

**REGULATORY  
SERVICES  
COMMITTEE**

18 December 2014

**REPORT**

**Subject Heading:**

P1304.14 – 37-39 Manor Road, Romford  
– Demolition of 3 and 4 storey office building known as Service House and the erection of 9 single family houses with associated garages, parking spaces and gardens (application received 19/09/14; revised plans received 1/12/14 and 5/12/14).

**Ward**

Romford Town

**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**

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

**SUMMARY**

This report concerns a planning application for the demolition of a three and four storey office building known as Service House and the erection of nine single family

houses with associated garages, parking spaces and gardens. A Section 106 Legal Agreement is required to secure a financial contribution in accordance with the Planning Obligations Supplementary Planning Document. Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

## RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of (1,572.5 sq.m. – 1,354.76 sq.m.) 218m<sup>2</sup> which equates to a Mayoral CIL payment of £4,360 (subject to indexation).

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

- A financial contribution of £54,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document and Policy DC72.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement, prior to completion of the agreement, irrespective of whether the agreement is completed;
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

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

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

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

2. Materials - The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 10 of the application form unless otherwise agreed in writing by the Local Planning Authority.

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

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this decision notice approved by the Local Planning Authority.

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

4. 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.

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

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

6. Car parking - Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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

7. 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.

8. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
  - b) storage of plant and materials;
  - c) dust management controls;
  - d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
  - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
  - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
  - g) siting and design of temporary buildings;
  - h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
  - i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

9. Permitted Development - 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 Classes A - E, (or any order revoking and re-enacting that Order with or without modification),no extensions, roof extensions or alterations shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden area of the dwellings, with the exception of ancillary structures up to 10 cubic metres in volume, 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.

10. Boundary fencing - Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority and the approved boundary screening measures shall be implemented prior to first occupation of the development for residential purposes 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. External lighting – No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of the hereby approved development and permanently maintained in accordance with the approved details.

**Reason:** In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

12. Surfacing materials - Before any of the development hereby permitted is commenced, details of surfacing materials for the access road shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent uses of the access road for anything but access.

**Reason:** To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in the interests of highway safety.

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

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

14. Pedestrian Visibility Splay - The proposals shall provide a 2.1 metre (wide) by 3 metre (deep) pedestrian visibility splay on either side of the proposed 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:** In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

15. Vehicle Cleansing - Before the development hereby permitted is first commenced, vehicle cleansing 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.

The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a breakdown of the wheel washing arrangements.

**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.

16. Site levels – Notwithstanding the details submitted with the application. prior to the commencement of the development, a drawing showing the existing and proposed site levels of the application site and the finished floor levels of the proposed dwellings 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.

**Reason:** To protect neighbouring amenity.

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

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

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

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

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

18. Soil contamination - 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.

19. Use of garages – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995(or any order revoking and re-enacting that Order with or without modification) the

garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.

**Reason:** To provide satisfactory off-street parking at the site, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

20. Secured by Design - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

**Reason:** In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

21. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995(or any order revoking and re-enacting that Order with or without modification),no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

22. Obscure glazing - The first floor bathroom window on the north eastern flank of the dwelling in plot 3 shall be permanently glazed with obscure glass 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.

23. 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

24. Preserved trees - No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees (those protected by tree preservation orders) on the site, including the oak tree on land adjacent to 37-39 Rushdon Close, Romford - TPO 4-14, has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented before development commences and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

**Reason:** To protect the trees on the site subject to a Tree Preservation Order.

#### INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

2. 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 £4,360. 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.

3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose details can be found by visiting <http://www.securedbydesign.com/professionals/details.aspx?forcecode=met>. They are able to provide qualified advice on incorporating crime prevention measures into new developments.

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

5. Highway legislation - The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

25. Temporary use of the public highway - 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.

26. 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.

### Planning Obligations

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

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

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

- 1.1 While the site address is in Manor Road, the application site is located to the southern side of Rushdon Close. The site comprises of a vacant three and

four storey office building known as Service House with an area of hardstanding. There is an access drive which exits onto Rushdon Close near its junction with Manor Road. The building on site is at the highpoint of the area, as ground levels fall significantly across the site from west to east. Ground levels surrounding the site are significantly lower in Rushdon Close but only slightly lower to Manor Road and to the south of the application site. The site area is 0.28 hectares.

- 1.2 To the east of the application site is a five storey residential block entitled Weave Court (which is four storeys from the higher level of the Service House site) with houses and flats further to the east adjacent to the railway line and on the opposite side of Rushdon Close. To Manor Road are mainly semi-detached and detached two storey housing and there are three storey flats to the south in Marwell Close. The site includes a rectangular parcel of land adjacent to No. 41 Manor Road.

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

- 2.1 The application is for the demolition of a three and four storey office building known as Service House and the erection of nine single family houses with associated garages, parking spaces and gardens. The access road will be a shared surface with a combined carriageway and footpath.
- 2.2 The site would be laid out with two pairs of semi-detached properties, a terrace of four properties and a detached dwelling adjacent to No. 41 Manor Road. There are eighteen car parking spaces for the development, nine of which are in garages/car ports and nine are on driveways.
- 2.3 The semi-detached dwellings in plots 1 and 2 would have a combined width of 12.1 metres, a depth of between 12.3 and 13.2 metres at ground floor, 11.5 and 12.3 metres at first and second floor and a height of between 10.6-10.7 metres to the ridge taking into account the change in ground levels.
- 2.4 The semi-detached dwellings in plots 3 and 4 would have a combined width of between 13.2m and 16m at ground floor, between 13.2m and 14.6m at first and second floor and a ridge height of between 8.8 and 10.3 metres.
- 2.5 The terraced properties in plots 5-8 would have a combined width of approximately 36.8 metres, a depth of between 7.9 and 12.8 metres at ground floor, between 8.7 and 12.8 metres at first floor, between 6.5 and 12.1 metres at second floor and a ridge height of between 10.3 and 10.4 metres.
- 2.6 The detached dwelling in plot 9 would have a width of between 6.5 and 7.7 metres at ground floor, 4.5 and 6.5 metres at first and second floors. The dwelling would have a depth of approximately 14.4 metres at ground floor, 11.6 metres at first floor and would have a ridge height of approximately 9.7 metres.

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

F0005.14 – Prior approval request for the proposed demolition of an office building - Service House, with existing access road, parking surface and outbuilding in the south-east corner of the site – Prior approval given.

F0004.14 - Prior approval request for the proposed demolition of an office building - Service House, with existing access road, parking surface and outbuilding in the south-east corner of the site – Prior approval given.

P1166.14 - Installation of 6 no. privacy louvres to kitchen windows of apartments 5,6,11,12,17 & 18 – Withdrawn.

P0839.13 - Demolition of an existing 3 and 4 storey office building known as Service House and replacement with 4 and 5 storey residential building including 42 flats with a set back top floor and with associated parking and garden - Refused.

P1070.12 - Demolition of an existing office, known as Service House, and erection of 5/6 storey block with 42 flats, with associated parking and gardens – Refused. Dismissed on appeal.

P0387.11 - Part change of Use from B1 to D1 (basement, ground and first floor), restricted to health centres non-residential education and training centres – Approved.

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

4.1 The occupiers of 130 neighbouring properties were notified of this proposal. Two letters of objection were received with detailed comments that have been summarised as follows:

- Loss of light.
- Removal of the hedge and greenery in Plot 9 adjacent to No. 41 Manor Road, which adds to the aesthetics and environmental value of the area.
- Overlooking and loss of privacy harmful to neighbouring amenity.
- The trees to the rear of No. 41 Manor Road are over represented and would not offer the privacy the proposed site layout assumes.
- The existing office block was unoccupied at weekends and after 6pm on weekdays and as such, there was no intrusion into the privacy of neighbouring properties.
- The aesthetics of the build are not in keeping with the local period houses.
- The Council has set a precedent by rejecting application P0839.13 based on insufficient quality of design, form, external appearance and layout. There is no improvement on this layout or improvement to design since that previous application.
- The proposal is not in keeping with Manor Road history and its proximity to this road detrimental to the character and appearance of the surrounding area.
- Noise pollution due to increased cars and footfall and such a sizeable plot would impinge on the surrounding neighbours.
- Loss of outlook.

- A previous application was rejected based on bulk and mass, which would be intrusive to neighbouring properties and three storey dwellings would appear overbearing.

- 4.2 In response to the above, each planning application is determined on its individual planning merits. The hedge and soft landscaping appears to be within Plot 9 of the application site and as such, can be removed by the applicant. The remaining issues are addressed in the following sections of this report.
- 4.3 The London Fire Brigade Water Team – No objection.
- 4.4 The Highways Authority has no objection to the proposals. Request conditions regarding a pedestrian visibility splay, vehicle access, vehicle cleansing and various informatives.
- 4.5 Environmental Health – Recommend conditions regarding land contamination and noise insulation if minded to grant planning permission.
- 4.6 English Heritage – The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.
- 4.7 Designing Out Crime Officer – Recommends a secured by design condition and an informative if minded to grant planning permission.
- 4.8 Tree Officer – Following negotiations with the agent, the plans have been revised by moving the steps adjacent to the garage in plot 8 further away from the oak tree that has a Tree Preservation Order (TPO 4-14) and as such, there is no objection to the proposal. Recommends a condition regarding the protection of the preserved tree if minded to grant planning permission.

## 5. **Relevant policies:**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC11 (Non-designated sites), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC60 (Trees and Woodlands), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Protection of Trees during Development Supplementary Planning Document and the Planning Obligations Supplementary Planning Document.
- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.21 (Trees and Woodlands), 7.4 (local character)

and 8.3 (Community infrastructure levy) of the London Plan are relevant. Chapters 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

## **6. Background:**

6.1 This proposal follows a previous application P0839.13 for the demolition of an existing 3 and 4 storey office building known as Service House and replacement with 4 and 5 storey residential building including 42 flats with a set back top floor and with associated parking and garden, which was refused for the following reasons.

- 1) The proposed development would, by reason of its height, scale, obtrusive bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
- 2) The proposal would, by reason of its scale, massing, bulk and layout result in an obtrusive and oppressive development adversely impact on the rear garden scheme and adversely impacting on outlook from neighbouring properties to the detriment of residential amenity, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
- 3) The proposal would, by reason of an unacceptably excessive increase in traffic activity, result in harm to the living conditions of existing nearby residents through noise and congestion contrary to Policy DC61 of the Core Strategy and Development Control Policies DPD.
- 4) The proposal would, by reason of its design, including its form, external appearance and layout, not be of a sufficiently high quality of design and layout as to justify the excessively high density proposed, contrary to Policies DC2, DC3 and DC61 of the LDF Core Strategy and Development Control.

## **6.2. Staff Comments:**

6.2.1 The main issues in this case are the principle of development, density and site layout, design/impact on streetscene, impact on amenity, highway/parking issues, trees and other issues.

## **6.3 Principle of Development**

6.3.1 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The application site is previously developed land. It is within a predominantly residential area and is considered to be suitable in principle for residential development, subject to the detailed design of the proposals. There is no objection in principle to the demolition of the existing office building (Service House), which has been vacant since September 2012. The application site is on land which is not designated land in the LDF, such as its use for housing would be acceptable and in accordance with Policy CP1 and Policy 3.3 of the London

Plan and National Planning Policy Framework which seeks to increase London's housing supply.

#### **6.4 Density and site layout**

6.4.1 Policy DC2 sets out ranges of residential densities. In this location a density of 30-50 units per hectare would be expected. The site area is 0.28 hectares and the proposal is for 9 dwellings. The proposed density is therefore 32 units per hectare which falls within the guidance range.

6.4.2 The London Plan indicates at Policy 3.5 that three storey four bed houses for five and six people should have a minimum gross internal floor area of 106 and 113 square metres respectively. Dwellings in plots 1-8 would be in excess of the minimum internal space standards. The London Plan states that two storey four bed houses for six people should have a minimum gross internal floor area of 107 square metres. The two storey dwelling in Plot 9 would have a gross internal floor area of 150 square metres, which exceeds this guidance.

6.4.3 In respect of the site layout, the access road would extend from Rushdon Close on a north west to south east axis within the site and feature two turning heads with the proposed houses, garages/car ports and off street parking spaces located on its perimeter. Staff consider the layout of the site to be acceptable with amenity space provided to the rear of each property.

6.4.4 The Supplementary Planning Document on Residential Design states that every home should have access to suitable private and/or communal amenity space through one or more of the following: private gardens, communal gardens, courtyards, patios, balconies and roof terraces. The proposed separate amenity spaces for each property vary between a minimum of 44 and a maximum of 250 square metres, which are considered to provide an acceptable level of amenity space.

6.4.5 It is noted that the rear gardens of the dwellings in plots 1 and 2 back onto the flank wall of neighbouring block of flats in Weave Court. There are a total of six flank windows on the first, second and third floor of the building, that each serve an open plan kitchen, dining and living area of flats No.'s 5, 6, 11, 12, 17 and 18 Weave Court. These flank windows are secondary light sources with windows and doors on the front or rear facades of the flatted block. The agent has advised that these six flank windows will be fitted with fritted glass, which is scheduled to take place during January 2015 and Estuary Housing has confirmed its agreement to this in writing. Staff consider that the fritted glass to these flats in Weave Court would prevent any undue overlooking of the rear gardens for the dwellings in plots 1 and 2 and provide a sufficient degree of privacy for future occupiers.

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

6.5.1 The application would comprise the demolition of the existing office building entitled Service House. While the building appears to be in a structurally sound condition, it is not of any particular architectural or historic merit and no in principle objection is therefore raised to its demolition.

- 6.5.2 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. Rushdon Close is typified by three and five storey blocks of flats and three storey terraced dwellings. There are mainly semi-detached and detached two storey housing in Manor Road and three storey flats in Marwell Close.
- 6.5.3 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. It is considered that the external design and appearance of the dwellings would integrate satisfactorily with the streetscene. Staff consider that the height and scale of the dwellings proposed is compatible with the prevailing scale and character of development within the locality. It is noted that the change in ground levels within the site is particularly visible adjacent to No.'s 1-24 Rushdon Close and Staff consider that the boundary treatment adjacent to plots 1 and 8 would appear in character with the streetscene. The split level development helps to address the bank along the boundary with Rushdon Close given the topography of the site.
- 6.5.4 The dwellings, garages and car ports would all front onto the new access road in a cul-de-sac arrangement. The position of the dwelling in plot 9 in the streetscene is considered to be compatible with the general building line in Manor Road. The proposed houses would utilise a mixture of materials including facing brickwork, brown zinc roofing and oak windows and doors, which will be secured by condition if minded to grant planning permission. Staff are of the view that the proposed materials would integrate satisfactorily with the streetscene.

## 6.6 **Impact on amenity**

- 6.6.1 No. 41 Manor Road, which is adjacent to Plot 9, has a ground floor high level flank window that is obscure glazed and serves a bathroom, which is not a habitable room. Towards the rear of the dwelling, there is a ground floor flank window and door (the latter is on the front façade of a single storey side extension), which serves an open plan kitchen/dining room. There is a roof light above the dining room. Planning permission was granted for a single storey side extension to No. 41 Manor Road under application reference P1667.87. According to the existing ground floor plan for this application, the kitchen originally had two ground floor flank windows, which led onto a conservatory. The conservatory was subsequently demolished and replaced with a single storey side extension, which resulted in the loss of one of the flank kitchen windows. According to the proposed ground floor plan, the single storey side extension was flush with the rear façade of the dwelling and created a dining area with patio doors on its rear elevation. Following a recent internal inspection, it was noted that the current dining area only extends to approximately half the depth of the side extension and the remaining half has extended the lounge area to the rear of the existing dwelling.



- 6.6.2 When reviewing the merits of this application, less weight can be placed on the loss of amenity to the flank kitchen window of No. 41 Manor Road, by virtue of its existing single storey side extension. Therefore, it is considered that the proposed dwelling in plot 9 would result in some loss of amenity to the flank kitchen window of No. 41 Manor Road, but this is not judged to be materially harmful, taking into account the existing single storey side extension, which also benefits from a roof light to the dining area. In addition, there is favourable orientation, as the application site is located to the north of No. 41 Manor Road, which would help to mitigate its impact.
- 6.6.3 No. 41 Manor Road has one first floor window on its recessed rear façade, which serves a bedroom and is a primary light source. No. 41 Manor Road has a window on the north western flank of its first floor rear projection, which serves a bathroom and is obscure glazed. The first floor bay window on the rear façade of No. 41 Manor Road serves a bedroom and is a primary light source. Staff consider that the proposed dwelling in plot 9 would not result in a significant loss of amenity to No. 41 Manor Road, as its ground floor would be in general alignment with the front and rear building lines this neighbouring property. In addition, the proposed dwelling in plot 9 would not impede a 45 degree notional line taken from the window sill of the first floor flank bedroom window. The flank wall of the dwelling in plot 9 would be set in between approximately 1.6 and 3.6 metres from the south eastern boundary of the site, which would help to mitigate its impact.
- 6.6.4 Staff consider that the dwelling in plot 9 would not result in a significant loss of amenity to No. 33 Manor Road, as there would be a flank to flank separation distance of between approximately 16 and 18 metres between these two properties, with the junction of Rushdon Close in between. It is considered that the proposed garages for plots 8 and 9 would not result in significant levels of noise and disturbance from pedestrian and vehicular movements over and above the existing access road given the former office use of the Service House building.
- 6.6.5 Staff consider that the dwelling in plot 1 would not result in a significant loss of amenity to No. 68 Rushdon Close, as there would be a minimum separation distance of approximately 25 metres between the front façade of this neighbouring property and the rear façade of the nearest dwelling in plot 1, with the junction of Loom Grove in between.
- 6.6.6 It is considered that the dwellings in plots 1-8 would not result in a significant loss of amenity to No.'s 1-24 Rushdon Close, as there would be a separation distance of between approximately 25 and 29 metres between the front façade of these three storey blocks of flats and the flank walls of the nearest dwellings in plots 1 and 8. It is considered that the proposed access road would not result in significant levels of noise and disturbance from pedestrian and vehicular movements over and above the existing access road given the former office use of the Service House building.
- 6.6.7 Staff consider that the proposed development would not result in a significant loss of amenity to the flats in Weave Court, as there would be a separation distance of between approximately 9 and 23 metres between the rear facades

of the dwellings in plots 1 and 2, the pair of garages and the flank wall of the dwelling in plot 3 and the south western flank walls of this five storey 'L' shaped block of flats. Staff consider that installing fritted glass to six flank windows of flats No.'s 5, 6, 11, 12, 17 and 18 Weave Court would prevent any inter-looking or overlooking of the dwellings and their rear gardens in plots 1 and 2. It is considered that installing the fritted glass to the flank windows of these flats would be acceptable, as they serve an open plan kitchen, dining and living area and are secondary light sources with windows and doors on the front or rear facades of the flatted block.

- 6.6.8 The dwelling in plot 3 has various ground floor windows and doors on its north eastern flank, which would be screened by boundary fencing and soft landscaping. The first floor window on the north eastern flank of the dwelling in plot 3 serves a bathroom and will be obscure glazed by condition if minded to grant planning permission. There are first and second floor bedroom windows on the north eastern flank wall of the dwelling in plot 3, some of which are located at an oblique angle and therefore, Staff consider that these windows would not result in significant levels of overlooking or loss of privacy to the raised amenity area of Weave Court. In addition, a landscaping proposal has been submitted with this application, which shows that part established trees and shrubs would be planted on the north eastern boundary of the site adjacent to the dwelling in plot 3, which together with boundary fencing would provide sufficient screening to mitigate any undue overlooking. A landscaping scheme and details of boundary treatment will be secured by condition if minded to grant planning permission.
- 6.6.9 It is considered that the dwellings in plots 3, 4 and 5 would not result in a significant loss of amenity to No.'s 21-44 Marwell Close, as there would be a separation distance of between approximately 15 and 23 metres between the rear façade of these three storey blocks of flats and the rear facades of the dwellings in plots 3 and 4 and the flank wall of the dwelling in plot 5. The dwellings in plots 3 and 4 feature second floor terraces on their rear facades and Staff consider that these would not result in significant levels of overlooking or loss of privacy, as the flats in Marwell Close are sited at an oblique angle from the south eastern boundary of the application site and taking into account the separation distances above. In addition, there is a brick wall on the perimeter of the terraces and there are trees adjacent to the south eastern boundary of the site within the grounds of these flats in Marwell Close, which would provide some screening.
- 6.6.10 It is noted that the dwellings on plots 5 – 8 are sited on a higher ground level than the neighbouring properties that back onto the site in Manor Road. Staff consider that the proposed development would not result in a significant loss of amenity to No.'s 43-51 (including 51a) Manor Road, as there would be a separation distance of between approximately 39 and 42 metres between the rear façade of these neighbouring properties and the rear façade of the dwellings in plots 5-8. In addition, the dwellings in plots 5-8 feature mono pitch roofs that slope away from No.'s 43-51a Manor Road, which helps to minimise their bulk and mass. There is a timber paling fence adjacent to the south western boundary of the site, which provides some screening. A Tree Preservation Order has been placed on the oak tree on land adjacent to 37-39

Rushdon Close, Romford (TPO 4-14), which provides some screening. A landscaping scheme and details of boundary treatment will be secured by condition if minded to grant planning permission.

## **6.7 Highway/parking issues**

- 6.7.1 The car parking requirements for developments in this location is 1.5-2 parking spaces per dwelling. There are eighteen car parking spaces for the development, nine of which are in garages/car ports and nine are on driveways, which is acceptable.
- 6.7.2 In respect of access, the proposed development would take access from Rushdon Close. The access road will be a shared surface with a combined carriageway and footpath. The Fire Brigade is satisfied with the proposed access.
- 6.7.3 In line with Annex 6, suitable provision would need to be made for both cycle parking and refuse/recycling awaiting collection on site and would be subject to suitable planning conditions for its implementation and retention.
- 6.7.4 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.

## **6.8 Trees**

- 6.8.1 Following negotiations with the agent, the plans have been revised by moving the steps adjacent to the garage in plot 8 further away from the oak tree that has a Tree Preservation Order (TPO 4-14) and as such, the Council's Tree Officer has no objection to the proposal. A condition can be placed regarding the protection of the preserved tree if minded to grant planning permission.

## **7. The Mayor's Community Infrastructure Levy**

- 7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. A CIL form was submitted with the application. The applicable fee is based on an internal gross floor area of (1,575.5 sq.m. – 1,354.76 sq.m.) 218m<sup>2</sup> which equates to a Mayoral CIL payment of £4,360 (subject to indexation).

## **8. Planning Obligations**

- 8.1 A Section 106 Legal Agreement is required to secure a financial contribution of £54,000 to be used towards infrastructure costs in accordance with Policy DC72 and the Planning Obligations Supplementary Planning Document.

## **9. Conclusion**

- 9.1 Staff consider the site to be acceptable in principle for residential development. It is considered that the layout and access of the dwellings proposed is compatible with the prevailing character of development within the locality. Staff are of the view that the proposal would have an acceptable

relationship to adjoining properties and would provide suitable amenity provision for future occupiers. It is considered that the proposal would not create any parking or highway issues. There would be a financial contribution of £54,000 towards infrastructure improvements. Accordingly, subject to the completion of a legal agreement, the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

## **IMPLICATIONS AND RISKS**

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

None.

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

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

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

None.

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

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

## **BACKGROUND PAPERS**

Application forms and plans received 19/09/2014 and revised plans received 1/12/14 and 5/12/14.