

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1958.20

WARD : South Hornchurch

Date Received: 24th December 2020

ADDRESS: 14 Edmund Road
Rainham

PROPOSAL: Variation of condition No. 2 of planning permission P1429.18 (for the demolition of existing chalet bungalow and creation of three new four-bedroom dwellings) dated 26/04/2019 to increase the street setback of the proposed dwelling on plot 1 to align with the proposed dwellings on plot 2 and 3.

DRAWING NO(S): 14/ER/PL/01
14/ER/PL/02
14/ER/EX/01
14/ER/PL/04
14/ER/PL/03

RECOMMENDATION : It is recommended that **planning permission be GRANTED** subject to the Unilateral Undertaking detailed above and the condition(s) given at the end of the report

SITE DESCRIPTION

The application site is located on the northern side of Edmund Road, between the junctions of Hubert Road and Philip Road. The site currently comprises a large, detached bungalow dwelling which is finished with a painted render exterior. This existing property features a conservatory to the rear, a garage on the western side and dormer windows to both the front and rear. No.14 benefits from a generous rear garden. The hardstanding to the front enables numerous vehicles to park on site.

The site is not listed and is not located within a conservation area. No significant trees will be affected by the development.

The surrounding area is residential in nature comprising a diverse range of detached, semi-detached and terraced dwellings.

DESCRIPTION OF PROPOSAL

The application is seeking planning permission to vary condition no. 2 of planning permission P1429.18, which was granted for the demolition of existing chalet bungalow and creation of three new four-bedroom dwellings.

Condition 2 requires development to be in accordance with the approved plans.

The application seeks to make the following variation to the approved plan:

- increase the street setback of the dwelling on plot 1 from approximately 5.2m to 6m to align with the dwellings on plot 2 and 3.
- addition of flank windows to stair well and ensuite to units 1 and 3 (facing unit 2).

RELEVANT HISTORY

P1429.18 - Demolition of existing chalet bungalow and creation of three new four-bedroom dwellings - approved 26/4/19.

- N0043.20 - Application for a non-material amendment to planning application P1429.18 (Demolition of existing chalet bungalow and creation of three new four-bedroom dwellings) dated 26/04/19 to bring the proposed house on plot one into line with the front of the house on plots 2 and 3.
Withdrawn 15-09-2020
- Q0176.20 - Discharge of Conditions 4,8,10,11,12,14,15,17,20 of P1429.18
DOC Dischge 22-09-2020
Complete
- P1429.18 - Demolition of existing chalet bungalow and creation of three new four-bedroom dwellings.
Apprv with 26-04-2019
Agreement
- P0472.91 - Detached garage (revised plans received 07/05/91)
Apprv with cons 27-06-1991

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters were sent to surrounding properties. No submissions were received.

In addition to external consultation, the following internal departments were consulted:

- London Fire Brigade - no objection.

RELEVANT POLICIES

LDF

- CP01 - Housing Supply
- CP17 - Design
- DC03 - Housing Design and Layout
- DC32 - The Road Network
- DC33 - Car Parking
- DC61 - Urban Design
- DC72 - Planning Obligations
- SPD04 - Residential Extensions & Alterations SPD
- SPD09 - Residential Design SPD

OTHER

- LONDON PLAN - 3.3 - Increasing housing supply
- LONDON PLAN - 7.4 - Local character
- LONDON PLAN - 8.3 - Community infrastructure Levy
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposal results in an increase in gross internal floor space at the site of 223m². The revised design does not increase the proposed gross internal floor space.

Therefore the proposal would incur a charge of £5,575 for Mayoral CIL (£25/sqm).

At the time the original application was decided Havering CIL was not in place and a S106 agreement was executed for £12000 of education contributions. A new Unilateral Undertaking is

required to secure the same contributions which will refer back to the original deed. The original deed references the original application number and therefore a new UU is required.

A contribution equating to £12,000 (£6000 per additional dwelling) for educational purposes would apply.

STAFF COMMENTS

The main considerations relate to the street scene and neighbouring amenity impacts of the proposal to increase the front setback of the dwelling on plot 1 by 0.7m. This will result in all three dwellings being in alignment.

It is understood that the purpose of the amendment is to facilitate the accessibility requirements of Part M4(2) of the Building Regulations as per condition no. 17.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposal will modify the alignment of unit 1 to match the front setback alignment of unit 2 and 3. The street setback will increase from 5.3m to 6m. The proposal reduces the visual dominance of the dwelling on the street scene and is considered to result in a positive outcome which enhances the street scene.

The amendment is consistent with the objectives of Policy DC 61 of the Havering Core Strategy and Development Management Policies Document.

IMPACT ON AMENITY

The proposal to shift unit 1 an additional 0.7m from the street is not considered to result in material harm to the amenity of the neighbour to the west or any other neighbours. The boundary line tapers away from the site and as a result the rear of the dwelling maintains a 4.5m setback from the boundary line. The dwelling does not impede the 45 degree outlook line from the rear of the neighbouring property and does not impact the rear or its amenity space.

The flank window additions to units 1 and 3 are orientated towards unit 2 and as a result there are no new overlooking issues to neighbouring properties. A condition will be imposed to ensure the glazing is obscured.

The proposed change to the front setback would not result in material harm to the neighbour in terms of overshadowing, building bulk or privacy impacts.

HIGHWAY/PARKING

The proposal has no impact on the approved parking arrangement as it will increase the front setback space where the 2 vehicles will be parked.

KEY ISSUES/CONCLUSIONS

The amendment has no harm to the street scene or neighbouring amenity.

It is therefore recommended that planning permission is granted.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

The development to which this permission relates must be commenced not later than 21/4/22.

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. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

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. Materials (details no samples)

No above ground works shall take place until a written specification of external walls and roof materials to be used in the 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:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of a written specification prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. SC11 (Landscaping)

No building shall be occupied until hard and soft landscaping has been provided in accordance with a detailed scheme, which shall have previously been submitted to, and approved in writing by, the Local Planning Authority. Said scheme 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. Should any trees or plants die, are removed or become seriously damaged or diseased within a period of 5 years from completion of the landscaping, these 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 the interests of amenity and to ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

5. SC45A (Removal of permitted development rights)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, other than porches erected in accordance with

the Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, without the express permission in writing of 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.

6. SC46 (Standard flank window condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

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

7. SC34B (Obscure with fanlight openings only) ENTER DETAILS

All first floor flank windows as shown on plans 14/ER/PL/03 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).

Reason:-

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

8. SC13B (Boundary treatment)

No building shall be occupied until all boundary treatment has been provided in accordance with details which shall have previously been submitted in drawing 14/ER/LC 02 Rev C. The boundary development shall then be retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

In order to protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

9. SC62 (Hours of construction)

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between

8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:-

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

10. SC59 (Cycle Storage)

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted in drawing 14/ER/LC 02 Rev C. The cycle storage shall be permanently retained thereafter.

Reason:-

In the interests of providing a wide range of facilities for non-motor car residents and sustainability.

11. SC58 (Refuse and recycling)

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details previously submitted in drawing 14/ER/LC 02 Rev C. The refuse and recycling facilities shall be permanently retained thereafter.

Reason:-

To protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

12. SC06 (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.

13. SC37 (Noise insulation)

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

Reason:-

To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

14. SC57 Wheel washing (Pre Commencement)

Before the development hereby permitted is first commenced, vehicle cleansing

facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with the details submitted in "CMP - 14 Edmund Road Rainham Essex RM13 8LS" and as shown in drawing no. 14/ER/PC 01. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

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

Reason:-

To ensure that the facilities provided 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. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

15. SC60 (Contaminated land condition No. 1) (Pre Commencement)

(1) Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
- b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable

of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

(2)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

Reason for pre-commencement:

Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally.

16. SC63 (Construction Methodology) (Pre Commencement)

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 is submitted to and approved in writing by the Local Planning Authority. 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:-

Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

17. SC86 Minor Space Standards

All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

18. SC87 Water Efficiency

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy 5.15 of the London Plan.

19. Non Standard Condition 31

Prior to the first occupation of the development, details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in strict accordance with the agreed details and shall thereafter be permanently retained. Following installation emissions certificates will need to be provided to the Local Planning Authority to verify boiler emissions.

Reason:-

To minimise the impact of building emissions on local air quality, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC52.

INFORMATIVES

1 Highways Informatives

Changes to the public highway (including permanent or temporary access)

- Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement

with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

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

Temporary use of the public highway

- The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a licence from the Council. If the developer required scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

- The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

2 Thames Water informative

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.

3 Street Naming and Numbering

Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

4 Approval - No negotiation required

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework 2018.

5 Approval and CIL (enter amount)

The proposal is liable for Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the Mayoral CIL payable would be £5,575. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

Authorising Officer: Habib Neshat

18-02-2021