



REGULATORY SERVICES COMMITTEE

29 January 2015

REPORT

Subject Heading:

P1680.14 - Land at Haydock Close, 9 flats (2 No 1 bed and 7 No 2 bed) with associated landscaping & off street parking (Application forms and plans received 15/12/14, revisions received on 05/01/15).

Ward:

Hacton

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The application proposes the erection of 9 no. flats which would consist of 1 no. 1-bed flat and 8 no. 2-bed flats. The committee resolved to approve the application at its meetings on 9 January 2014, 30 January 2014 and 8 May 2014 however the applicant has made various amendments to the scheme which requires a further application and Committee approval. A summary of the changes proposed and assessment are covered in the following report.

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

RECOMMENDATIONS

- That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 648m² and amounts to £12,960.

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 associated with the development and to be paid prior to commencement of the development in accordance with the Planning Obligations SPD.
- 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 prior to completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time Limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.

2. Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans listed on page 1 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. Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 14 no. off-street car parking spaces within the site of which 1 would be a disabled space, 1 internal garage space and 4 visitor spaces, as shown on drawing no. 9FLTS/01B (block plan) hereby approved,. 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: The development hereby permitted shall be constructed with external materials as previously approved under application Q0128.14.

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 their 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, 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: The development hereby permitted shall be constructed in accordance with the details of the cycle storage as previously approved under application Q0128.14.

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: 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.

9. Construction Method Statement: The development hereby permitted shall be implemented in accordance with the construction method statement as previously approved under application Q0128.14

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

10. Highway Agreements: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed 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/Crime Prevention: The development hereby permitted shall be implemented in accordance with principles and practices of the Secured by Design Scheme as previously approved under application Q0128.14.

Reason: In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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 submitted to and agreed in writing by the Local Planning Authority. The provision shall be permanently retained and maintained thereafter to the satisfaction of 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. Noise insulation: The buildings shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties.

14. Screen fencing: The development hereby permitted shall be constructed in accordance with the details of the screen fencing as previously approved under application Q0128.14.

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

15. Lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided prior to the first occupation of the development and operated in strict accordance with the approved scheme.

Reason: In the interest of residential amenity.

16. Wheel washing: The development hereby permitted shall be constructed in accordance with the details of the wheel washing as previously approved under application Q0128.14.

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.

- 17 Obscure glazed windows: Notwithstanding the details shown on the approved plans, the proposed flank windows in the eastern flank elevation serving a bathrooms shall be permanently glazed with obscure glass and with the exception of top hung fanlights shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority, in order that the development accords with Policy DC61 of the LDF.

Reason: In the interest of privacy.

INFORMATIVES

1. Fee Informative:

A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

2. 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. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

Mayoral CIL

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 648m² which, at £20 per m², equates to a Mayoral CIL payment of £12,960 (subject to indexation).

REPORT DETAIL

1. Site Description

- 1.1 The application site is located towards the end of a cul-de-sac towards the south of Haydock Close. The site is rectangular in shape and measures approximately 820m². The majority of the site falls within Flood Zone 2.
- 1.2 Directly south of the site is an area designated as parks, open spaces and allotments. This area also forms part of the Metropolitan Green Belt, Thames Chase Community Forest and falls within Flood Zone 3.

- 1.3 The character of the surrounding area is mainly 2-storey residential dwellings towards the west along Haydock Close. Towards the north of the site is Hacton Social Hall and approximately 25m east is Hacton Lane. Access to the site is via Haydock Close.

2. Description of Proposal

- 2.1 The application seeks permission for the erection of 9 no. flats with associated parking and amenity. The proposed dwellings would consist of 2 no. 1-bed flat and 7 no. 2-bed flats. The proposed building would be located to the western part of the site, approximately 1.25m to the boundary at its closest point
- 2.2 The proposed building consists of two sections measuring approximately 13.2m in depth and 12.3m in width. The sections would be staggered with the one furthest to the west set approximately 1.2m forward. The two sections would measure 5.2m in height to eaves and 9.1m to the top of the gable ended roofs.
- 2.3 The development proposes 6 no. front dormers and 4 no. rear dormers. The front dormers would measure 1.8m in width, 2.9m in depth and 2.5m in height to the top of the hipped roofs. The rear dormers would measure 3.4m and 4.45m in width respectively, 3.3m in depth and 2m in height to the top of the flat roofs.
- 2.4 The proposed flats would consist of a kitchen/living room, bathroom and 1 or 2 bedrooms.
- 2.5 There would be a bin storage area on the eastern side of the proposed building along part of the rear boundary.
- 2.6 Parking provision for 14 vehicles, comprising 1 for each dwelling, 1 disabled bay and 4 visitor spaces would be provided on a hardstanding to the front of the proposed western block and along the eastern boundary. One of the spaces proposed would be an integral garage space.
- 2.7 Amenity space would be provided to the rear of the building for flats 1, 2, 3 and 4 and would measure 16.8m², 18.3m², 29m² and 30.5m² respectively. The first floor flats would each have a balcony of 8.5 square metres.

3. History

- 3.1 P0695.11 - Construction of one pair of semi-detached properties (1x3 bed & 1x2 bed) one 3 bed detached property and one 2 bed detached property - Approved
- 3.2 P1388.13 - 9 flats (1 No 1 bed and 8 No 2 bed) with associated landscaping & off street parking - Approved

4. Consultation/Representations

4.1 Notification letters were sent to 31 neighbouring properties and 4 letters of objections were received raising the following concerns:

- Cause additional parking problems in Haydock Close
- Flats out of keeping with rest of road

4.2 The Borough Designing Out Crime Officer requires a Secured by Design condition.

4.3 English Heritage concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest

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), 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 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 Background

6.2.1 This application was previously considered by Members on 8 May 2014, where it was resolved to grant planning permission, subject to the prior completion of a legal agreement to secure the payment of an infrastructure contribution under the terms of the Planning Obligations SPD.

6.2.2 The current application seeks the following changes to the previous approved scheme.

- Western flank boundary wall to be built in straight line

- Duplex flats 5 and 6 have been omitted; flat 1 is the only duplex apartment now.
- Half of block B has been reduced in depth to the rear to create more garden space
- Total amount of car parking is still 14 but flat 1 has an integrated garage space
- Communal staircase window at front elevation (above porch) is now the same size as the other windows.
- Changes to some of the gross internal areas
- No parking yellow box to the front of Block B
- Disabled car spaces has been moved to the front of the Northeast boundary
- Flats 7 and 9 have 2 no. loft windows each to the front elevation
- Slight reduction in amenity space provision

The proposed changes are assessed below.

6.3 *Principle of Development*

6.3.1 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.

6.4 *Site Layout / Amenity Space*

6.4.1 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 50m² for a 1-bed 2-person flat and 61m² for a 2-bed 3-person. The proposed flats are in line with the recommended guidance and considered acceptable.

6.4.2 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.

6.4.3 The proposed development would provide amenity space to the rear of the building for flats 1, 2, 3 and 4 and would measure 16.8m², 18.3m², 29m² and 30.5m² respectively. The amenity space provision is also supplemented by balconies to the southern elevation at first floor level.

Staff are of the opinion that the communal 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 a usable garden area albeit that they would be overlooked by the balconies serving the first floor units. As a result, it is considered that the proposed amenity areas would comply with the requirements of the Residential Design SPD and is acceptable in this instance.

6.4.4 The residential density range for this site is 30 - 50 units per hectare (PTAL 1-2). The proposal would result in a density of approximately 109 units per hectare. Although the density range is above the recommended range it is considered acceptable given the flatted nature and siting of the development, which inherently brings about higher densities.

6.4.5 In terms of the general site layout, the application site itself is separated from neighbouring buildings with the nearest residential dwelling approximately 11m towards the west. It is considered that the proposed blocks would have sufficient spacing between the site boundaries and neighbouring buildings to not appear cramped or overdeveloped. The proposal would have a sufficient set-back from the edge of Haydock Close. The general layout and relationship with surrounding properties are therefore considered acceptable.

6.5 *Impact on Local Character and Street Scene*

6.5.1 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.

6.5.2 The proposal would be at the end of a cul-de-sac and would therefore only be visible when the end of the close is approached. The building would be set back from the edge of Haydock Close by approximately 6m at its closest point. The buildings would also be set behind the building line of dwellings towards the west and have the same eaves and ridge height. Staff are of the opinion that due to the layout and positioning of the proposed building on the site, it would not appear as a prominent feature in the street scene.

6.5.3 Irrespective of the proposal's negligible impact on the street scene, Staff consider their design to blend in with the overall character of other dwellings in the vicinity. The proposals would not be overly bulky or visually obtrusive and are considered to be acceptable in terms of their appearance in the street scene.

6.5.4 The reduction in amount and increase in width to the remaining rear dormers proposed is considered acceptable in the rear garden environment as they are sufficiently contained within the rear roof slope and well set in from the sides, set back from the rear building line and set below the ridge.

6.5.5 Overall, the proposals are considered to be acceptable in terms of their design, scale, character and visual impact within this part of the street scene. The impact of the development on the streetscene is not considered to be materially different to that previously considered and approved under application P1388.13 and the proposal is therefore consistent with the aims and objectives of Policy DC61 of the LDF Development Control Policies Development Plan Document.

6.6 *Impact on Amenity*

6.6.1 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.

6.6.2 The proposed development is only bordered by residential properties to the west with the nearest residential property situated at approximately 11m away. Two windows, one at ground floor and one at first floor serving bathrooms are proposed to the western flank of the development. A condition would be imposed to have these windows obscure glazed and fixed shut with the exception of the top hung fanlight. Balconies are also proposed to the rear of the proposed development. Given the orientation of the proposed building further back into the site and the rear building line of the development lining up with that of the rear boundary of the western neighbour it is not considered that the balconies would result in an unacceptable impact in terms of overlooking.

6.6.3 With regards to the proposal's proximity to the social club and the club's potential impact on future occupiers, it was noted upon site inspection that this building is single storey in height and has low-level windows. With appropriate screen fencing and vegetation, it is not considered that any overlooking would occur. Although there may be some noise impact, Staff are of the opinion that there is a "buyers beware" situation in this instance and any future occupiers would be aware of the current site circumstances.

6.6.4 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that 9 No. flats would not give rise to an unacceptable level of vehicular activity.

6.6.5 In terms of general noise and disturbance, it is not considered that the addition of 9 flats would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties.

6.6.7 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.

6.7 *Highways / Parking Issues*

6.7.1 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. The development would provide a total of 14 No. parking spaces. The level of parking is the same as that judged acceptable for the previous planning application. 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. The Highways Authority has not raised an objection to the proposed development.

6.7.3 A condition would be added to provide storage for 2 no. cycle spaces per flat in order to comply with the Council's standards. The relocation of the proposed cycle storage to the south-eastern corner is considered acceptable.

6.7.4 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.

6.8 *The Mayor's Community Infrastructure Levy*

6.8.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 648m² which equates to a Mayoral CIL payment of £12,960.

6.9. *Planning Obligations*

6.9.1 In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £30,000 to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement

6.9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, "*if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise*". Section 70 of the Town and Country Planning Act 1990 sets out the general considerations for Local Planning Authorities in determining planning applications and Section 70(2) requires that, "*in dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations*". Paragraph 2 of the National

Planning Policy Framework (NPPF) reiterates this: “*Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise*”.

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

6.10 *Other Issues*

6.10.1 With regards to refuse collection, the proposed relocation of the bin storage area would be acceptable as the access arrangements meet the 5m width requirement for a refuse vehicle to access the site in order for refuse collection to take place. Staff consider the refuse arrangements to be acceptable.

6.10.2 As part of the approval in 2011 a wildlife / protected species report was submitted. The report concluded that no evidence of protected species have been found on the site itself, although the site forms part of a much larger "wildlife corridor". At the time of the site visit it became apparent that most of the dense vegetation has already been cleared.

6.11 *Trees*

6.11.1 With regards to the loss of trees and vegetation on the site. Whilst the site is adjacent to Green Belt land, it does not in itself form part of the Green Belt. The site is not designated as a Site of Importance for Nature Conservation, does not fall within a Conservation Area or have any Tree Preservation Orders on any of the trees. The only trees of significance are located outside of the southern boundary of the subject site and would not be affected by the proposal.

6.12 *Flood Risk*

6.12.1 An FRA was done on the subject site as part of a previous residential approval. The Flood Risk Assessment at the time concluded that the development is unaffected by the 1 in 100 year flood level or the 1 in 1000

year flood level and that there was therefore a very low risk in terms of flooding.

7. Conclusion

- 7.1 Overall, it is considered that the proposed development by reason of its design, scale and siting, would result in an acceptable development within the street scene. It is not considered that the proposal would give rise to any overlooking or invasion of privacy and would further, due to its orientation in relation to other neighbouring properties, not result in any overshadowing. It is not considered that any highway or parking issues would arise as a result of the proposal. The development is not considered to result in an increased risk of flooding. No protected trees are located on the site. No adverse biodiversity or ecological issues are raised and subject to implementation of acceptable conditions, this part of the proposal is considered acceptable.
- 7.2 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:

Financial contributions are required through a legal agreement.

Legal Implications and risks:

Legal resources will be required to prepare and complete the legal agreement. There is a risk that the weight accorded to the Development Plan Policy and Supplementary Planning Document on Planning Obligations may be challenged at appeal or through judicial challenge.

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are formulated with regard to equalities and diversity implications.

BACKGROUND PAPERS

1. Application forms and plans received 15/12/14, revisions received on 05/01/15.