



# REGULATORY SERVICES COMMITTEE

# REPORT

1 August 2013

**Subject Heading:**

**P0125.13 – 147, London Road,  
Romford**

**Erection of 5 flats (4 x 1 bedroom and  
1 x 2 bedroom flats) with ancillary  
parking and amenity space (Outline  
application).**

**(Application received 4 February 2013)**

**Report Author and contact details:**

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**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 planning application relates to the demolition of an existing detached bungalow and the construction of 5 flats in one three storey block with car parking space for 5 vehicles. The planning issues include the principle of development, design and street

scene, impact on amenity, parking and highway matters. These issues are set out in detail in the report below. Staff consider the proposal to be acceptable.

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

## RECOMMENDATIONS

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.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement irrespective of whether the legal agreement is completed.
- Payment of the appropriate planning obligation/s monitoring fee.

That staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, and that the Committee delegate authority to the Head of Development and Building Control to grant planning permission subject to the conditions set out below:

### 1) Approval of details

The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved by the Local Planning Authority, showing the layout, scale and appearance of the buildings, the means of access thereto, and landscaping, including all matters defined as "landscaping" in the Town and Country Planning (Development Management Procedure) (England) Order 2010 (herein after called "the reserved matters").

Reason:

The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

### 2) Time limit for details – 3yrs

Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.

Reason:-

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3) Time limit for commencement – 2yrs

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason:-

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4) Parking provision

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.

5) 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 Policy DC61

6) Obscure glazing

The proposed windows in the side elevations of the building shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7) Noise Impact assessment

Prior to the commencement of any development an assessment shall be undertaken of the impact of road noise emanating from London Road, Romford upon the development in accordance with the methodology contained in the Department of Transport/Welsh office memorandum, "Calculation of Road Traffic Noise",1988. Following this, a scheme detailing measures, which are to protect occupants from road traffic noise shall be submitted to, and approved in writing by the Local Planning Authority and the approved measures shall be implemented prior to occupation.

Reason:-

To protect future residents against the impact of road noise in accordance with Department of Environments, Planning Policy Guidance Note 24, " Planning & Noise" 1994, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

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

Reason:-

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

9) 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.

10) 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.

11) 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.

12) 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 PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

13) 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

14) Ground Contamination: The development is situated on or within 250 metres of a current or historic landfill site or gravel pit and the following planning condition relating to landfill gas is required for this development proposal, 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 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 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.

- 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 and to ensure the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

15 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 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.

16) Noise Insulation: The buildings shall be so constructed as to provide sound insulation of not less than 45 dB (A) against the internally generated airborne noise and 62 dB (A) against impact 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" 1994 and in order that the development with the Development Control Policies Development Plan Document Policies DC55 and DC61.

## INFORMATIVES

### 1. Reasons for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC32, DC33, DC34, DC35, DC36, DC40, DC50, DC51, DC55, DC61, DC63 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document, Policies 3.3, 3.4, 3.5, 3.7, 3.8, 3.11, 6.9, 6.10, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 8.3 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 12 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).
8. Statement Required by Article 31 (cc) of the Town and Country Planning (Development 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.

## REPORT DETAIL

### **1. Background**

The application has been submitted to obtain fresh outline planning permission, following the expiry of the previous outline consent, to redevelop the site for a three storey block of five residential flats. The development has previously had two outline consents for the development and the application seeks consent to again obtain outline consent for the same development on the site.

### **2. Site Description**

- 2.1 The site consists of an inter-war detached bungalow which has been used as a day nursery for children. It is situated off London Road within an area of mixed character including car sales and residential flatted development. The site has an individual vehicular access point onto London Road.

### **3. Description of Proposal**

- 3.1 It is proposed to demolish the bungalow and seek outline planning permission for the redevelopment of the site for a detached two and a half storey building

to accommodate five residential flats. The flats will consist of 4 one bedroomed and 1 two bedroomed flats. There will be a car parking area for five vehicles across the frontage of the site. The vehicular access to the site is to be widened to accommodate vehicle access to the parking spaces on the site.

#### **4. Relevant History**

4.1 P1151.03 - Redevelopment of the site for 5 residential flats - Approved 22.10.2003

P0651.04 – Change of use to Day Nursery – Approved 18.06.2004

P1942.06 - Redevelopment of the site for 5 residential flats - Approved 16.01.07

#### **5 Consultations/Representations**

5.1 Notification letters were sent to 55 neighbouring properties and 1 letter of objection was received, which raise the following issues:

- Five car parking spaces cannot be provided on the site utilising the existing vehicular access point to the site from London Road.
- Insufficient car parking space is provided on the site, which will lead to an increase in on-street parking close to the site.

5.2 Highway Authority - No objections providing adequate visibility splays at the access to the site onto London Road are made available.

5.3 Environmental Health - No objections providing suitable noise insulation and land contamination conditions are imposed on any approval.

5.4 Police Crime Prevention Design Adviser - No objections providing crime prevention measures are incorporated in the design of the flats building.

5.5 Thames Water - No objections.

5.6 Fire and Community Safety Directorate - No objections.

#### **6. Relevant Policies**

6.1 Policies CP17 (design), DC2 (housing mix and density), DC3 (housing design and layout), DC6 (affordable housing), DC33 (car parking), DC35 (cycling), DC61 (urban design), of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Draft Planning Obligations SPD and the Residential Design.

- 6.2 Policies 3.5 (Quality and Design of Housing Developments), 6.9 (Cycling), 6.13 (Parking) and 7.3 (Designing out Crime) of the London Plan.
- 6.3 National Planning Policy Framework (NPPF) Section 6 “Delivering a wide Choice of Homes”, and Section 7 “Requiring Good Design”.

## **7. Staff Comments**

- 7.1 This proposal is put before the Committee owing to the application site comprising more than two dwellings. The main issues to be considered by the Committee are the design of the residential flats building, its impact in the street scene, and the suitability of the site for the development and the highway/parking implications of the development. Planning policies for this type of development in the location have not significantly changed since the last approval which was granted in January 2007. Members should consider the principle of development, the site layout and amenity space, design/street scene issues, amenity implications, and parking and highways issues.

## **8. Principle of Development**

- 8.1 Planning permission has been granted for the redevelopment of the site for a building to accommodate 5 residential flats in October 2003 and it has been renewed in January 2007. Consent is now sought to obtain fresh outline consent for 5 residential flats for a third time.
- 8.2 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.
- 8.3 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 61m<sup>2</sup> for a 2-bed 3-person flat and 50m<sup>2</sup> for a 1-bed 2-person flat. The indicative plans show that the proposed flats are in line with these minimum guidelines and considered acceptable.
- 8.4 The site is presently occupied by a detached bungalow and the attached open land at the rear. The site is located within a mixed area including flatted development. The proposed block of flats would be in character with the overall area.
- 8.4 The density of the proposal would be 122 dwellings per hectare. The site has a Public Transport Accessibility Level (PTAL) of 2. Policy DC2 indicates that a density of 30-50 dwellings per hectare would be appropriate. In this case, there are existing residential flatted schemes nearby, Romford town centre is within a kilometre walk and the Romford Pedshed, where higher densities are expected in new development, is within 150 metres. Therefore, the density of development proposed is not considered to be a particular concern in this case, providing the development is acceptable in other respects.

## **9. Design and Visual Impact**

- 9.1 The indicative plans show a two and a half storey high building, with two one bedroomed flats on the ground and first floor, with one two bedroomed flat on the second floor. The proposals have been submitted in outline form, with the siting of the building and the access to the site being submitted for approval. The remaining details of the design and external appearance of the building and the landscaping of the site will be dealt with as approval of reserved matters following outline approval for the flats development. The design of the flats building is in keeping with the adjoining residential buildings close to the site. The size, siting and height of the flats building would not be out of character with the adjoining development within the vicinity of the site. Adequate space has been retained on the site for private amenity purposes for the benefit of the residents of the flats, together with landscaping areas to compliment the residential development. It is considered that the proposed block of flats would satisfactorily integrate into the street scene.
- 9.3 In respect of the overall design and architectural style of the building, it is considered that there is no distinctive architectural style in this part of London Road. It is considered that the design of the development would be acceptable in principle and would integrate into the wider area.

## **10 Impact on Amenity**

- 10.1 The redevelopment of the site for a two and a half storey building for five residential flats will not have an adverse impact upon the residential amenities of the occupants of the adjoining properties. The building will be sited sufficiently far enough away from the adjoining flats so as not to cause any significant impact for the adjoining residents. The layout of the proposed flats building on the site ensures that a reasonable amount of amenity space and garden area can be provided for the benefit of the occupants of the flats. In terms of bulk, visual impact and impact on light, the proposed block of flats are considered to be sufficiently far enough from the site boundary so as not to result in significant harm to amenity for the adjoining neighbours. It is considered that the block of flats will have an acceptable relationship with the adjoining properties in respect of privacy.

## **11 Highways / Parking Issues**

- 11.1 The proposed access arrangements for the site are acceptable and will provide satisfactory access for the occupants of the flats to the five parking spaces to be provided on the site. The parking arrangements are considered to be acceptable and meet the access and servicing needs of development. There are no highway objections to these proposals which utilise the existing vehicular access to the site from London Road. The provision of a row of five parking spaces in front of the building for the residents of the flats is acceptable for the relatively small one bedroomed flats and the two bedroomed flat on the site.

## **12 Planning Obligations**

- 12.1 In accordance with the 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 £30,000.

## **13 Other Issues**

- 13.1 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect, subject to the imposition of conditions requested by the Borough Crime Prevention Design Advisor.

## **14 Conclusion**

- 14.1 The design of the residential flats building, its impact in the street scene and upon the amenities of the occupants of the adjoining properties is acceptable. The car parking space to be provided on the site and the amount of private amenity space to be made available for the occupants of the flats is satisfactory for this type of development. As a result there are no planning reasons why outline planning permission should not be granted, as previously. Subject to reserved matters details to be subsequently submitted, the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity space provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. It is recommended that outline planning permission be granted, subject to the relevant legal agreement to secure financial contribution towards infrastructure costs.

## **IMPLICATIONS AND RISKS**

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

Financial contributions are required through a legal agreement

### **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:**

The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

## **BACKGROUND PAPERS**

Application forms and plans received on 4<sup>th</sup>.February 2013.