



# REGULATORY SERVICES COMMITTEE

25 October 2012

# REPORT

**Subject Heading:**

**P0952.12 – Garage court to the side of  
No. 4 Cooks Close, Romford**

**Demolition of existing 18 garages and  
erection of 1 No. 3 bed house and 2  
No. 2 bed houses with associated  
parking and garden area.**

**(Application received 31<sup>st</sup> July 2012)**

**Report Author and contact details:**

**Helen Oakerbee, 01708 432800  
helen.oakerbee@havering.gov.uk**

**Policy context:**

**Local Development Framework**

**Financial summary:**

**None**

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

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

## SUMMARY

This application relates to a Council owned garage court. The application proposes the erection of 2 No. two-storey semi-detached dwellings and 1 no. two-storey detached dwelling with associated parking. The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking. Staff consider the proposal to be acceptable.

The application is recommended for approval subject to conditions and the applicant entering into a Section 106 Legal Agreement.

## RECOMMENDATIONS

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as only 11 No. (153.75m<sup>2</sup>) of the structures have been in use for 6 month of the last year. The applicable fee is based on a combined internal gross floor area for the three dwellings of 236.6m<sup>2</sup> minus the existing structures in use at 153.75m<sup>2</sup> which equates to a Mayoral CIL payment of £1,657.00.

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 £18,000 to be used towards infrastructure costs.
- 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 Legal Agreement to the date of receipt by the Council.
- 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 Agreement is completed.
- Payment of the appropriate planning obligation/s monitoring fee prior to the completion of the Agreement. .

That staff 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) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 6 x No. off-street car parking spaces for use by Plot 1, Plot 2 and Plot 3 (as shown on plan 8770-1000 approved by the Council) thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that adequate car parking provision is made off street in the interests of highway safety.

4) 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.

5) 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

6) Standard flank wall condition: 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 plans,) 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.

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) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

9) Construction Methodology 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.

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

Reason:

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

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

Reason:

In the interest of creating safer, sustainable communities, reflecting guidance set out in Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63

'Delivering Safer Places' of the LBH LDF

12) 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 LDF Development Control Policies Development Plan Document Policy DC61

13) Ground Contamination: Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to the Local Planning Authority);

- a) A Phase II (Site Investigation) Report as the Phase I Report which had already been submitted 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.
- b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Statement 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.

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

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

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

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

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

Reason:

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

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

Reason:

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

16) Noise Insulation: The buildings shall be so 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.

## INFORMATIVES

### 1. Reason for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of policies CP1, CP17, DC3, DC33, DC35, DC55, DC61, DC63 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document, Policies 3.3, 3.4, 3.5, 3.8, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5 and 7.6 of the London Plan and Section 6 and 7 of the National Planning Policy Framework (NPPF).

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

### 2. 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.

3. 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 and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

4. The developer, their representatives and contractors are advised that planning permission 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.

5. The applicant 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.

6. 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.

7. In aiming to satisfy Condition 11 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

## REPORT DETAIL

### **1. Site Description**

- 1.1 The application site is a garage court located adjacent No. 4 Cooks Close. The site is currently occupied by 18 garages of which 11 are currently let.
- 1.2 The site for residential development is approximately 754m<sup>2</sup> in size. The ground slopes down from east to west. The site is surrounded to the south, east and west by the gardens of adjacent residential properties on Cooks Close and Horndon Road. Lawns Park is situated to the north. Only No's. 65 and 67 Horndon Road currently have access to the garage court.
- 1.3 Development in the vicinity is characterised by a mixture of largely 2-storey dwellings and are built from a mix of buff or red brick and render with some variation added in the form of cladding. Some of the surrounding properties are finished with Mansard roofs.

### **2. Description of Proposal**

- 2.1 The application proposes the erection of 2 No. two-storey semi-detached dwellings (plot 2 and 3) and 1 No. two-storey detached dwelling (plot 1) with associated parking and amenity.
- 2.2 The semi-detached pair is set to the north-eastern portion of the site. The detached dwelling is situated to the southwest. To the south of the proposed dwellings are 6 parking spaces, set around an access way, pedestrian paths and soft landscaping framing each dwelling. Each dwelling will have 2 parking spaces.

- 2.3 The semi-detached two storey dwellings measure a total of 16.4m wide, 5.55m deep, 5m high to the eaves and 7.65m high to the top of the hipped roof. At ground floor there is a kitchen/dining room, living room and W.C, at first floor there are two bedrooms, a bathroom and an en-suite bathroom.
- 2.4 The two storey detached dwelling measures 5.65m wide, 9.45m deep, 4.9m high to the eaves and 7.25m high to the top of the hipped roof. At ground floor there is a kitchen/dining room, living room and W.C, at first floor there are three bedrooms, a bathroom and an en-suite bathroom.
- 2.5 Access to the dwellings is via the existing garage court access to the rear of 65 Cooks Close which would be widened and retained as a shared surface road (for pedestrians and vehicles).
- 2.6 Each dwelling has an area for private amenity space; these are conventionally provided towards the rear and side, enclosed by a 1.8m timber fence. Plot 1 has an amenity space covering 157m<sup>2</sup>, plot 2 an amenity area of 115.6m<sup>2</sup> and plot 3 an amenity area of 84.6m<sup>2</sup>.

### **3. Relevant History**

- 3.1 None.

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

- 4.1 Notification letters were sent to 11 neighbouring properties and 3 letters of objection were received raising the following concerns:
- Loss of garages would cause parking problems in surrounding area
  - Loss of privacy
  - Demolition will cause problems with asbestos
  - Noise, inconvenience, dust and untidiness caused by construction
  - Rear access to property would be lost
- 4.2 Revised plans were received and a second round of notification letters were sent to neighbouring occupiers. One letter of objection was received raising the following concerns
- the alternative garage sites suggested are not acceptable
  - lack of parking in the surrounding roads
- 4.3 The Council's Environmental Health Service requested the part 2A condition to be added as the Desktop Study indicated that there are potential pollutant linkages present on the site. Environmental Health Service also requested a noise insulation and construction and delivery hours condition.
- 4.4 The Highway Authority has no objection to the proposals. However, according to their records part of the site shown in the plans is highway and will therefore have to go through the 'stopping up' procedure under Section

247 (Town and Country Planning Act). As this will also involve work to make good the remaining highway at the entrance to the site – Highways require the developer to enter into an agreement with The Highway Authority

- 4.5 The Borough Crime Prevention Design Advisor did not raise an objection to the proposal but does require a Secured by Design condition.

## **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply), CP17 (Design), DC3 (Housing Design and Layout), DC33 (Car parking), DC35 (Cycling), DC55 (Noise), DC61 (Urban Design), DC63 (Crime) and DC72 (Planning Obligations of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Residential Extensions and Alterations Supplementary Planning Document (SPD), Draft Planning Obligations SPD and the Residential Design SPD are also relevant.

- 5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) of the London Plan (2011).

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

## **6. Staff Comments**

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

### **6.2 Principle of Development**

- 6.2.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres. The principle of residential development is considered acceptable in land use terms and the provision of additional housing is consistent with the National Planning Policy Framework.

- 6.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 86m<sup>2</sup> for a 3-bed 5-person dwelling and 70m<sup>2</sup> for a 2-bed 4-person dwelling. The proposed dwellings have

internal floor space of 87.8m<sup>2</sup> for the 3-bed dwelling and 74.4m<sup>2</sup> for the 2-bed dwellings which is in line with the recommended guidance and considered acceptable.

6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and policy 3.3 of the London Plan which seeks to increase London's housing supply.

### 6.3 Site Layout / Amenity Space

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

6.3.2 Each dwelling has a private area of amenity space provided to the side/ rear of the dwellings. Plot 1 has an amenity space covering 157m<sup>2</sup>, plot 2 an amenity area of 115.6m<sup>2</sup> and plot 3 an amenity area of 84.6m<sup>2</sup>. The amenity spaces are directly accessible from the living rooms of all dwellings, and are provided in single enclosed blocks. In all, they are considered to accord with the SPD for residential design.

6.3.3 Staff are of the opinion that the garden areas would be large enough to be practical for day to day use and with the provision of fencing, would be screened from general public views and access, providing private and usable garden areas. As a result, it is considered that the proposed amenity area of the new dwellings would comply with the requirements of the Residential Design SPD and are acceptable in this instance.

6.3.4 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 40 units per hectare. The density is in line with the recommended range and is considered acceptable.

6.3.5 In terms of the general site layout, the proposed semi-detached dwellings would have sufficient spacing towards the front and sides with generous amenity areas towards the rear, and therefore is not considered to appear as an overdevelopment of the site. The layout of the site is therefore considered acceptable.

### 6.4 Impact on Local Character and Street Scene

- 6.4.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.
- 6.4.2 The surrounding area is characterised by a mixture of largely 2-storey dwellings and are built from a mix of buff or red brick and render with some variation added in the form of cladding. The proposed dwellings would be set behind properties along Horndon Road and to the side of No. 4 Cooks Close and would be visible from Cooks Close. Any potential impact is considered acceptable given that there are existing 2-storey dwellings within the vicinity of similar nature. The proposal would therefore not be out of keeping in the streetscene or surrounding area.
- 6.4.3 In terms of its design and visual appearance, Staff are of the opinion that the development of the proposed semi-detached and detached dwellings in this location would have an acceptable appearance with no harmful impact to the character and appearance of the surrounding area. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposal would not appear as a cramped form of development and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.
- 6.5 Impact on Amenity
- 6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.
- 6.5.2 The semi-detached pair of dwellings is situated approximately 2.75m from the rear boundary of the nearest dwelling at No. 69 Horndon Road resulting in a front to back separation distance of approximately 20m between the semi-detached pair and this dwelling. Staff consider this separation distance to be sufficient and not to result in an unacceptable impact to this neighbouring occupier and others in Horndon Road in terms of loss of light. Also no impact would result in terms of overlooking as there are no flank windows located in the flank elevation and a sufficient separation distance between dwellings. Lawns Park is situated to the north.
- 6.5.3 The proposed detached property is situated approximately 5m off the flank boundary with No 4 Cooks Close alongside its rear garden. Although the detached property would have an impact in terms of outlook, Staff do not consider this to be unacceptable given the generous setback and the hipped roof design. The bulk and size of the proposed detached dwelling is

considered acceptable. Any loss of light is also mitigated by the hipped roof design and favourable orientation to the north of No. 4 Cooks Close. No flank windows are proposed and windows to the rear are set at such an oblique angle preventing any overlooking to the windows in the south-eastern elevation of No. 4 Cooks Close.

- 6.5.4 Overall, no harmful levels of overshadowing or overlooking are considered to occur as a result of the proposed semi-detached and detached dwellings.
- 6.5.5 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 3 No. dwellings would not give rise to a significant rise in the level of vehicular activity over and above that which was previously experienced as a result of the garages that were on the site before.
- 6.5.6 In terms of general noise and disturbance, it is not considered that the addition of 3 No. family dwellings would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly a residential area.
- 6.5.7 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed residential development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 6.5.8 It is therefore considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

## 6.6 Highways / Parking Issues

- 6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type in Romford. The development would provide a total of 6 No. parking spaces. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.
- 6.6.2 The Highway Authority has stated that part of the site is shown as Highway and will have to go through the 'stopping up' procedure under Section 247 (Town and Country Planning Act). As this will also involve work to make good the remaining highway at the entrance to the site, Highways will

require the developer to enter into an agreement with The Highway Authority.

- 6.6.3 Strategic Property Services has confirmed that there are currently 11 units occupied out of a total of 18. The current tenants would be offered alternative facilities at Mobrays Close, approximately 5 minutes away from the subject site, where there are 4 garages available.
- 6.6.4 A number of objectors raised concerns regarding the loss of parking spaces as a result of the development. At the time of the site visit however it was noted that there are plenty of parking spaces available in Horndon Road. The on-street parking available combined with the opportunity to rent a garage on Mobrays Close would mitigate any potential impact as a result of the loss of parking.
- 6.6.5 A condition would be added to provide storage for 1 x no. cycle space per dwelling in order to comply with the Council's standards.
- 6.6.6 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

## 6.7 The Mayor's Community Infrastructure Levy

- 6.7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as only 11 No. (153.75m<sup>2</sup>) of the structures have been in use for 6 month of the last year. The applicable fee is based on a combined internal gross floor area for the three dwellings of 236.6m<sup>2</sup> minus the existing structures in use at 153.75m<sup>2</sup> which equates to a Mayoral CIL payment of £1,657.00.

## 6.8. Planning Obligations

- 6.8.1 In accordance with the Draft Planning Obligations Supplementary Planning Document a financial contribution of £6,000 per dwelling to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement for the amount of £18,000.

## 6.9 Other Issues

- 6.9.1 With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days.
- 6.9.2 One of the objections raised relates to access to the rear garden of No. 71 Horndon Road. The occupier has stated that she does not use the access at the moment but may require it in the future. Strategic Property Services advised that there is no right of way to the rear of 71 Horndon Road and the property already benefits from pedestrian access to the rear garden via the shared tunnel access with 73 Horndon Road.

## **7. Conclusion**

- 7.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or neighbouring properties. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from neighbour's rear gardens. It is considered that the proposal would not have any material harmful impact on neighbouring amenity. Amenity space provision is considered sufficient. Overall, Staff consider the development to comply with Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

### **IMPLICATIONS AND RISKS**

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

This report concerns only material planning issues. Any land transaction between the applicant and the Council is dealt with independently.

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

Legal resources will be required to prepare and complete the legal agreement.

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

None.

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

### **BACKGROUND PAPERS**

Application forms and plans received on 31<sup>st</sup> July 2012.