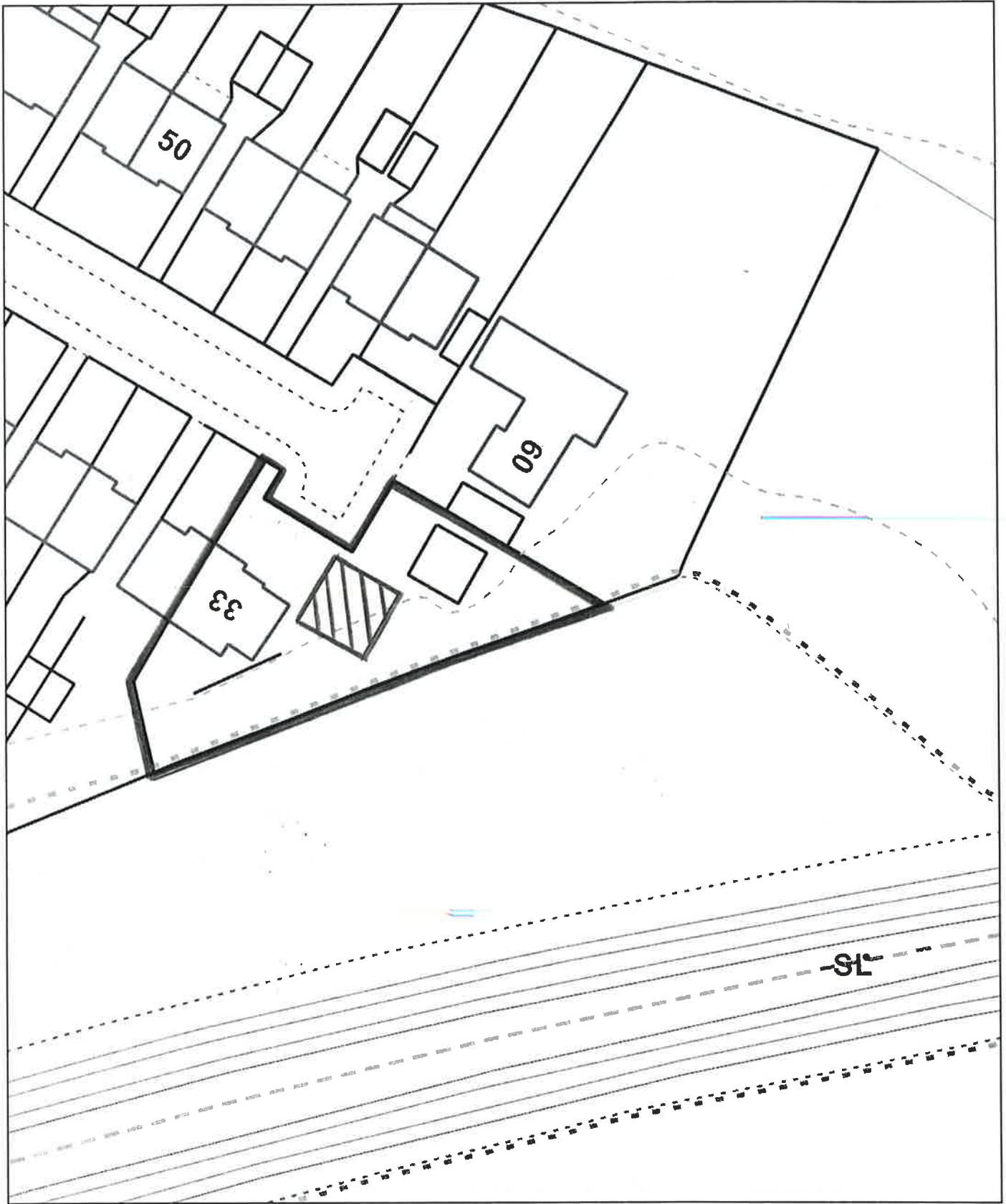
Section 149 of the Equalities Act 2010 (EA) came in to force on 1<sup>st</sup> April 2011 and broadly consolidates and incorporates the 'positive equalities duties' found in Section 71 of the Race relations Act 1976 (RRA), Section 49 of the Disability Discrimination Act 1995 (DDA) and section 76(A)(1) 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.

Having considered the above duty and the Human Rights Act 1998 there are no equality or discrimination implications.

**BACKGROUND PAPERS**

*Site plan*



33 Hornminster Green



Scale: 1:512  
 Date: 23 December 2014

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**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

8 January 2015

**Subject Heading:**

Planning Contravention  
203 Upper Rainham Road  
Hornchurch  
Essex RM12 4EY

**Report Author and contact details:**

Simon Thelwell  
Planning Manager (Projects and  
Regulation)  
01708 432685  
[simon.thelwell@havering.gov.uk](mailto:simon.thelwell@havering.gov.uk)  
Local Development Framework

**Policy context:**

**Financial summary:**

Enforcement action and a defence of the Council's case in any appeal will have financial implications.

**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 report concerns an outbuilding that lies to the rear of a residential property at 203 Upper Rainham Road, Hornchurch RM12 4EY. The outbuilding is being used as independent living accommodation without the benefit of planning permission. The unauthorised use of the outbuilding is considered to be an unacceptable and uncharacteristic intensification of the land, providing poor quality accommodation for current and future occupiers and resulting in noise and disturbance to

surrounding occupiers. Therefore it is requested that authority be given to issue and serve Enforcement Notices to seek to remedy the breach.

## RECOMMENDATIONS

That the Committee consider it expedient that an Enforcement Notice be issued and served to require, within 3 months of the effective date of the notice:

- Cease using the outbuilding for residential purposes.
- Remove from the outbuilding all fixtures and fittings associated with its unauthorised residential use.

In the event of non compliance, and if deemed expedient, that proceedings be instituted under the provisions of the Town and Country Planning Act 1990.

## REPORT DETAIL

### 1. **Site Description**

- 1.1 203 Upper Rainham Road, Hornchurch RM12 4EY shown outlined bold black on the site plan (“the Property”) is an end of terrace house in a predominantly residential street. The authorised use of the Property is as a single dwelling house.

### 2. **The alleged planning contravention**

- 2.1 Without planning permission, the use of an outbuilding in the rear garden of the Property as independent, self-contained residential accommodation. The alleged breach has occurred within the last 4 years.

### 3. **Relevant Planning History**

- 3.1 None

### 4. **Enforcement Background**

- 4.1 A complaint was received in June 2014 alleging that an outbuilding in the rear garden of the Property was in use as independent, self-contained residential accommodation. Officers visited the Property and found that the outbuilding was occupied as a self-contained residential unit unconnected to the main dwelling house.

- 4.2 Access to the outbuilding is via the side path leading to the rear garden of the Property.
- 4.3 Officers received confirmation from the owner of the Property that the outbuilding is in use as a separate residential accommodation unit.
- 4.4 The residential use of the outbuilding constitutes a material change of use from its authorised use as an outbuilding incidental to the Property to an independent self-contained residential unit. This change has occurred within the last 4 years. The owner has declined the opportunity to submit a planning application.
- 4.5 Officers are of the view that planning policy and other relevant material planning consideration would not support the granting of planning permission for the use of the outbuilding as a self-contained residential unit.

5. **Material Considerations of the Use or Development**

- 5.1 The relevant policies of the LDF are DC4, which deal with conversions to residential uses, policy DC33 that deals with parking, policy DC55 that deals with noise and policy DC61 that deals with urban design.
- 5.2 Policy DC61 seeks to ensure that all development is compatible with its surrounding environment. The unauthorised use of the outbuilding for independent living accommodation within the rear garden of the Property is considered to be uncharacteristic and detrimental to the rear garden environment. The use results in increased levels of activity, comings and goings which has a detrimental impact on the living conditions of adjoining occupiers by reason of noise and general disturbance.
- 5.3 Policy DC4 seeks that residential conversions have reasonable outlook and aspect and are private. The outbuilding appears to have a very limited amenity area and outlook is limited to the garden of the main building and the rear accessway. The standard of accommodation is considered to be substandard.

6. **Justification for intended action**

- 6.1 The issue is whether it is expedient for this Council to serve a planning Enforcement Notice having regard to the impact and nature of the unauthorised change of use.
- 6.2 In this case it is considered that the unauthorised use of the outbuilding for independent living accommodation has led to an unacceptable intensification of the land which materially prejudices the living conditions of neighbouring occupiers.

- 6.3 Overall, the development creates substandard, living conditions and provides a lack of amenity space. It is inappropriate to and out of character with the neighbourhood and generates an unacceptable increase in noise, general disturbance and loss of privacy for both occupants of the Property and neighbouring occupiers and therefore the use is contrary to the Local Development Framework.
- 6.4 Based on the information in this report it is considered that planning conditions can not mitigate the adverse consequences of the breach of planning control. In these circumstances, it is considered expedient to take enforcement action to require that the residential use of the outbuilding cease.
- 6.5 Given that there is an existing tenant in the outbuilding it is considered expedient to require compliance within 3 months which should give sufficient notice to find alternative accommodation.

## IMPLICATIONS AND RISKS

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

Enforcement action may have financial implications for the Council.

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

Enforcement action, defence of any appeal and, if required, prosecution procedures will have resource implications for the Legal Services.

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

No implications identified.

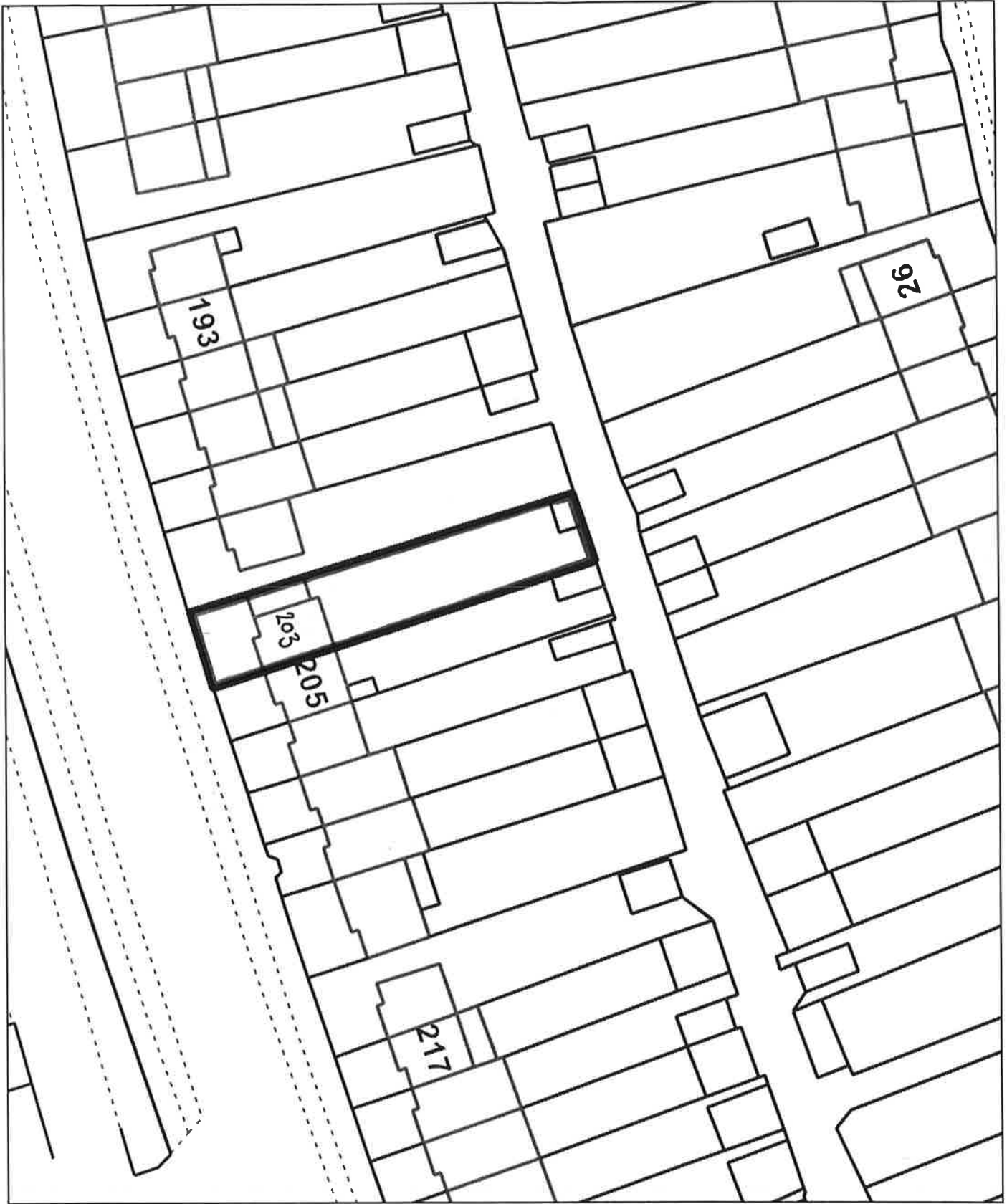
### **Equalities implications and risks:**

No implications identified.

## BACKGROUND PAPERS

1. Site Plan

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203 UPPER RAINHAM ROAD



Scale: 1:512  
 Date: 23 December 2014



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 Town Hall, Main Road  
 Romford, RM1 3BD  
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