



<b>Application Reference:</b>	<b>P0646.19</b>
<b>Location:</b>	<b>79 Essex Road, Romford</b>
<b>Ward:</b>	<b>Mawneys</b>
<b>Description:</b>	<b>Adaption of 79 Essex Road to form a new access road with a visibility splay and five new detached dwellings to the rear on a former garage site.</b>
<b>Case Officer:</b>	<b>Adèle Hughes</b>
<b>Reason for Report to Committee:</b>	<b>A Councillor call-in has been received which accords with the Committee Consideration Criteria.</b>

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### **1 BACKGROUND**

- 1.1 The application has been called in by Councillor Jason Frost on the grounds that the applicant has not allowed for adequate vehicular access space for emergency or utility services on to the development site due to the length and width of the proposed access road.

### **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 The adaption of 79 Essex Road to form a new access road with a visibility splay and five new detached dwellings to the rear on a former garage site is acceptable in principle. Staff consider that the proposal would integrate satisfactorily in the streetscene, would not be harmful to neighbouring amenity or create any highway or parking issues. This application is recommended for approval subject to the completion of a legal agreement to secure a financial contribution towards education.

### **3 RECOMMENDATION**

- 3.1 That the Committee resolve to grant planning permission subject to conditions and the prior completion of a legal agreement to secure the following planning obligations:

- A financial contribution of £30,000 to be used for educational purposes.
- 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
  - Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.
- 3.2 That the Assistant Director of Planning is delegated authority to negotiate the legal agreement indicated above.
- 3.3 That the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

### **Conditions**

1. Time limit – The development must be commenced no later than three years from the date of this permission.
2. Details of materials – Written specification of external walls and roof materials to be used in the construction of the building(s).
3. Accordance with plans – The development should not be carried out otherwise than in complete accordance with the approved plans.
4. Parking provision – 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.
5. Landscaping – No above ground works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping.
6. Boundary treatment – Details of all proposed walls, fences and boundary treatment.
7. Removal of permitted development rights - 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.
8. Refuse – Details of refuse and recycling facilities
9. Cycle storage – Details of cycle storage.
10. Flank window – 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) unless specific permission has first been sought and obtained from the Local Planning Authority.
11. Construction methodology - No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers and details of vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works to be provided on site are submitted to and approved in writing by the Local Planning Authority.

12. Hours of construction
13. Installation of Ultra-Low NOx boilers
14. Obscure glazing – The two ground floor windows on the eastern flank wall of No. 79 Essex Road serving a bathroom and an en-suite as shown on Drawing No. P002.111 shall be permanently glazed with obscure glass no less than level 4 on the standard scale of obscurity and shall thereafter be maintained.
15. Obscure and fixed glazing - The proposed side dormer window on the eastern flank of No. 79 Essex Road as shown on Drawing No. P002.111 shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut.
16. Obscure glazing with fanlight openings only – The proposed first floor windows on the eastern and western flank walls of the proposed dwellings in Plots 1-5 serving stairwells and en-suites as shown on Drawing No. P002.1 shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).
17. Water efficiency – The dwelling shall comply with Part G2 of the Building Regulations - Water efficiency.
18. Minor Space Standards – All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

### **Informatives**

1. Approval – No negotiation required
2. Approval and CIL
3. Havering CIL informative
4. Planning Obligations
5. Fee informative
6. Highway informatives
7. Street naming and Numbering

- 3.4 That, if by 31<sup>st</sup> August 2019 the legal agreement has not been completed, the Assistant Director of Planning is delegated authority to refuse planning permission.

## **4 PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 The proposal is for the adaption of 79 Essex Road to form a new access road with a visibility splay and five new detached dwellings to the rear on a former garage site.
- 4.2 The proposal involves the partial demolition of No. 79 Essex Road, including its garage and single storey side/rear projection, reducing the size of its front and rear dormer windows, the creation of a side dormer window, changes to its fenestration and two new ground floor flank windows serving a bathroom and en-suite.

- 4.3 The five detached dwellings would have a width of approximately 7 metres, a depth of approximately 9.6 metres and a height of 5.7 metres to the ridge.
- 4.4 The proposed materials for the dwellings are render and brick, plain roof tiles and UPVC windows.

### **Site and Surroundings**

- 4.5 The application site comprises of a parcel of land to the rear of No. 79-91 Essex Road. No.'s 79 and 81 Essex Road are a pair of single storey semi-detached bungalows. No.'s 85-91 Essex Road are two storey terraced dwellings. No. 12 Burleigh Close is a two storey detached property located to the west of the site. No. 1 Essex Close is a two storey semi-detached property located to the east of the site.

### **Planning History**

- 4.6 79 Essex Road  
P1573.18- Adaption of 79 Essex Road to form new access road and eight new dwellings to rear on former garage site- Withdrawn.
- 4.7 79-81 Essex Road  
P1976.07 – 3 No. 1 bed apartments, 4 No. 2 bed apartments 2No. 2 bed houses and 2No. 3 bed houses following demolition of 2No. bungalows – Refused. Dismissed on appeal.

P1161.07- 3 No.1 bed apartments, 4 No. 2 bed apartments and 4 No. 3 bed houses following demolition of 2 No bungalows – Withdrawn.

## **5 CONSULTATION RESPONSE**

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

## **6 LOCAL REPRESENTATION**

- 6.1 A total of 42 neighbouring properties were notified about the application and invited to comment. The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

- 6.2 No of individual responses: 14, which all objected

- 6.3 The following Councillor made representations:

The application has been called in by Councillor Jason Frost on the grounds that that the applicant has not allowed for adequate vehicular access space for emergency or utility services on to the development site due to the length and width of the proposed access road.

## **Representations**

- 6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

### Objections

- Overlooking and loss of privacy.
- The land is quite elevated.
- The alleyway is quite small for five dwellings.
- Impact on wildlife.
- Traffic and congestion.
- Noise from five additional dwellings.
- Noise pollution, disturbance, dirt and dust during construction works.
- Queried traffic management arrangements during construction works.
- Highway and pedestrian safety.
- Car parking.
- Queried the parking provision for visitors.
- Overdevelopment and high density.
- Queried the boundary fencing and the retention of existing trees and a hedge on the site.
- Concerns regarding the proximity of the dwelling in plot 1 to neighbouring property and the potential for future occupiers to obtain pedestrian access to Essex Close from the site.
- Loss of sunlight.
- Concerns regarding the proximity of Plot 5 to neighbouring property.
- Access for emergency and refuse vehicles.
- Loss of trees. It is alleged that some trees on the site were removed prior to this application.
- The proposal would be out of keeping with the area.
- Queried the refuse storage and collection arrangements and the proximity of the refuse store to neighbouring properties.
- Queried why the plans do not show any measurements.
- Reference was made to obtaining all correspondence between the developer and the Planning Department through a Freedom of Information request.
- A lamp post to the front of No. 79 Essex Road may need to be removed or relocated.
- A telegraph pole to the front of No. 77 Essex Road may need to be removed or relocated.
- Queried how this application differs from the earlier application.
- Drainage.
- Reference was made to planning application P1976.07, which was refused planning permission.
- Concerns that car headlights would shine into neighbouring properties.
- Concerns regarding a lack of consultation.
- Safety issues regarding the use of the alleyway between 91 & 93 Essex Road.

### **Non-material representations**

- 6.5 The following issues were raised in representations, but they are not material to the determination of the application:
- Queried if the proposal would impede pedestrian access, including a pathway, to the rear gardens of neighbouring properties.
  - Devaluation of property.
  - Sewage.
  - Compensation.
  - Loss of views.
  - Damage to neighbouring property.
- 6.6 Highways – No objection to the proposal subject to conditions regarding cycle storage, vehicle cleansing and informatives if minded to grant planning permission.
- 6.7 Fire Brigade – Access roads should be a minimum of 3.7m in width measured between kerbs and capable of supporting a vehicle with a minimum carrying capacity of 14 tonnes. Any dead end access road in excess of 20m in length should be provided with suitably sized turning facilities e.g. a hammerhead.
- 6.8 StreetCare Department – There should be a sufficient number of refuse and recycling bins at this site, suitable storage areas and vehicle and crew access requirements should be adhered to.
- 6.9 Environmental Health – No objections regarding contaminated land and noise. Recommend a condition regarding Ultra-Low NOx boilers if minded to grant planning permission.
- 6.10 Historic England – The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

## **7 MATERIAL PLANNING CONSIDERATIONS**

- 7.1 The main planning issues raised by the application that the committee must consider are:
- Principle of development
  - Density/site layout
  - The visual impact and impact on amenity arising from the proposed development.
  - Highways and parking issues.
  - Financial and other mitigation

### **Background**

- 7.2 It should be noted that a previous application under P1573.18 for the adaption of 79 Essex Road to form new access road and eight new dwellings to rear on former garage site was withdrawn on 14<sup>th</sup> December 2018.

- 7.3 Pre-application advice was subsequently sought under reference PE/00044/19 for the adaption of 79 Essex Road to form a new access road and eight new dwellings to the rear on a former garage site. Staff raised concerns regarding the overall quantum of development.
- 7.4 The current application differs from the previous scheme in the following key areas: The number of dwellings has reduced from eight, two storey terraced dwellings to five, 1.5 storey properties with accommodation in roof space. The layout of the site has changed. The proposal includes the provision of visibility splays either side of the access road and a refuse collection point the alleyway between No.'s 91 & 93 Essex Road.

#### **Principle of development**

- 7.5 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and local Centres and is therefore suitable for residential development according to DC11 and DC61 of the DPD. Residential development in the form of 5 new dwellings would therefore not be unacceptable in land use terms.

#### **Density/site layout**

- 7.6 The site area is 0.1817 hectares and it has a PTAL rating of 1a. Policy 3.4 Table 3.2 of the London Plan indicates that for 2.7-3.0 habitable rooms/unit, a density range of 50-75 units per hectare would be appropriate. The proposed density of development is 27 units per hectare. It is considered however that the relatively low density of development on this site is acceptable in principle owing to the constraints presented by the form of the site, which would prevent the site from being successfully developed at a higher density.
- 7.7 The proposed dwellings each have a gross internal floor area of 105 square metres, which meets the minimum gross internal floor area for a two storey, three-bedroom, 5 person dwelling of 93 square metres contained in the Technical Housing standards. The proposal meets all the remaining criteria of the DCLG Technical Housing Standards.
- 7.8 The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- 7.9 It is considered that the amenity space for the new dwellings would not be unacceptably overlooked by neighbouring properties. In addition, boundary treatment and landscaping conditions will be placed if minded to grant planning permission. Staff are therefore of the opinion that the amenity spaces would be private, screened from general public view and access, and are in a conveniently usable form. As a result, it is considered that the proposed

amenity area of the new dwellings complies with the requirements of the Design for Living SPD and is acceptable in this instance.

### **Visual impact**

- 7.10 Policy DC61 seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout, which is compatible with the character of the surrounding area and does not prejudice the environment of the occupiers or adjacent properties.
- 7.11 There is no objection to the partial demolition of No. 79 Essex Road, including its garage and single storey side/rear projection. It is considered that reducing the size of its front and rear dormer windows, the creation of a side dormer window, changes to its fenestration and two new ground floor flank windows serving a bathroom and en-suite would integrate satisfactorily with the streetscene.
- 7.12 There is a variety of single and two storey detached, semi-detached not to be directly visible in the streetscene, as they would be set back approximately 51 metres from Essex Road, which would help to mitigate their impact. It is noted that No. 12 Burleigh Close and No. 1 Essex Close are two storey properties. As such, Staff consider that the introduction of five, 1.5 storey dwellings would reflect the character of neighbouring properties in the locality of the site. In comparison with application, P1573.18, it is considered that reducing the scale of the proposal from eight, two storey terraced dwellings to five, 1.5 storey properties with accommodation in roof space represents a significant improvement and the siting of the dwellings within the plot would not appear cramped in the plot. The design, fenestration and form of the dwellings are deemed to be acceptable and would not be out of keeping or harmful to the character or appearance of the surrounding area. The proposed materials for the dwellings are render, brick, plain roof tiles and UPVC windows. Details of materials will be secured by condition if minded to grant planning permission.

### **Impact on residential amenity**

- 7.13 No. 77 Essex Road has a front door, a kitchen door, one ground floor window that serves a dining room and one first floor window that serves a bedroom on its western flank and is a secondary light source with a window on its rear facade. It is considered that the partial demolition of No. 79 Essex Road, including its garage and single storey side/rear projection, reducing the size of its front and rear dormer windows, the creation of a side dormer window and changes to its fenestration would not result in a significant loss of amenity to No. 77 Essex Road. A condition could be placed to obscure glaze the two new ground floor flank windows on the eastern flank of No. 79 Essex Road serving a bathroom and en-suite to protect neighbouring amenity if minded to grant planning permission. A condition could be placed to obscure glaze and fix shut the side dormer window serving a stairwell to protect neighbouring amenity if minded to grant planning permission.
- 7.14 The supporting statement states that it is proposed to provide a hedge either side of the access road to provide a buffer for the access road. Staff consider that the single and two storey rear projections of No. 77 Essex Road,



combined with a hedge, would collectively act as a buffer and help to mitigate the impact of any noise and disturbance from the pedestrian and vehicular movements arising from the access road. In addition, it is noted that the number of units has reduced from eight to five dwellings. Details of a landscaping scheme and boundary fencing can be secured by condition if minded to grant planning permission, which would provide some screening and also help to mitigate some noise and disturbance.

- 7.15 No. 12 Burleigh Close is a two storey detached dwelling (which was approved under application P2421.06) and has one first floor flank window that is obscure glazed and serves an en-suite, which is not a habitable room. It is considered that the proposed dwellings would not result in a significant loss of amenity to No. 12 Burleigh Close, as it doesn't have any flank windows that are primary light sources to habitable rooms. In addition, there would be a flank to flank separation distance of approximately 3.5 metres between No. 12 Burleigh Close and the nearest proposed dwelling in Plot 5, which would help to mitigate its impact. It is considered that the dwelling in Plot 5 would not result in a significant loss of amenity to No. 12 Burleigh Close, as it would not impede a rule of thumb notional line taken from this neighbouring property, created by a 2m set in and permissible depth of the first floor rear extension at 3m.
- 7.16 No. 1 Essex Close is a two storey semi-detached dwelling with a door and two high level ground floor windows that all serve a garage and one first floor window on its western flank that serves a bedroom and is a secondary light source with a window on the front elevation. It is considered that the proposed dwellings would not result in a significant loss of amenity to No. 1 Essex Close, as it doesn't have any flank windows that are primary light sources to habitable rooms. In addition, there would be a flank to flank separation distance of approximately 10 metres between No. 1 Essex Close and the nearest proposed dwelling in Plot 1, which would help to mitigate its impact. Staff consider this relationship to be acceptable. In the representations, concerns were raised regarding the potential for future occupiers to obtain pedestrian access to Essex Close from the site. Pedestrian and vehicular access to the proposed dwellings would be solely from Essex Road and details of boundary treatment and landscaping would be secured by condition if minded to grant planning permission.
- 7.17 It is considered that the proposed dwellings would not result in a significant loss of amenity to neighbouring properties located to the north of the site, including No.'s 77-93 Essex Road, as there would be a separation distance of between approximately 33 and 41 metres between the rear elevation of these neighbouring properties and the front elevation of the proposed dwellings. Staff consider these relationships to be acceptable.
- 7.18 It is considered that the proposed dwellings would not result in a significant loss of amenity to neighbouring properties located to the south of the site, including No.'s 136-152 Marlborough Road, as there would be a separation distance of approximately 53 metres between the rear elevation of these neighbouring properties and the southern boundary of the application site. In

addition, the proposed dwellings have rear gardens of approximately 7 to 8 metres in depth. Staff consider these relationships to be acceptable.

- 7.19 It is considered that the proposed dwellings would not create any overlooking or loss of privacy over and above existing conditions. A condition can be placed to obscure glaze and fix shut the first floor windows on the eastern and western flank walls of the proposed dwellings in Plots 1-5 serving stairwells and en-suites with the exception of any top hung fanlights to protect neighbouring amenity if minded to grant planning permission.
- 7.20 The proposed dwellings would be well separated from neighbouring dwellings on the opposite side of Essex Road.

### **Parking and Highway Implications**

- 7.21 The site has a PTAL rating of 1a and attracts a London Plan car parking standard of 1.5-2 spaces per dwelling. Two parking spaces would be provided for each proposed dwelling and this level of provision is considered to be acceptable. The proposal includes two car parking spaces for visitors and deliveries. No.'s 77 and 79 Essex Road would each have two parking spaces at the end of their rear gardens, which is acceptable. The proposal features an access road with visibility splays and a turning head. The Highway Authority has no objection to the proposal. An application would need to be made to the Council's Street Management Department to relocate the lamp post.
- 7.22 The plans show cycle stores in the rear gardens of the proposed dwellings and details of these can be secured by condition if minded to grant planning permission. A refuse collection point would be provided to the front of the alleyway between No.'s 91 & 93 Essex Road, which is acceptable. Details of vehicle cleansing and refuse and recycling provision will be secured by condition if minded to grant planning permission.

### **Trees**

- 7.23 There are no Tree Preservation Orders on the site. Details of landscaping would be secured by condition if minded to grant planning permission.

### **Financial and Other Mitigation**

- 7.24 The proposal would attract the following section 106 contributions to mitigate the impact of the development:
- Up to £30,000 towards education.
  - The financial contribution of £6,000 per dwelling towards education will be replaced with the Havering CIL from 1<sup>st</sup> September 2019, which has a charging rate of £125 per square metre of net additional floor space of the proposed development in Zone A.
- 7.25 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- £10,575 Mayoral CIL towards Crossrail

- £52,875 Havering CIL from 1<sup>st</sup> September 2019

## **8 Conclusions**

- 8.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.