



# REGULATORY SERVICES COMMITTEE

3 December 2015

# REPORT

**Subject Heading:**

P1368.15 – 1 Albyns Close, Rainham

Demolition of existing buildings and erection of 19 dwelling houses with associated amenity, parking and landscaping. Amended building positions of Plot 1-4, 7-9 & 12-14. Inclusive from previously approved planning application number P1034.14. (Application forms and plans received 15/09/15, revised plans received 06/10/15).

**Ward:**

Pettits

**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**

- Havering will be clean and its environment will be cared for [ ]  
    People will be safe, in their homes and in the community [X]  
    Residents will be proud to live in Havering [X]

**SUMMARY**

The application proposes the demolition of two storey residential blocks containing a total of 36 flats and the construction 19 No. single storey dwellings with associated amenity, parking and landscaping. The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking.

It should be noted that this scheme was previously approved at the Regulatory Services Committee meeting of 23rd October 2014. The current scheme is similar to the previous approval with the exception of some changes to the layout.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions.

**RECOMMENDATIONS**

That the Committee notes that proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as the existing floor space to be demolished (1700m<sup>2</sup>) would exceed the proposed floor space (1375m<sup>2</sup>).

That the proposal is unacceptable as it stands but would be acceptable subject to:

- The provision on site of a minimum of 50% of the units as affordable housing in accordance with the requirements of Policy DC6 of the LDF Core Strategy and Development Control Policies Development Plan Document.
- The Council's legal fees for preparation of the agreement shall be paid on or prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement

That the Head of Service 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 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

**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.

3. Parking Provision

Before any of the dwellings hereby permitted are first occupied, the car parking provision shall be laid out to the full satisfaction of the Local Planning Authority and be made available for 28 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

**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.

4. External Materials

The development hereby permitted shall be constructed with external materials as shown on drawing No's 3790.150 Rev. PL3, 3790.160 Rev. PL3, 3790.170 Rev. PL3, 3790.602 Rev. PL2 and specified within the External Material & Boundary Treatment Samples document dated September 2015.

**Reason:** To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Landscaping

No works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a

scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

**Reason:** Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will 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.

#### 6. Cycle storage

The development hereby permitted shall be constructed in accordance with the details of cycle storage as specified within the Design and Access Statement as well as shown in the External Material & Boundary Treatment Samples document dated September 2015 and on drawing 3790.602 Rev. PL2

**Reason:** In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

#### 7. Refuse/recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

**Reason:**

Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will 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.

#### 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 Methodology

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:** 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.

10. Highway Agreements: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be completed prior to the commencement of the development.

**Reason:** Insufficient information has been submitted in respect of the highway alterations. Submission of this detail prior to commencement will ensure good design and public safety and comply with Policies CP10, CP15, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

## 11. Secure By Design

No works shall take place in relation to any of the development hereby approved until a full and detailed application for the Secured by Design award scheme is submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

**Reason:** Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

## 12 Risk and Contamination Assessment, Part 1

(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:** Insufficient information relating to land contamination has been submitted with the application. Submission of this information prior to commencement will protect those engaged in construction and occupation of the development from potential contamination and ensure that the development accords with Development Control Policies Development Plan Document Policy DC53.

### 13. Risk and Contamination Assessment, Part 2

(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.

### 14. Boundary treatment:

The development hereby permitted shall be constructed in accordance with the details of Boundary treatment as specified within the External Material & Boundary Treatment Samples document dated September 2015 and on drawing 3790.602 Rev. PL2

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

### 15 External lighting

Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

**Reason:** Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the

building or use. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

#### 16. Wheel washing

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 details to be first submitted to and approved in writing by the Local Planning Authority. 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:** Insufficient information has been supplied with the application in relation to wheel washing facilities. Submission of details prior to commencement will 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.

#### 17. Sustainability Statement

No development shall take place until an Energy statement has been submitted to and approved in writing by the Local Planning Authority. The statement is required



to demonstrate that the development will meet the 'Minimum Improvement on 2013 Building Regulations of 35 per cent'

**Reason:** In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the Core Strategy and Development Control Policies DPD and Policy 5.2 of the London Plan 2011

18. Accessible and Adaptable Dwellings

At least two of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the 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.

19. Permitted Development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

20. Vehicle Parking Arrangements

No development shall take place until a scheme detailing the proposed allocation of parking spaces has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved scheme and retained as such for the life of the development.

**Reason:** In the interests of protecting the amenities of the future occupiers of ground floor flats located in close proximity to parking spaces, and in accordance with Policy DC61 of the Development Control Policies Development Plan Document.

## 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. 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.
3. 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.
4. 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.
5. 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.
6. In aiming to satisfy condition 11 the applicant should seek the advice of the Police Designing Out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).
7. 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.

8. 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.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site is located on the south-eastern side of South End Road close to the junction with Princes Park.
- 1.2 The site was previously occupied by a car park and a group of two storey blocks containing a total of 36 flats dating from the mid 1960's. These buildings have been vacant since 2012 and have now been demolished.
- 1.3 To the west the site has a frontage onto South End Road and it also shares boundaries with St John's and St Matthew's Church to the south, a council owned housing estate to the east and two storey family homes to the north.
- 1.4 The local context is primarily residential, with the exception being St John's and St Matthew's Church to the south. Many of the neighbouring properties are two storey semi-detached or terraced houses with traditional front and back gardens. These houses date from the mid Twentieth Century and are not of any special architectural merit. The block of flats immediately to the east of the site are four storeys in height and are from the same era as the existing buildings on the site.

### 2. Description of Proposal

- 2.1. Overall the proposed development provides 19 new homes in the form of two bedroom dwellings, 16 of which are single storey and 3 of which have a bedroom within the roof space.
- 2.2 All new homes have an individual entrance at ground floor level, as well as amenity in the form of front and back gardens and recessed private patios.
- 2.3 Each house has its own refuse storage and an allocated parking space, either adjacent to the property or very close by. The overall number of parking spaces is 28 across the development, which equates to 1.5 parking spaces per new dwelling.

- 2.4 The proposed residential development would be divided into 50% affordable and 50% shared ownership.
- 2.5 All homes are designed with reference to ensure they are adaptable to the future needs of the residents.
- 2.6 The six properties fronting onto South End Road can be serviced in the same way as the existing neighbouring houses. Similarly, the five properties adjacent to the existing car park to the east can make use of the existing refuse collection facilities for the block of flats to the east, namely from Mermagen Drive. The remaining eight properties that sit away from either of these roads will be serviced via the new access road which runs east-west across the site from South End Road.
- 2.7 Every new property has its own on-plot external storage facility for both general waste and recycling. There are three communal waste storage points for use on collection days.
- 2.8 All points of each new property are within 45m of a fire service pump appliance vehicle, either from South End Road, Mermagen Drive or the new east-west access road across the site.

### **3. Relevant History**

- 3.1 P1034.14 - Demolition of existing buildings and erection of 19 dwelling houses with associated amenity, parking and landscaping - Approved with conditions
- 3.2 P0479.14 - Redevelopment of Albyns Close - Demolition of existing dilapidated and unused blocks of flats to provide 18 new bungalows with associated parking spaces, landscaping and boundary treatments - Withdrawn.

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

- 4.1 Neighbour notification letters were sent to 16 properties and no letters of objection were received.
- 4.2 The following consultation responses have been received:
  - Environmental Health - no objection, recommended conditions in relation to contamination and noise insulation.
  - Highways - no objection in principle, requested various conditions in the event of an approval

### **5. Relevant Policies**

- 5.1 National Planning Policy Framework (“the NPPF”)

- 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), 3.9 (mixed and balanced communities), 3.10 (definition of affordable housing), 3.11 (affordable housing targets), 3.12 (negotiating affordable housing), 3.13 (affordable housing thresholds), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.12 (flood risk management), 5.13 (sustainable drainage), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) are relevant.
- 5.3 Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC35, DC36, DC40, DC49, DC50, DC51, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (“the LDF”) are material considerations.
- 5.4 In addition, the Residential Design Supplementary Planning Document (“the SPD”), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and the Technical Appendices of the Planning Obligations SPD are also material considerations in this case.

## **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, affordable housing, parking and highways issues and other considerations.

### **6.2 *Background***

- 6.2.1 The current application is a resubmission of a similar scheme previously approved by the Regulatory Services Committee on 23 October 2014. Revisions were required as it was discovered that the original application could not be implemented due to existing services on site. The current application differs from the previous submission as follows:

- The layout has changed in that the development has been moved further off the south-western boundary which has resulted in a slight amendment to the parking layout and communal storage.
- Minor amendments have also been made to the elevations of the various dwellings styles which include the addition of gutters, slight change in roof angles and a redesign of the front dormers to units 17, 18 and 19.

### 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 previously developed 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 *Design Considerations*

- 6.4.1 Policy DC2 of the LDF stipulates the appropriate residential densities in given areas of the borough. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The SPD contains guidance in relation to the design of residential development.
- 6.4.2 The application site has an area of approximately 0.5 hectares and the proposal is for 19 units, giving a development density of approximately 38 units per hectare which is within the density range of 30-50 units per hectare set out in Policy DC2 for a location such as this one.
- 6.4.3 The site is located within a predominantly residential area with the exception being St John's and St Matthew's Church to the south. To the west the site has a frontage onto South End Road and it also shares boundaries with a housing estate to the east and two storey family homes to the north. Many of the neighbouring properties are two storey semi-detached or terraced houses with traditional front and back gardens. The site was previously currently occupied by a group of two storey blocks containing a total of 36 flats dating from the mid 1960's which have been vacant since 2012. Officers consider the proposed scheme to improve the existing site and make a positive contribution to the surrounding area.
- 6.4.4 The application proposes the use of grey brick as the main external material, along with a black stock brick as shown on the submitted drawings and within the External Material & Boundary Treatment Samples document. Staff consider the material to be acceptable.
- 6.4.5 The scale and massing of the proposal is considered to be broadly in keeping with the character of the wider area, particularly given the existing, two-storey residential development situated to the north. The proposed residential development would also be significantly lower than the church buildings to the south and flatted development to the east.
- 6.4.6 A non-specific landscaping proposal has been submitted with the application indicating an acceptable mix of hard and soft landscaping throughout the site. It is recommended that a planning condition be imposed requiring the submission of a detailed landscaping scheme.

6.3.7 Bicycle, refuse and recycling storage would be contained within the individual properties at ground level, and these details are considered to be acceptable.

6.3.8 Given the nature of the proposal, including its appearance, layout, scale, massing and design in relation to the surrounding area and within the proposed development itself, it is considered that the proposal would have an acceptable impact on the character of the area, and that it would therefore be in accordance with Policy DC61 of the LDF and Policy 7.4 of the London Plan.

#### 6.4 *Site Layout and Amenity Considerations*

6.4.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.

6.4.2 It should be noted that no objections relating to potential impact on neighbouring amenity were received.

6.4.3 The development proposes a mix of house types, including 2- bedroom 3-person and 2-bedroom 4-person dwellings. This complies with the aims of Policy DC2 in respect of dwelling mix. Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The Technical housing standards document requires that new residential development conform to minimum internal space standards set out in the plan. In this instance the proposed dwellings would each exceed the stipulated minimum standards and officers therefore consider that the proposal would provide an acceptable standard of living accommodation for future occupiers.

6.4.4 In relation to amenity space provision, the Council's Residential Design SPD does not prescribe amenity space standards but rather seeks to ensure that amenity space is provided in a high quality, functional and well-designed manner. Amenity space should also be private and not unreasonably overshadowed. The proposed development would provide a mixture of inset patios and front and rear gardens. Staff consider the amenity space area proposed would provide an adequate useable amenity space for residents, which would not compromise the living conditions of adjoining residents and accords with the aims of the SPD.

6.4.5 In terms of the overall layout, the developer used the 'Green Fingers' option which is an approach that looks at the creation of smaller, more usable shared amenity. The relationship between the terraces was a key driver in developing the scheme as the potential for interaction and communication was seen as an important factor for the specific target and users, namely

older residents. The boundary treatment between the private amenity and the Home Zone comprise of low brick walls topped with a mix of open railings and more enclosed timber fencing to break up the scale and allow a balance between privacy and natural surveillance. Although the proposal may seem cramped in its overall layout, Staff consider it acceptable given the approach to promote interaction between residents and the emphasis on pedestrians rather than vehicle movement.

- 6.4.6 In terms of how the proposed dwellings relate to one another, it is considered that they would not result in any unacceptable levels of overlooking, overshadowing, or outlook, primarily due to their single storey (with the exception of plots 17-19) nature and back to front distances. It is considered that the proposed development could, subject to conditions, provide an adequate level of amenity for the future occupiers of the development. Although there may be some concern about the relationship between the flatted block to the east and properties 13 and 14 and the potential for overlooking from the upper floors of the block of flats, Staff consider the separation distance to the most private patio areas of approximately 24m to be acceptable. A 2m high boundary fence is also proposed to the rear of these gardens to create a suitably enclosed amenity area. It should also be noted that future residents would be aware of the situation prior to occupation of the new dwellings.
- 6.4.7 In relation to the impact the proposal would have on existing, neighbouring occupiers, the main impact of the proposal would be upon those occupiers located to the north of the development site. The proposed development is not considered to have an unacceptable impact in terms of loss of amenity to these occupiers given the single storey design and the distance of 1m offset from the boundary. The relationship also is not considered significantly different compared to that of the current development of the site with neighbouring houses. With regard to the loft accommodation proposed to units 17-19, no overlooking would result to the rear of the neighbouring properties along South End Road as only rooflights are proposed to the western elevations of these proposed dwellings. Dwellings to plots 17-19 are set approximately 10.5m from the boundary with the houses to the rear with a back to back distance of 19.2m. On balance, this is considered sufficient to maintain residential amenity. The relationship between unit 19 and no. 16 Mermagen Drive is also considered acceptable given the 3m deep projection beyond the rear building line of no. 16 and the separation distance of 3.5m between the dwellings. A construction method statement will be required as part of a planning condition to ensure that the impacts on neighbours during construction works are kept to a minimum.
- 6.4.8 Officers consider that in terms of the standard of accommodation and amenity space to be provided, and the amenity of existing neighbouring occupiers, , that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.



## 6.5 *Environmental Impact*

6.5.1 The Council's Environmental Health officers were consulted about the application with no objections being raised. Conditions have been recommended in relation to land contamination, construction management and limitations to construction times. It is recommended that these be employed should planning permission be granted.

## 6.6 *Parking and Highway Issues*

6.6.1 A new vehicle access from South End Road with a new cross-over will be provided. It is judged that this would help to relieve pressure on the residential roads around the site, in particular Mermagen Road and will give the new development a clear entrance and identity.

6.6.2 All new homes are provided with a parking space adjacent to either the front or the rear of each property. In addition there will be parking provision for visitors. The overall number of parking spaces is 28 across the development, which equates to 1.5 parking spaces per new dwelling. A condition is however recommended to show how the parking would be allocated to residents. Cycle storage would also be provided.

6.6.3 The site has a PTAL rating of 1-2, which translates to a lower level of public transport accessibility. The proposed level of parking provision of 1.5 complies with the 1.5-2 spaces required in accordance with Policy DC2 of the LDF.

6.6.4 Council's Highway officers have raised no objections, subject to the use of conditions and informatives, which can be imposed should planning permission be granted.

6.6.5 It is recommended that conditions be imposed relating to wheel washing facilities to prevent the deposition of mud onto the public highway during construction works. It is also recommended that a condition be imposed requiring the submission to and approval by the Local Planning Authority of a construction method statement detailing the areas where construction vehicles and plant will be parked.

6.6.6 Subject to the use of the aforementioned conditions, the proposal is considered to be acceptable in respect of parking and highway safety issues and in accordance with Policies DC32, DC33 and DC34 of the LDF.

## 6.7 *Affordable Housing*

6.7.1 The proposal results in development for which an affordable housing provision is required in accordance with the National Planning Policy Framework and the London Plan. Policies CP2 and DC6 set out a borough wide target of 50% of all new homes built in the borough to be affordable. The site is to be developed by the Council's Housing Service and it is advised that 100% of the units on the site will be provided as affordable

housing. This is in excess of policy requirements and is considered to be acceptable. The provision of affordable housing will be secured through a legal agreement.

#### 6.8 *Mayoral Community Infrastructure Levy*

6.8.1 The proposed development is not liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 as the existing floor space to be demolished (1700m<sup>2</sup>) would exceed the proposed floor space (1375m<sup>2</sup>).

#### 6.9 *Infrastructure Impact of Development*

6.9.1 Staff do not consider a planning obligation contribution to be justified in this case as the proposed development would replace 36 existing units.

#### 6.10 *Other Considerations*

6.10.1 The Metropolitan Police Designing Out Crime Officer has recommended a condition requiring the submission of details relating to the way in which "Secured by Design" standards will be achieved, accompanied by an informative. In the interests of designing out crime, this condition and informative will be imposed should planning permission be granted.

6.10.2 As with the previous application, the proposals should be designed to current standards of accessibility and adaptability. This can be secured through a planning condition requiring compliance with the relevant Building Regulation standard

### **7. Conclusion**

7.1 The proposed residential development is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and to provide a suitably high quality living environment for the enjoyment of future occupiers. There is judged to be no material harm to neighbouring residential amenity arising from the proposal and the application makes acceptable provision for the retention and replacement of landscaping and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.

7.2 The proposal makes provision for affordable housing in excess of the LDF policy requirements. The proposal is judged to be acceptable, subject to conditions and it is recommended that planning permission is granted.

## **IMPLICATIONS AND RISKS**

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

None.

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

The application site comprises land in the ownership of the Council. This application is however considered solely on the planning merits of the proposals.

Legal resources will be required for future work relating to the completion of a legal agreement.

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

None.

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

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, which are proposed as affordable housing and all wheelchair accessible, thus contributing to the provision of mixed and balanced communities

## **BACKGROUND PAPERS**

Application form, drawings and supporting statements received on 01/08/14 (revised plan received 15/09/15, revised plans received 06/10/15).