



REGULATORY SERVICES COMMITTEE

2 April 2015

REPORT

Subject Heading:

P0090.15: 1 Albert Road, Romford

Proposed demolition of existing building and construction of 5 new dwellings with off street car parking, landscaping and private amenity space (Application received 2 February 2015).

Ward:

Romford Town

Report Author and contact details:

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Policy context:

**Local Development Framework,
London Plan, National Planning Policy
Framework**

Financial summary:

None

SUMMARY

The proposal is for the demolition of an existing two storey commercial building and the construction of 5 new two-storey four bedroom dwellings with off street car parking, landscaping and private amenity space

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £6,400 subject to indexation. This is based on the creation of 320 square metres of new gross internal floor space.

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

- A financial contribution of £30,000 to be used towards infrastructure costs and paid prior to the commencement of development in accordance with the Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 Agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- of the Developer/Owner to pay the appropriate planning obligations/ 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 that the Committee delegate authority to the Head of Regulatory Services 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 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans detailed on page 1 of the 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 Development Control Policies Development Plan Document Policy DC61.

3. External Materials

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

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

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. The landscaping should take into account the requirement for adequate visibility splays for residents parking their cars. 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. 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 proposed boundary should take into account the requirement for adequate visibility splays for residents parking their cars. 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.

6. 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 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 Development Control Policies Development Plan Document Policy DC61.

7. 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.

8. 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 subsequent order revoking or re-enacting that order, no development shall take place under Class A, B, C, D and E 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.

9. Wheel Washing

No development shall take place until a scheme of vehicle cleansing has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details, which shall be retained for the life of the development.

The submitted scheme will provide the following details:

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, including their 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 washed off the vehicles.

f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

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.

10. Construction Method Statement

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.

11. 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.

12. Contaminated Land

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 this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

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

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

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

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

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

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

Reason: To ensure the safety of the occupants of the development hereby permitted and the public generally, and in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC54.

13. Noise Insulation

The buildings hereby permitted shall be constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning & Noise.

14. 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.

15. 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 submitted and approved 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.

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. 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.

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.

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.

3. The proposal involves works which affect the highway and/or its verge. Before commencing such works you must obtain separate consent of the Highway Authority. Please contact the Streetcare on 01708 432563.
4. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.
5. 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.
6. 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 £6,400 (subject to indexation). Further details with regard to CIL are available from the Council's website.
7. 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.
8. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and

- (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a 0.1 hectare plot of land on which is a detached two storey building facing southwest onto Albert Road. The site is currently used for the sale and repair of commercial vehicles.
- 1.2 To the north of the site is the rear of a two storey terrace of houses which face onto Victoria Road; to the south is an access road running east west from Albert Road and beyond that is the flank of a terrace of two storey houses which face west onto Albert Road; to the east is a St John's Ambulance Station served by the access road mentioned above and to the west is Albert Road across which is another terrace of two storey houses facing east towards the application site. The Victoria Public house is located some 20 metres to the northwest of the site on the corner of Albert Road and Victoria Road.

2. Description of Proposal

- 2.1 The application seeks planning permission for the demolition of the existing commercial building and the construction of five dwellings with off street car parking, landscaping and private amenity space. The dwellings would face southwest onto Albert Road and comprise a single detached 2 storey (plus loft space) four bedroom house in the northern part of the site and a terrace of four 2 storey (plus loft space) four bedroom houses to the south of it. The roofs of the proposed houses are pitched with gable ends and rear facing dormer windows. Garden space for the detached house is provided to the northern side of it, while the gardens of the terrace houses are located to the rear of the terrace.
- 2.2 Each of the houses would have a width of 5.5 metres, a depth of 9.4 metres, a height of 5.2 metres to the eaves and a height of 8.3 metres to the ridge of the roof.
- 2.3 Two off street car parking spaces are provided per dwelling.

3. Relevant History

- 3.1 P1243.14 - Demolition of existing building and construction of 6 new dwellings with off-street car parking, landscaping and private amenity space. Permission was refused for this proposal on 30 October 2014 because of

inadequate provision of private amenity space, poor design, proximity to neighbouring properties leading to an unacceptable loss of amenity and lack of planning obligation to mitigate infrastructure costs.

3.2 P1651.05 - Retention of enclosure to existing car wash area (refused 28-10-2005)

3.3 P1625.99 - Retention of car/van hire including portacabin office. Additional to existing business (refused 14-01-2000).

4. Consultations/Representations

4.1 30 letters were sent notifying neighbouring occupiers of the application. One letter of objection has been received from the occupier of a house in the terrace on Victoria Road to the north of the application site. The objections raised relate to:

- Loss of amenity to residents of 126 Victoria Road due to the size and siting of the proposal having an overbearing and dominant effect and causing loss of light and privacy. These issues are explored in detail in the report below;
- The proposal is only possible because a neighbour has agreed to sell land and without this the scheme would not be viable [officer note: it is understood that this objection relates to the rear garden of a property on Victoria Road, it is considered that sufficient depth remains to the garden of this property (more than 11 metres) to adequately cater for the amenity requirements of its residents. Issues relating to site assembly such as whether the proposal would be viable with or without tranches of land are not material to the consideration of the application];
- Loss of on-street parking on Albert Road causing an increase in inconsiderate parking; conflict between pedestrians using the footpath and residents parking their cars. This issue is explored in detail in the report below];
- Loss of water pressure to neighbouring properties [officer note: water supply is the responsibility of Essex and Suffolk Water who have been consulted and raised no objections, water pressure is covered by the Guaranteed Service Standards Regulations 2008 and is not a material planning consideration].

Reference was made to other planning decisions in the area [officer note: every planning application must be considered on its own individual merits].

The correspondent has also requested that should permission be granted, consideration should be made of boundary treatment, hours of construction work and access to the site for construction traffic.

4.2 Essex and Suffolk Water - no objection.

- 4.3 Thames Water – no objection, recommended informatives relating to waste water, surface water drainage and water are included in any approval notice (see informatives above).
- 4.4 Local Highway Authority - no objection to the proposals. Recommend conditions regarding alterations to the public highway, wheel washing and various informatives (see conditions and informatives above).
- 4.5 Environmental Health - no objection subject to the imposition of conditions relating to land contamination/remediation and sound insulation (see conditions above).

5. Relevant Policies

5.1 Local Development Framework:

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC33 (Car Parking), DC53 (Contaminated land), 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 to be relevant together with the Design for Living Supplementary Planning Document, the Residential Extensions and Alterations SPD and the Planning Obligations Supplementary Planning Document.

5.2 London Plan:

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), 7.4 (local character), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) are relevant.

5.3 National Planning Policy Framework:

Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development, the impact on the character and appearance of the street scene, the implications for the residential amenity of the future occupants and of nearby houses and the suitability of the proposed parking arrangements.

Principle of Development

- 6.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.3 In terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is within a predominantly residential area.
- 6.4 On this basis the proposal is considered to be policy compliant in land use terms and its use for domestic residential purposes is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.5 Policy DC2 of the LDF provides guidance in relation to the density of residential developments. The application site has an area of 0.0965 hectares and is located within Public Transport Accessibility Level zone 5-6. The proposal is for five dwellings and this equates to a density of 52 dwellings per hectare which is within the range 50-110 dwellings per hectare anticipated by Policy DC2 for this suburban location.
- 6.6 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conforms to minimum internal space standards.
- 6.7 For a three storey four bedroom house designed for five people the standard is set at 106 square metres of gross internal floor area, the proposed houses all exceed these standards and are considered to be an acceptable size.
- 6.8 The Council's Design for Living SPD 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.
- 6.9 The proposal provides 215 square metres of garden space to the side of the detached house for residents of that property and more than 75 square metres to the rear of each of the terrace houses. It is considered that the proposed garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation. It is considered that the layout of the amenity space would be acceptable and overcome the previous reason for refusal in relation to planning application P1243.14.

Design/Impact on Street/Garden Scene

- 6.10 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 height and scale of the proposed buildings are compatible with the prevailing scale and character of development within the locality and that the external design and appearance of the dwellings would integrate satisfactorily with the streetscene.
- 6.11 The proposed dwellings would utilise a mixture of materials including facing brickwork and render, UPVC windows and concrete roof tiles. The proposed materials are considered to be acceptable. Details of the specific materials to be used would be secured by condition should planning permission be granted.

Impact on Amenity

- 6.12 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 6.13 To the north of the application site is the rear of a terrace of houses which face onto Victoria Road. The side garden of the proposed detached house would be about the rear of the gardens of these properties and the garden boundary would be 7.5 metres from the rear wall of the nearest property on Victoria Road. This proximity is not unusual in a suburban environment and it is considered that with appropriate boundary treatment there would not be any material loss of privacy to the rear of properties on Victoria Road from the use of the new garden or unacceptable lack of privacy to the garden of the proposed detached house from the existing terrace or its gardens.
- 6.14 The flank of the proposed detached house would be more than 10 metres from the bottom of the gardens of the houses on Victoria Road and 18 metres from the rear of the houses. It is considered that this separation is sufficient to adequately mitigate any loss of sunlight/daylight or outlook that might be caused by the new development and overcomes the reason for refusal set out in relation to application P1243.14 where the flank of the proposed house was less than 5 metres from the boundary and less than 13 metres from the rear of the terrace.
- 6.15 There are no windows in the first floor flank of the proposed detached house and therefore no issues of overlooking of the rear of the terrace of houses to the north from this elevation. While the back of the detached house is only 4.3 metres from the garden of one of the houses in the terrace, it is not considered that there would be a significant loss of privacy to the residents of that property given that the depth of the garden of that property is 24 metres and the part overlooked involves the 6 metres of garden furthest from the house. It should be noted that the previous application for the site -

P1243.14 - involved overlooking of this garden space from a similar distance from two of the proposed houses along a length of more than 11 metres and this was considered to be unacceptable. The current scheme is considered to bring this relationship with the neighbouring property to within acceptable limits, although it is acknowledged that this is a matter of judgement for Members.

- 6.16 To the south the nearest property is 5 Albert Road. This flank of this end of terrace property is parallel to, and more than 12 metres away from the south flank of the proposed terrace. Because of this orientation and separation and the fact that there are no windows in the flank of the proposed terrace there are no amenity issues.
- 6.17 It is not considered that the proposed dwellings would result in a loss of amenity to the St John Ambulance Brigade building to the east given the front to rear separation of 21 metres and the non-residential use of the building.
- 6.18 To the west at a distance of 25 metres across Albert Road is a terrace of houses. The separation between the front of the proposed and existing terraces is normal in this suburban setting and considered to be acceptable.
- 6.19 On balance, it is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal complies with Policy DC61 and the intentions of the NPPF.

Parking and Highway Issues

- 6.20 The site is within the Romford Public Transport Accessibility Level (PTAL) zone 5-6, is well served by public transport and is within walking distance of Romford railway station.
- 6.21 Government and regional guidance encourages a relaxation in parking standards in town centre locations, particularly where there is good access to public transport, and the proposed development provides 10 car parking spaces – two to the front of each of the houses. Policy DC2 (Housing Mix and Density) of the LDF advises a maximum of 1.5 to 1 spaces in this location and so there is an overprovision of 2.5 spaces for the scheme.
- 6.22 The Local Highway Authority has raised no objection to the proposal and advises that the proposed car parking and access arrangements are considered to be satisfactory.
- 6.23 The kerb along the front of the site has previously been lowered to allow vehicular access to the forecourt of the commercial premises and parking along this frontage is currently controlled by a single yellow line. The area around the site is a resident permit holder Controlled Parking Zone. It is not considered that the loss of the highway to the front of the site for on-street parking would not have a significant impact on the day to day availability of

on-street parking in the area given the high PTAL of the location and the fact that parking in the area is controlled from 8:30am-6:30pm from Monday to Saturday.

- 6.24 An objection has been raised by an occupant of a neighbouring property that the proposal would exacerbate issues with parking congestion and inconsiderate parking caused by people attending musical events at the Victoria Public House opposite and that the car parking provided would conflict with pedestrians.
- 6.25 With regard to parking issues resulting from music nights at the public house: short term increases in parking demand in the immediate vicinity of drinking establishments holding special events is not unusual, and the planning system is not the proper mechanism to use to control anti-social behaviour such as inconsiderate parking. It is not considered that the loss of the short area of highway in front of the site to on-street public parking would have a material impact on on-street parking.
- 6.26 The parking spaces have a depth of 5 metres and a width of 2.6 metres which is sufficient space to park a car without it overhanging the footway and it is not considered that the parking provided would conflict with pedestrians.
- 6.27 Should planning permission be granted it is proposed that conditions are imposed to require the provision of secure storage for bicycles and an enclosed refuse store for each of the houses.

Community Infrastructure Levy and Developer Contributions

- 6.28 The proposed development will create 5 no new residential units with 570 square metres of internal floorspace. The existing building which will be demolished has a gross floor area of 250 square metres. The total new floor area is 570-250 square metres = 320 square metres. Therefore the proposal, which is liable for Mayoral CIL, will incur a charge of £6,400.00 based on the calculation of £20.00 per square metre.
- 6.29 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". Section 70 of the Town and Country Planning Act 1990 sets out the general considerations for Local Planning Authorities in determining planning applications and Section 70(2) requires that, "in dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations". Paragraph 2 of the National Planning Policy Framework (NPPF) reiterates this: "Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise".

6.30 The proposal is liable to a contribution of £30,000 in accordance with adopted Policy DC72 of the Development Plan and the adopted Planning Obligations SPD. These policies are up to date and accord with Paragraph 12 of the NPPF and the proposal should therefore be determined in accordance with these policies unless material considerations indicate otherwise. Staff have had regard to the Planning Policy Guidance (PPG) relating to the application of a residential unit threshold for infrastructure tariff which advises that no contribution be sought for developments of 10 residential units or less and which is a material consideration however officers consider that greater weight should be accorded to up to date Development Plan Policy and the supporting Planning Obligations SPD. Staff consider that the guidance in the PPG does not immediately supersede current adopted policy as set out in the existing development plan and adopted supplementary planning guidance and that greater weight should be given to adopted policy within the development plan.

7. Conclusion

7.1 The principle of the proposal complies with local and regional policies, the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the street scene or rear garden setting nor would it result in a material loss of amenity to neighbouring occupiers. The proposal is considered to comply with policy and it is therefore recommended that planning permission be granted subject to conditions and the applicant entering into a legal agreement to secure the infrastructure contribution.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be needed to draft the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 2 February 2015.