



REGULATORY SERVICES COMMITTEE

8 May 2014

REPORT

Subject Heading:

P1644.11: Ongar Way and Rainham Road, South Hornchurch

Demolition of existing garages and construction of 12 no. dwellings (application received 12 December 2011; revised plans received 8 April 2014)

Report Author and contact details:

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Policy context:

Local Development Framework

Financial summary:

None

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

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

SUMMARY

The application site comprises land in the ownership of the Council. The application is for the redevelopment of this site to create 12 units, comprising a mix

of one, two, three and four bedroom houses and bungalows. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The site will be developed by the Council and all units are proposed to be offered as affordable housing. The proposal is judged to be acceptable in all material respects and it is recommended that planning permission is granted.

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 £19,976. This is based on the creation of 998.8² of new gross internal floor space.

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

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

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

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (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. Affordable Housing: - The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the NPPF or any future guidance that replaces it. The scheme shall include:
 - i. the numbers, type, tenure and location on the site of the affordable housing provision to be made;
 - ii. the timing of the construction of the affordable housing;
 - iii. the arrangements for management of the affordable housing;

- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that the proposal makes acceptable provision for affordable housing in line with Policy DC6 of the LDF.

4. Planning Obligations - The development hereby approved shall not commence until payment towards infrastructure costs has been made to the Local Planning Authority in accordance with the requirements of Policy DC72 of the LDF and the Planning Obligations Supplementary Planning Document.

Reason: In order that the development makes the required contribution to the infrastructure costs arising from the proposed development and to accord with the Planning Obligations SPD.

5. Car parking - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

6. 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. 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 LDF Development Control Policies Development Plan Document Policy DC61.

8. 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.

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

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

10. Boundary treatment –Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently 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 and in order that the development accords with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

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

confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

12. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access roads shall be 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 prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

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.

13. Biodiversity –The development shall be carried out in accordance with the recommendations set out in Section 3, paragraphs 2.1 to 2.6 of the Biodiversity Survey received on 12 December 2011.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

14. 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 LDF Development Control Policies Development Plan Document Policy DC61.

15. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained 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.

16. 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 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.

17. Land contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority):
- a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the 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.
 - b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

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

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

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

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

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

- 18. Sustainability - No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

- 19. Renewable energy - The development hereby approved shall not commence until a detailed strategy for the installation of a renewable energy system within the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be developed in

accordance with advice set out in the LBH Sustainable Construction SPD. The scheme shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the residential occupation of any part of the development. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

20. No additional flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the approved plans), shall be formed in the flank walls of the dwellings 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.

21. Site Waste Management – The development shall not be carried out until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and sustainable development practices.

22. Removal of Permitted Development Rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted development) (Amendment)(no. 2)(England) Order 2008, (or any order revoking and re-enacting that order with or without modification), no development shall take place under Classes A, B, C or E (other than outbuildings with a volume no greater than 10 cubic metres) unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

23. Alterations to Public Highway: The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

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

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

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

25. Levels: Prior to the commencement of the development hereby approved details of existing ground levels and proposed ground and finished floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity and to accord with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

26. Lifetime Homes: The dwellings hereby approved shall all be constructed to Lifetime Homes standards.

Reason: To ensure that the development meets the needs of households through changing circumstances and to accord with Policy DC7 of the Core Strategy and Development Control Policies Development Plan Document.

Informatives:

1. In aiming to satisfy condition 11 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. The services of the Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety conditions.
2. The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. 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. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the

requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

4. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
5. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
6. The Fire Brigade (water) has advised that one additional fire hydrant will be required within the development.
7. 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.
8. 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 £19,976. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly. Further details with regard to CIL are available from the Council's website.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site is located to the south side of Ongar Way. The site also has boundaries on to Rainham Road, to the west and to the south of the site. Newtons Corner roundabout lies to the immediate west of the application site.
- 1.2 The site presently comprises a number of garage blocks, a number of which are no longer in use. There are three separate access points to the site, all of which lead from Ongar Way. The site is generally level and is backed onto on its north and south side by the rear garden of dwellings in Ongar Way and Rainham Road respectively. There are also two existing flatted blocks, which share a boundary on to the application site. The western end of the site includes a small area of grass verge. This part of the site abuts, but does not include, an area of open space, which is a designated village green. To the east the site shares a boundary with a parade of shops with residential over, which front on to Writtle Walk.
- 1.3 The surrounding area is predominantly residential in character, drawn from a mix of two storey housing and low-rise flats.

2. Description of Proposal

- 2.1 The application is for the demolition of the existing garage blocks and redevelopment of the site to provide 12 no. residential dwellings. The three existing points of vehicular access into the site will be retained (these are referred to within the application as the west, central and east access roads). The development of this site will effectively form three cul-de-sacs, each served by one of the vehicular accesses.
- 2.2 At the western end of the site, the access road will be altered to provide on street parking spaces, leading into a cul-de-sac of 7 units, comprising 4 no. 4 bed houses, 1 no. 2 bed bungalow and 2 no. 1 bed bungalows. The dwellings are a mix of terraced, semi-detached and detached properties. The majority of the properties proposed in this part of the site will back on to the existing village green, with boundary treatment formed by a proposed brick wall with landscaping.
- 2.3 The existing access to the central part of the site will also be modified to provide additional on street parking. Three bungalows will be built in this part of the site, backing on to the boundary with Rainham Road properties and facing in a northerly direction.
- 2.4 At the eastern end of the site, the existing access will be modified to enable the creation of on-street parking. There will be no direct vehicular access from this part of the site to any of the proposed new dwellings. A pair of semi-detached houses will be constructed at the eastern end of the site but these will be facing on to Rainham Road and will be accessed directly from Rainham Road. To the east of these proposed dwellings it is also proposed to create a surface parking area of 6 spaces, which are intended to be made available for Writtle Walk residents.

- 2.5 Overall the proposal provides a total of 24 new parking spaces for the proposed dwellings, which is a ratio of two spaces per unit. In addition 42 surface car parking spaces will be created, as well as the retention of an existing block of 6 garages at the eastern end of the site.
- 2.6 The application proposes a range of detached and semi-detached dwellings and one short terrace of three houses. There is a mix of bungalows and two storey housing across the site, including some with roof accommodation (units B, C & D). All of the proposed dwellings are of a simple, traditional design. External materials are not specified at this stage but are indicated to be primarily brick, with some render, and tiled roofs.

3. Relevant History

- 3.1 P0510.08 The redevelopment of site occupied by 52 single storey garages to provide 13 houses and 15 apartments – withdrawn.

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the local press as a major development. Neighbour notification letters have also been sent to local residents. In respect of the revised proposals comments have been received from two local residents on the following grounds:
- proposals go against the spirit of village green discussions with the Council, especially the proposed brick wall and additional bungalow unit (A1)
 - Unit A1 affects light and views of residents of 59-75 Ongar Way
 - proposals harm open aspect of the village green
 - will make existing parking situation worse, especially during construction
 - noise, pollution and disruption
- 4.2 Environmental Health raise no objection to the proposals subject to conditions relating to contaminated land, noise and construction.
- 4.3 Highways raise no objection to the proposals but note that detailed discussions to determine the extent of stopping up or adoption requirements and to establish areas remaining a public highway will be required.
- 4.4 The Environment Agency advises that the site is in Flood Zone 1 and flood risk standing advice will apply.
- 4.5 The Fire Brigade advise that a new fire hydrant will be required. No objection was originally raised in terms of access but comments have not yet been received on the revised layout.
- 4.6 Thames Water advise there are public sewers crossing or close to the development and approval will be required for works within 3m of a public sewer. The applicant is responsible for making proper provision for surface water drainage.

- 4.7 The Borough Designing Out Crime Officer has confirmed that pre-application discussions have been held with the applicant's agent and crime prevention measures have been considered in the design of the proposed development and how it reflects the seven attributes of Safer Places as required by Policy DC63. Community safety related conditions are requested in the event that planning permission is granted.

5. Relevant Policy

- 5.1 The provisions of the National Planning Policy Framework are a material consideration.

- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (children's play facilities), 3.8 (housing choice), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.16 (waste self sufficiency), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations) of the London Plan are material considerations.

- 5.3 Policies CP1, CP2, CP9, CP10, CP14, CP15, CP16, CP17, CP18, DC2, DC3, DC6, DC7, DC18, DC20, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

In addition, the Planning Obligations Supplementary Planning Document (SPD), Residential Design SPD, Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD and Sustainable Design and Construction SPD are material considerations.

6. Staff Comments

- 6.1 The issues arising from this application are the principle of development, the density and layout of the new development and the impact of its design, scale and massing on the character and amenity of the locality, the quality of the proposed residential environment, parking and highway matters, the impact on local residential amenity, environmental issues, affordable housing and the impact on community infrastructure.

6.2 Principle of Development

- 6.2.1 The application site is presently used primarily for parking and garaging and constitutes previously developed land. Therefore its redevelopment for residential purposes is considered to be acceptable in principle and to accord with Policy CP1 of the Local Development Framework (LDF), the provisions of the London Plan and the National Planning Policy Framework (NPPF).

6.3 Density and Site Layout

- 6.3.1 With regard to Development Control Policy DC2, this site is outside the PTAL zone identified on the proposals map and therefore is classified as 'rest of the borough' where a density range of 30-50 units per hectare applies. The application site has an area of 0.45 hectares and proposes 12 new dwellings. This equates to a development density of 26.6 units per hectare and is below the range specified in Policy DC2. The low density of the development is created largely by the provision of a significant amount of surface parking within the development to compensate for that lost through demolition of the existing garages.
- 6.3.2 The development proposes a development of one, two, three and four bedroom family housing. This complies in principle with the aims of Policy DC2 in respect of dwelling mix and Policy 3.8 of the London Plan relating to housing choice. Six of the proposed units within the development have internal areas that meet the internal space standards set out in Policy 3.5 of the London Plan. The houses fronting Rainham Road (plots J and K) have an internal floorspace of 92.5 square metres, compared to the London Plan minimum requirement of 96 square metres. It is noted that Policy 3.5 does not have a standard for bungalows. To assess the proposals for the bungalows Staff have used the standard for flats and, on this basis, three of the bungalows would fall below the requirement of 70 square metres (being around 61 to 63 square metres each). Members will wish to consider whether this internal shortfall is materially harmful to the living conditions of future occupiers of the development to the extent that justifies refusal.
- 6.3.3 There is judgement to be applied as to whether the number of units within the development falling below the London Plan requirements is acceptable. In considering this issue Staff have looked at the development in the round and, as the scheme is not of high density or unreasonably cramped in terms of layout and amenity provision and as the dwellings themselves have an acceptably useable and functional internal layout, it is considered on balance that the size of the units would not, of themselves, give rise to a fundamentally poor standard living environment. Staff therefore consider the proposal to be acceptable in this respect.
- 6.3.4 In respect of site layout, the development will utilise the existing site entrances from Ongar Way. There is no objection to this in principle, although some stopping up of the public highway will be required. Consent to undertake this work will need to be secured outside of the planning

process. The layout of the site is constrained by the irregular shape of the site, its relationship to surrounding residential properties and the high proportion of surface car parking provided, which is to compensate for the loss of existing garage spaces. The proposals respond to these constraints by effectively forming a series of three cul-de-sacs, enabling each dwelling to have access to its own dedicated parking spaces, provision of private amenity space and a secure and defensible living environment. The existing site has numerous garages, many of which were unused and vandalised. This proposal represents an opportunity to remove the garages, which were a source of anti-social behaviour and replace them with a safer, better laid out site that provides much needed housing and improved parking facilities for local residents. Although these factors affect how the site can be laid out, it is considered that the low density development of the site enables a reasonably spacious arrangement of the dwellings, all of which have access to private amenity space, which in terms of size, layout and usability meet the guidance in the Residential Design SPD. It is however recommended that permitted development rights are removed by condition in view of plot sizes and the relationship between dwellings. Care will also need to be taken with the detailed design of boundary treatment to ensure that the right balance is struck between the need for privacy/security and the visual character and amenity of the development as a whole. A condition in respect of boundary treatments is therefore also recommended.

- 6.3.5 Staff have given consideration to the quality of the resultant living environment, particularly the bungalows, as these are generally on smaller plots than other units within the development. It is acknowledged that, for the most part these are positioned tight to the southern boundary of the site but they are designed so that there are no habitable windows facing direct to the boundary and units are considered to have an acceptable outlook. There is scope to provide defensible space in front of windows through appropriate landscaping and to provide privacy and security through appropriate boundary treatments. On balance the living arrangements are considered acceptable.
- 6.3.5 A number of the units within the development are situated behind the houses fronting Rainham Road and Ongar Way, thus limiting their presence in the streetscene. The houses proposed at the western end of the site will however be visible from the wider streetscene, as they back on to the existing village green. Staff do not consider this to be unacceptable in principle as they will be seen in the context of the building line of neighbouring development, particularly the three storey flats to the north. Also, the dwellings are not hard up against the boundary of the site with the village green, so physically will appear less overbearing. Whilst a new brick boundary wall is proposed, given that there are currently brick built garages backing on to the green, it is not considered this would be detrimental to the overall character or degree of openness the green presently displays. The development also includes a pair of houses to the Rainham Road frontage, at the eastern end of the site. These follow the building line of neighbouring development and are acceptable in principle.

- 6.3.6 The Borough Designing Out Crime Officer has been consulted at pre-planning stage and it is considered that reasonable measures have been undertaken to make the development as safe as possible. It is nonetheless recommended that conditions relating to Secured by Design and other community safety measures be imposed if permission is granted.
- 6.3.7 The development is stated to be designed to Lifetime Homes standard, although it is considered this should be secured by condition and includes units designed to be adaptable to wheelchair housing standards. Accordingly the scheme is in accordance in principle with Policy DC7 of the LDF and the requirements of Policy 3.8 of the London Plan.

6.4 Design and Visual Impact

- 6.4.1 Architecturally, the proposed dwellings have a traditional appearance, constructed predominantly of brick with a tiled pitched roof. There is no predominant character to development in the locality, although built form, materials etc. tend to be of traditional appearance, such that the proposed development is considered to be appropriate to the locality. Specification of the proposed external materials should be secured by condition.
- 6.4.2 In terms of scale and massing, the dwellings within the central part of the site are designed as bungalows, with no accommodation in the roof. This form of development is necessitated by the close relationship to the rear gardens of neighbouring dwellings and is considered to be appropriate to the site. There will only be limited views of the bungalows in the wider streetscene, from Ongar Way, and the impact of this element of the development on local character is considered to be acceptable.
- 6.4.3 At the western end of the site, as mentioned previously, the development includes dwellings which back on to the existing village green. These are arranged as a pair of units, comprising a two storey house and attached bungalow (Units A1 & A2) and a separate terrace of three dwellings (Units B,C & D). Unit A2 is a two storey dwelling with a pitched roof, whilst Unit A1 is a bungalow, with a steeply sloped roof, giving the appearance of an annexe to the larger unit. Viewed in the context of the three storey flats to the north and the two storey housing to the south-east of the site, the design, scale and mass of these units is considered to be acceptable and not to intrude into the openness of the village green or the wider streetscene.
- 6.4.4 The houses on Plots B-D are two storey with gable ended roofs and rear facing dormers. In terms of scale and mass they are compatible with surrounding development. Staff have given careful consideration to the roof form of these dwellings, which exhibit a flat crown roof section. Such a roof form is not always judged acceptable as it often relates poorly to the character of the building and surrounding development and Members may, in this case, consider the resultant visual impact to be grounds for refusal. Looking at the particular site circumstances however, it is clear that this part of the site is difficult to develop, given that the front and rear elevations of

any building will be extremely exposed in the streetscene and must also maintain an acceptable relationship with the village green and surrounding development. The dwellings could be built with a fully ridged roof but this would increase their overall height, which could be judged more detrimental to local character than the crown roof proposed. Staff also note that there are varying roof forms locally, with both pitched and flat roofs commonly used. In particular the development will be seen in the context of ridge roofed dwellings in Rainham Road and the three storey, flat roofed flats to the north of the site. Therefore, taking into account the particular site characteristics Staff consider, on balance, that this element of the proposals is acceptable.

- 6.4.5 The proposed dwellings at this end of the site are in an exposed location and the rear elevations will be more prominent in the wider streetscene than the front elevations. This is not always desirable in terms of promoting a strong streetscene that contributes to the character of an area. However, in this case it is considered preferable for the houses to be inward facing, in particular for reasons relating to designing out crime, natural surveillance of the cul-de-sac and parking and for creating defensible amenity areas, and also to relate better to the village green. The orientation of the dwellings is therefore considered to be the best arrangement for this particular site. Design features, such as a projecting first floor gable to plot A2 and modest sized dormers to plots B & C have been incorporated to soften the visual impact and break up the massing of the rear elevations and overall Staff consider the visual impact in the streetscene to be acceptable.
- 6.4.6 The development also proposes a pair of semi-detached houses, at the eastern end of the site, which will front on to Rainham Road. These are set adjacent to an existing terrace of two storey houses, fronting on to Rainham Road. In terms of scale, massing, siting and design, these houses are acceptable and in keeping with the existing character of the streetscene. An adjacent surface parking area of 6 spaces, to be allocated for use by Writtle Walk residents is also judged to be visually acceptable as frontage parking is common in the locality.
- 6.4.7 On balance therefore, having regard to the site constraints and the character of the locality, it is considered that the character, design and appearance of the proposed development is acceptable..

6.5 Impact on Amenity

- 6.5.1 The proposed dwelling on Plot A1 is located to the south of an existing three storey flatted block at 59-75 Ongar Way. This block has existing habitable rooms windows, which face towards the application site. The unit on plot A1 is designed as a bungalow. It has an eaves height of 2.2m and rises to a maximum height of 5m, sloping away from the neighbouring flats. The separation distance from the neighbouring block to the flank is a minimum of 6m. Although there will be some impact on the neighbouring block given the orientation of the new dwelling to the south, given the separation distance and the height of the bungalow it is not considered that this would result in

significant loss of light or amenity to justify refusal. The dwelling on Plot A2 is two storeys but the separation distance from the flats is greater at around 13 minimum, which is considered sufficient to prevent material harm to neighbouring amenity.

- 6.5.2 Dwellings on plots B & C are not considered to materially impact on neighbouring residential amenity, owing to their separation distance from the nearest existing dwellings. Both properties have rear dormers but these are of limited size and positioned well away from the boundary with the nearest residential property at no.260 Rainham Road, such that no material loss of privacy and amenity is judged to occur. Plot D shares a boundary with no.290 Rainham Road. The back to back distance between the relative properties is in the region of 14m minimum, although there is not a direct back to back relationship as Plot D lies to the north-west of no.290 Rainham Road, such that any angles of overlooking would be oblique. Furthermore, this property has rooflights but no rear dormer to prevent direct overlooking. Given this angled relationship and the overall separation distances, Staff consider the development would not be materially harmful to the amenity of the occupier of no.290 Rainham Road. The application indicates that a brick wall would be constructed in place of the existing garages that currently form part of the boundary with this plot. Details of boundary treatment will be secured by condition.
- 6.5.3 Plot E is located to the flank of the flats at 47-57 Ongar Way. There is no habitable room windows to the flank wall of the flats that would directly face towards the proposed bungalow on this plot. It is therefore considered that the relationship of the respective properties is acceptable.
- 6.5.4 Units on plots F-I are designed as bungalows with no accommodation within the roof space. The eaves of the buildings are relatively low, at around 2.2m high, rising to around 4.7m high to ridge (plot H slightly taller at around 4.9m). It is considered that this is sufficient to ensure an acceptable degree of amenity for adjoining occupiers in Rainham Road and Ongar Way is maintained. Arguably the potential for noise and disturbance in this part of the site is less than could have been generated by the previous garage use and the opportunity for crime and anti-social behaviour. Care will however need to be taken with the lighting of the site given the position to the rear of neighbouring rear gardens. Details of lighting will be secured by condition.
- 6.5.5 The development on plots J and K is positioned to the side of no. 268 Rainham Road. There is a first floor flank window to this property, which appears to serve a landing. The new dwellings extend further into the rear garden than the neighbouring property but this is mitigated by the flank to flank separation between the properties and a ground floor rear extension to no.268, such that no material harm to the neighbours amenity is considered to result. To the west of plot K are residential flats in Writtle Walk, which back on to the application site. These units have an amenity area to the rear of the ground floor units and decked access to the first floor units. The dwelling to plot K is set in between 2m and 4m from the boundary with a flank to rear elevation distance of around 12m. It is considered these

separation distances are sufficient to maintain an acceptable degree of amenity for residents in Writtle Walk.

- 6.5.6 Taking into account all material considerations it is judged that the proposed development is designed in such a way as to prevent any material harm to neighbouring residential amenity.

6.6 Environmental Issues

- 6.6.1 The application site is located in Flood Zone 1, which is the lowest risk flood zone. The site is less than 1 hectare in area so a surface water risk assessment is not required either. The site is previously developed land and not considered to be at significant risk of flooding and the proposal is judged acceptable in this respect.

- 6.6.2 A land contamination desk top and site investigation study have been carried out. A condition is recommended in respect of land contamination issues.

- 6.6.3 An energy strategy and sustainability statement have been submitted with the application. It is recommended that the aims of these statements be secured by condition and will require a minimum of Code level 3 to accord with current LDF policy.

- 6.6.4 An Ecological Scoping Survey has been submitted with the application. The survey has not found indication of the presence of any rare or protected species, on the site. The report does however make recommendations relating to the impact of development on nesting birds and bats. It is therefore recommended that a condition be imposed requiring the development to be carried out in accordance with the requirements and recommendations of the ecological report.

- 6.6.5 An Arboricultural Impact Assessment has been submitted with the application. There are no trees within the application site, although there are some on the village green that could potentially be affected by the development. No detailed landscaping proposals have been submitted with the application although it is noted that the scheme will include a landscaped buffer adjacent to the village green. The landscaping of the site will be important to maintain this relationship and also to ensure a suitably high quality living environment within the site and details will therefore be secured by condition.

6.7 Parking and Highway Issues

- 6.7.1 The application proposes two parking spaces per dwelling, which accords with the LDF requirement for 2-1.5 spaces per unit. The proposal is therefore compliant in principle with the LDF. Additionally, the scheme provides 42 surface parking spaces for use by local residents and retains an existing block of 6 garages. This is considered to adequately compensate for the loss of existing garaging facilities from the site. Highways have

indicated that the amount and layout of the parking spaces is acceptable. Staff consider the parking spaces to be acceptably laid out within the site and to be adequate to serve the proposed development.

- 6.7.2 Each dwelling will be required to make provision for cycle storage to accord with the standards set out in Annex 6 of the LDF. This will be secured by condition.
- 6.7.3 In terms of impact on road capacity and junctions Highways have no objections to the proposals but note that part of the site is shown as Highway and will have to go through the 'stopping up' procedure under Section 247 (Town and Country Planning Act). As this will also involve work to make good the remaining highway at the entrance to the site, Highways will require the developer to enter into an agreement with The Highway Authority.
- 6.7.4 Streetcare have been consulted in respect of the proposals and raise no objection to refuse collection arrangements. The Fire Brigade raised no concern with regard to access on the originally submitted plans but comments are awaited on the most recent set of revisions. It is advised that an additional fire hydrant will be required. This will be referred to by informative.

6.8 Affordable Housing

- 6.8.1 The proposal results in development for which an affordable housing provision is required in accordance with the National Planning Policy Framework and the London Plan. Policies CP2 and DC6 set out a borough wide target of 50% of all new homes built in the borough to be affordable. The site is to be developed by the Council's Housing Service and it is advised that 100% of the units on the site will be provided as affordable housing. This is in excess of policy requirements and is considered to be acceptable.
- 6.8.2 The provision of affordable housing would normally be secured through a legal agreement. However, such an agreement is not possible in this case as the Council is both applicant and developer. It is therefore considered that a planning condition should be used in this case to ensure that the site provides affordable housing to meet the standards set out in Policy DC6.

6.9 Infrastructure

- 6.9.1 In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £72,000 to be used towards the infrastructure costs arising from the new development is required. As set out above, as the Council is owner and developer of the site, it is considered that the contribution will need to be secured by a planning condition in this case.

7. The Mayor's Community Infrastructure Levy

- 7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The site does include garages which are to be demolished. Under the provisions of the recent CIL amendment regulations it is judged that the area of these buildings could be deducted from the CIL liability if they have been used for six months out of the three years prior to the grant of planning permission. The majority of the garages on the site appear unused and no evidence has been provided regarding the use of the garages and no claim has been made that these are deductible from CIL liability. Therefore the applicable fee has been calculated based on the internal gross floor area of the proposed development of 998.8m², which equates to a Mayoral CIL payment of £19,976.
- 7.2 It is open to the developer to make an application for social housing relief in respect of those units which are provided as affordable housing.

8. Conclusion

- 8.1 The proposed residential development on the site is acceptable in principle. The design and layout of the proposed development is generally considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment. Staff further consider the design, scale, bulk and massing of the proposed buildings to be acceptable. There is judged to be no material harm to neighbouring residential amenity arising from the proposals and the application makes acceptable provision for landscaping, sustainability and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.
- 8.2 The proposal makes provision for affordable housing in excess of the LDF policy requirements. There will be a requirement to meet infrastructure costs associated with the development in accordance with the draft Planning Obligations SPD. The proposal is judged to be acceptable, subject to conditions and it is recommended that planning permission is granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

The application site comprises land in the ownership of the Council. This application is however considered solely on the planning merits of the proposals.

Legal implications and risks:

Legal resources will be required for future work relating to the stopping up of the highway.

Human Resources implications and risks:

None arising from this application.

Equalities implications and risks:

Planning applications are determined with full regard to equalities issues. The application responds to these issues by providing a range of housing types, with regard to the need for housing for people with disabilities and life time homes criteria, thus meeting a range of community needs.

BACKGROUND PAPERS

Planning application P1644.11, received 12 December 2011. Revised plans received 8 April 2014.