



# REGULATORY SERVICES COMMITTEE

30 January 2014

# REPORT

**Subject Heading:**

P1367.13 – Royal Jubilee Court, Main Road, Romford - Construction of a new 3.7m wide access road off Main Road (received 06/11/13)

**Report Author and contact details:**

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**Policy context:**

Local Development Framework  
The London Plan  
National Planning Policy Framework

**Financial summary:**

None

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

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

## SUMMARY

This planning application relates to the construction of a new 3.7m wide access road off Main Road. The planning issues include the principle of development, design and street scene impact, parking and highway matters and amenity issues. These issues are set out in detail in the report below. Staff consider the proposal to be acceptable and recommend that planning permission be granted.

## RECOMMENDATIONS

That the planning permission be granted subject to the following conditions:

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

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

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

**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.

3. External Lighting: Before the development hereby permitted commences, a scheme for any proposed lighting along the access road, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

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

4. Construction Works/Hours: 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.

5. Risk and Contamination Assessment, Part 1: (1) Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

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

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

c) A Phase III (Remediation Scheme) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

6. Risk and Contamination Assessment, Part 2: (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.

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

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

## **INFORMATIVES**

1. Fee Informative:

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

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
3. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under the New Roads and Street Works Act 1991, The Road Traffic Regulation Act 1984

and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
  
8. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

## REPORT DETAIL

### 1. Background

The application was deferred from the 19 December 2013 Regulatory Committee meeting for the consideration of issues raised in late representation. The report has been amended in order to address the objections raised.

### 2. Site Description

- 2.1 Royal Jubilee Court is a Council owned warden controlled care home on Main Road, Romford comprising of four buildings, Anne House, Charles House, Philip House and Elizabeth House with a shared car park served by an access road entering via an unmade private section off Gidea Close. The subject site is located in the Gidea Park Conservation Area

### 3. Description of Proposal

- 3.1 The scope of the proposal involves the construction of a vehicle access to the existing car park from Main Road across an existing grassed area. Although the existing service road within the site is adequate, the access to it is not due to the extent that an unmade private cul-de-sac (section off Gidea Close) has deteriorated.
  
- 3.2 The existing access via the private section of Gidea Close has not been suitable for vehicles for many years and the residential properties fronting onto this section are not prepared to fund the necessary improvements to the carriageway. The current proposal is seen as the best solution to address the access issues as the cost to bring the highway up to an adoptable standard would exceed that to construct the proposed access off Main Road.

- 3.3 The natural ground gradient is towards the car park from Main Road, and therefore any additional surface water run-off will not flow onto the existing highway, but will be collected in gullies along the new access road and routed to the existing drainage system within the site.
- 3.4 The proposal also includes a new footway alongside the proposed road to replace the existing pedestrian access, and a hard strip behind the opposite new kerb line to protect the existing verge that is to be re-graded to suit, and an uncontrolled crossing point from the pedestrian access across the existing access road.
- 3.5 Unauthorised vehicles are intended to be prevented from entering via the existing entrance in Gidea Close by the introduction of removable lockable bollards however, pedestrian access will be retained.

#### 4. **History**

- 4.1 P0694.06 - Refurbishment of existing bed-sits to form 19 one-bedroom flats. New lift extensions and extension to car parking facility - Approved.
- 4.2 L/HAV/1801/74 - Sheltered housing - two-storey development incorporating existing residence - Approved

#### 5. **Consultation/Representations**

- 5.1 Notification letters were sent to 90 neighbouring occupiers and 1 letter of representation was received raising the following concerns:
- Proposal will detrimentally affect the neighbouring property
  - Cause considerable vehicle movement close to neighbouring property
  - Planning policy restrict access to Main Road if there is an alternative
  - Rear access has been adequate for years, development is therefore unnecessary
  - Traffic access to Main Road is unnecessary and dangerous
  - Proposal could result in unnecessary traffic onto Main Road
  - Application would be contravening the original planning conditions
  - Impact on neighbouring amenity resulting in noise, fumes, dirt and dust
  - Result in considerable cost to the council without justification
- 5.2 The Highway Authority has raised no objection to the proposal however requested a condition for a visibility splay.
- 5.3 The Highway Authority has stated that that traffic flows along Main Road will not be significantly affected as the proposal would encourage vehicles to use the Principal Road network rather than residential streets.
- 5.4 Environmental Health raised no objection to the proposal subject to a contamination condition.

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

6.1 The issues arising from this application are the design/impact on street scene and the conservation area, impact upon amenity and highway/parking issues. Policies DC32, DC34, DC61 and DC68 of the Local Development Framework Core Strategy and Development Control Policies Development Plan and the Heritage SPD are relevant. Also relevant are London Plan Policies 6.10, 7.13, 7.4 and 7.8 as well as the NPPF.

## 6.2 *Design/Impact on Street/Garden Scene*

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

6.2.2 The proposal would involve the creation of a new road linking Main Road with an existing access road to Royal Jubilee Court. The proposed road section would measure approximately 4m in width (excluding footway) and 5.5m in width (including the proposed passing bay) respectively. The proposed section would measure 34m in length. The proposed road would be situated adjacent to an existing pedestrian access.

6.2.3 Staff do not consider the addition of the roadway to result in an unacceptable impact on the surrounding area.

## 6.3 *Heritage Implications*

6.3.1 Policy DC68 states that any new development should preserve or enhance the character of Conservation Areas. The proposal would make changes to the existing pedestrian access onto Main Road by increasing the width to include a new vehicular access off Main Road. Staff do not consider the provision of the new access road to have a detrimental impact on the Gidea Park Conservation Area.

## 6.4 *Impact on Amenity*

6.4.1 Although the proposal would result in additional vehicular traffic in close proximity to No. 49 Main Road, Staff do not consider the vehicle movement to result in an unacceptable impact on this neighbour's residential amenity as a separation distance of 10.7m would remain between the proposed access road and this neighbouring dwelling and a limited amount of marked parking spaces is available on site (18 parking spaces). Extensive vegetation is also present on the shared boundary with this neighbouring occupier which would further mitigate any potential impact in terms of noise, dust and disturbance.

## 6.5 *Highway/Parking/Servicing*

6.5.1 Highways have raised no objection to the proposal and stated that traffic flows along Main Road will not be significantly affected as the proposal would encourage vehicles to use the Principal Road network rather than residential streets. A condition to ensure a suitable visibility splay will be imposed on the development as requested by Highways. Staff consider the required changes to the Highway to be minimal as there is already a dropped kerb in place at the proposed entrance to the development, off Main Road.

## 6.6 Other issues

6.6.1 An objection has been raised stating that the application would be contravening conditions imposed on previous planning permissions. Staff have conducted a history search and have concluded that no conditions have been imposed on previous applications restricting access to the rear.

## 7. **Conclusions**

7.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or the Gidea Park Conservation Area. Any potential impact on neighbouring amenity is considered acceptable. Staff consider the development to comply with Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

## **IMPLICATIONS AND RISKS**

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

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

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

None

### **Human Resource Implications:**

None

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

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



## **BACKGROUND PAPERS**

1. Application forms and plans received 06/11/2013.