



REGULATORY SERVICES COMMITTEE

13 November 2014

REPORT

Subject Heading:

P1202.14 – 204 Straight Road and 1a Myrtle Road, Romford - Demolish existing 2 No. single storey bed-sit and construct 2 No. small two storey dwellings and the creation of on-site parking. (received 27/08/14)

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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 application relates to Council owned land. The application proposes the demolition 2 no. single storey, 1-bedroom dwellings and the erection of 2 no. 2-bed, 2 storey dwellings with associated amenity space. Staff consider the

proposal to be acceptable. The application is recommended for approval subject to conditions.

RECOMMENDATIONS

That the Committee notes that 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 101m² which, at £20 per m², equates to a Mayoral CIL payment of £2,020 (subject to indexation).

That Staff be authorised to grant planning permission subject to the conditions set out below:

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

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

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

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

3. Materials: Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the construction of the building(s) 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.

4. 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

5. 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.

6. 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.

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;

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

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

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

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

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

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

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

10. Screen fencing: Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority the approved details shall be implemented immediately on approval and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

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

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

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

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

13. Obscure glazed and fixed shut: The proposed roof lights serving bathrooms shall be permanently glazed with obscure glass and thereafter be maintained and permanently fixed shut 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.

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 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.
3. With regard to surface water drainage it is the responsibility of a 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 groundwater. 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.
4. In aiming to satisfy condition 8 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).
5. 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 £2020 (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.
8. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

Mayoral CIL

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 101m² which, at

£20 per m², equates to a Mayoral CIL payment of £2,020 (subject to indexation).

REPORT DETAIL

1. Site Description

- 1.1 The application sites consist of two small pieces of land on the corner of Straight Road and Myrtle Road which is currently occupied by 2 small 1-bedroom bungalows. The subject bungalows are situated at the end of a semi-detached pair of dwellings and terrace of four, respectively. The ground is relatively level.
- 1.2 Development in the vicinity is characterised by two-storey terraced residential units which predominantly have a brick finish.

2. Description of Proposal

- 2.1 The application seeks permission for the demolition of the existing 1-bedroom bungalows and the erection of 2 no. 2-bed, 2 storey dwellings.
- 2.2 The dwellings would measure 8.6m in width at its widest point and 8m in depth. The dwellings will be covered by a pitched roof design with a difference in angle between the front and the rear roof slopes. The replacement dwellings would have a slightly larger footprint, wrapping around the corner, than that of the existing bungalows however would not project forward of the front or rear building lines of the adjacent dwellings.
- 2.3 The proposed 2-bed dwellings would consist of a kitchen/living/dining area and wc at ground floor and a bathroom and 2 no. bedrooms at first floor.
- 2.4 The access arrangements are sufficient to allow access into the site for refuse collection. The storage of cycles could be accommodated in the rear gardens.
- 2.5 There will be no change to the current amenity space arrangement to the rear of the dwellings. Approximately 16m² of amenity space would be provided to the rear of each dwelling.
- 2.6 No on-site parking is currently available. One parking space is proposed between the two dwellings.

3. History

- 3.1 P0505.14 - Demolish existing 2No. poorly constructed single storey dwellings and construct 2No. new one and a half storey dwellings - Withdrawn

4. Consultation/Representations

- 4.1 Notification letters were sent to 30 neighbouring properties and one letter of objection was received raising the following concerns:

- does not meet the demand needs which is for single bedroom dwellings
- building would encroach on light
- loss of privacy
- appearance not suitable in the street
- will increase parking problems
- noise, dust nuisance during construction
- demolition of existing structure may damage neighbouring house

Subsequent amendments were made to the proposal to include an onsite parking space which required re-notification. The deadline for responses to the 2nd round of notification will expire on 5 November and any representations will be verbally updated to members.

- 4.2 The Highway Authority has raised an objection to the proposal as the parking provision is not in accordance with policy guidance which requires 2-1½ spaces per dwelling.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP17 (Design), DC3 (Housing Design and Layout), DC33 (Car parking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design) and DC63 (Crime) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Residential Extensions and Alterations Supplementary Planning Document (SPD) and the Residential Design SPD are also relevant.

- 5.2 Policies 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) of the London Plan (2011).

- 5.3 National Planning Policy Framework (NPPF) Section 6 "Delivering a wide Choice of Homes", and Section 7 "Requiring Good Design".

6. Staff comments

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

6.2 *Principle of Development*

6.2.1 The proposal is for the replacement of existing residential dwellings and is therefore acceptable in principle.

6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 83m² for a 2-bed 4-person two storey dwelling. Although the internal floor area of 82.6 m² is lower than the 83m² minimum standard it is only marginally below the requirement. Staff do not consider this sufficient reason for refusal given the site constraints.

6.3 *Site Layout / Amenity Space*

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

6.3.2 The proposals are for replacement dwellings on a similar footprint as the existing bungalows. The existing amenity space provision would remain the same and is considered acceptable given the site constraints and the fact that it is for replacement dwellings.

6.3.3 In terms of the general site layout, the proposed would have a slightly larger footprint than that of the existing bungalows. The existing bungalows would be replaced with 2 storey dwellings. The general site layout would remain similar to the existing scenario and is considered acceptable.

6.4 *Impact on Local Character and Street Scene*

6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and

should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

6.4.2 The proposed design would be similar in materials and visual appearance than that of the dwellings on either side with the exception of a lower roof height, front porch projection and bay windows. Staff are of the opinion that the development of the proposed dwellings in this location would have an acceptable appearance with no harmful impact to the character and appearance of the surrounding area. Staff are of the opinion that the proposal would not appear as a cramped form of development and overall would have an acceptable design and appearance, compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

6.5 *Impact on Amenity*

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

6.5.2 Staff do not consider the proposed dwellings to have an unacceptable impact on neighbouring properties as it would not project beyond the front and rear building lines of the attached neighbouring properties. No additional impact would result from 4 of the loft windows to the rear roof slope as these windows are rooflights and high level (in excess of 2.3m above finished floor level). The 2 remaining loft windows serving bathrooms would be at an approximate height of 1.5m above finished floor level. A condition will be imposed to have these windows obscure glazed and fixed shut in order to mitigate any overlooking.

6.5.3 It is considered that there would be some loss of light to and outlook from the adjoining rear garden environments as a result of the increased height of the replacement dwellings. As a matter of judgement, Staff do not consider unacceptable levels of overshadowing or loss of outlook to occur, however members may wish to attach greater weight to the loss of light and outlook to/from neighbouring gardens and the resultant loss of residential amenity.

6.5.4 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed houses and the available plot space, any additions, extensions or alterations to the dwellings may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all permitted development rights for the proposed development should be removed in order to safeguard the appearance of the rear garden environment and amenities of neighbouring occupiers.

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

6.6 *Highways / Parking Issues*

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type.

6.6.2 The development provides one parking space per dwelling. Although this is below the requirement of 1.5 spaces, Staff do not consider the proposal to have a worse impact on parking given that the existing dwellings do not presently have any parking. Staff therefore do not consider it reasonable to refuse the application on parking grounds. Members may however give more weight to the parking requirement given that there would be an increase from a 1-bedroom bungalow to a 2-bedroom dwelling and a shortfall of one space and may consider there to be a lack of on-site parking

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

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

6.7 *The Mayor's Community Infrastructure Levy*

6.7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 101m² for the 2-bed dwellings and amounts to £2,020.

6.8 *Other Issues*

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

6.8.2 Issues relating to noise and dust nuisance during construction will be mitigated by a Construction Method Statement condition. Any structural concerns would be a matter for Building Control and not a planning consideration.

7. Conclusion

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

IMPLICATIONS AND RISKS

Financial Implications and risks:

The application relates to a land which is within the Council's ownership. This does not affect the planning considerations relating to this development.

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 27/08/14.