

REGULATORY SERVICES COMMITTEE

20 February 2014

REPORT

Subject Heading:

P1267.13 – Land rear of 8-28 Ullswater Way, 8-36 Kendal Croft and 61-69 Carnforth Gardens, Hornchurch – One, two storey and two single storey supported housing buildings comprising 8 one bedroom self-contained flats with associated amenity space, car parking and a turning area (received 20/12/13)

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Policy context:

Local Development Framework
The London Plan

Financial summary:

None

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

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

SUMMARY

This report relates to land in the ownership of the Council. This report concerns an application for one, two storey and two single storey supported housing buildings comprising 8 one bedroom self-contained flats with associated amenity space, car parking and a turning area. Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions.

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 would be £9,377.61. This is based on the creation of 471 square metres of new gross internal floor space.

That Staff be authorised to grant planning permission subject to the conditions set out below.

1. Time limit - The development hereby permitted shall not be commenced later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Materials – Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the construction of the building(s) hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

3. 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.

4. Flank windows - 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 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.

5. Landscaping - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

6. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. The provision shall be permanently retained 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.

7. Personal condition - The benefit of the planning permission hereby approved shall enure solely for the benefit of London Borough of Havering and its tenants.

Reason: Due to the particular circumstances of the proposal and need for infrastructure contribution should the development become general specialist housing.

8. Car parking - 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.

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

11. Permitted Development - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted Development) (Amendment)(no. 2)(England) Order 2008 Classes A - E, or any subsequent order revoking or re-enacting that order, no extensions, roof extensions or alterations shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden area of the dwellings, with the exception of ancillary structures up to 10 cubic metres in volume, 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.

12. Boundary fencing – Prior to the first occupation of the development hereby permitted, boundary treatment shall be carried out in accordance with drawing No. 826/PL/02 and the Design and Access Statement dated 18th October 2013 and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

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

13. Contamination – (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.

14. Contamination – (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.

15. External lighting - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

Reason: In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

16. Secured by Design – Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be 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: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

17. Surfacing materials - Before any of the development hereby permitted is commenced, surfacing materials for the access road and parking area shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the approved plans) to prevent their use for anything but access.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in the interests of highway safety.

18. Obscure glazing - The proposed first floor windows on elevation B of Flats 3 and 4 shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority in accordance with Drawing No. 826/PL/04.

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

19. Wheel scrubbing - Before the development hereby permitted is first commenced, wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be provided 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 on site.

Reason: 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.

20. Sight lines - The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason: In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

2. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £9,377.61 (subject to indexation). 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.

3. In aiming to satisfy condition 16 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.

4. 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 license from the Council.

5. 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 & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

6. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this 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.

7. 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.

REPORT DETAIL

1. **Site Description:**

- 2.1 The application site comprises land to the rear of 8-28 Ullswater Way, 8-36 Kendal Croft and 61-69 Carnforth Gardens, Hornchurch. The site was used for garaging associated with adjoining properties. The garages have now been demolished and the site is vacant and overgrown. The rear gardens of two storey dwellings back onto the site to the north, east, south and west. There are two storey dwellings that comprise of flats adjacent to the north western boundary of the application site and are accessed from Kendal Croft. At present, the site can be accessed from Ullswater Way.

2. **Description of development:**

- 2.1 The application is for one, two storey and two single storey supported housing buildings comprising of eight, one bedroom self-contained flats with associated amenity space, car parking and a turning area. The supported housing units would be for young adults with disability. Each unit comprises of a living room, kitchen/dining area, bedroom and an en-suite shower room. One of the eight flats will comprise of a staff flat and office that will provide support to the residents. There are three separate buildings, closely grouped but not linked. The roofs of the buildings will incorporate some photo-voltaic panels.
- 2.2 The majority of the development is single storey with the exception of four flats that are arranged in a two storey building. The two storey building would be located to the north west of the application site, comprise of flats 1-4 and have a width of 18.2 metres, a maximum depth of 9.1 metres and a maximum ridge height of 7.9 metres.
- 2.2 The single storey building comprising of flats 5, 6 and 7 would have a width of 29.6 metres, a depth of between 5.1 and 7.7 metres and a maximum height of 4.5 metres. The single storey building comprising of flat 8 and located adjacent to the north eastern boundary of the site, would have a width of 11 metres, a depth of between 5.8 and 6.7 metres and a maximum height of 4.5 metres.
- 2.3 The proposal includes the provision of an access road, which would be located at the end of Kendal Croft and areas of hardstanding, creating a total of 7 parking spaces (this includes one disabled bay). Four existing car parking spaces would remain adjacent to No.'s 5-19 Kendal Croft.

3. Relevant History:

3.1 No relevant planning history.

4. Consultations/Representations:

4.1 The occupiers of 60 neighbouring properties were notified of this proposal. Two letters of objection were received with detailed comments that have been summarised as follows:

- Parking.
- Traffic.
- There will need to be a permanent barrier for the existing pedestrian access in Ullswater Way.
- Access for emergency vehicles.
- Concerns regarding the position of the access road.

4.2 In response to the above comments, the existing vehicular access to the site from Ullswater Way does not form part of the application site. The remaining comments will be addressed in the following sections of this report.

4.3 The Fire Brigade is satisfied with the proposals.

4.4 Environmental Health - Recommend conditions regarding contamination if minded to grant planning permission.

4.5 Designing Out Crime Officer – Has had pre-application discussions with the applicants and can confirm that the application demonstrates how crime prevention measures have been considered in the design of the proposed development and how it reflects the seven attributes of Safer Places as required by DC63. Recommends conditions in respect of boundary treatments, external lighting and secured by design and an informative if minded to grant planning permission.

4.6 The Highways Authority has no objection to the proposals. The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access from Kendall Croft, set back to the boundary of the public footway where the high fence is proposed. There should be no obstruction or object higher than 0.6 metres within the visibility splay. A commercial vehicle access should be provided from Kendal Croft. A swept path analysis has been requested to show that a refuse vehicle can access the site and exit in forward gear. This should be undertaken for a 8-wheeled vehicle.

5. Staff Comments:

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC11 (Non-designated sites), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC72 (Planning

Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Planning Obligations Supplementary Planning Document and Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant. Chapters 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design) of the National Planning Policy Framework are relevant.

5.2 Principle of Development

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

5.2.2 Policy 3.8 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy 3.5 states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 50² for a 1-bed 2-person dwelling. The proposed dwellings have individual internal floor space of between 50 and 54m² which is in line with the recommended guidance and considered acceptable.

5.3 Density and site layout

5.3.1 The Density Matrix in Policy DC2 seeks to guide higher density of development to those parts of the Borough having good access to public transport. Policy DC2 indicates a density requirement of 30-50 dwellings per hectare.

5.3.2 The proposal achieves a density of some 51 units per hectare on this 0.155 hectare site, which is just above the range indicated by Policy DC2 and by national planning policy. Although this is marginally in excess of policy guidance, the density is only one means of assessment and there is a need to evaluate the quality of the accommodation and its impact on the streetscene.

5.3.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In terms of amenity space provision, all ground floor flats have private amenity space ranging between some 32-90 square metres enclosed with timber fencing.

5.3.4 The two first floor flats would have a communal amenity space of some 76 square metres. Staff are of the view that the proposed communal and private garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

5.3.5 The remaining 'public' area within the development is largely hard surfacing and consists of the highway and parking provision. It is considered that the layout of the site is acceptable.

5.4 Design/impact on street/Garden scene

5.4.1 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. The locality is typified by two storey dwellings with gabled roofs.

5.4.2 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. It is considered that the external design and appearance of the flats would integrate satisfactorily with the streetscene. Staff consider that the height and scale of the buildings proposed is compatible with the prevailing scale and character of development within the locality.

5.4.3 The proposed buildings would utilise a mixture of materials including facing brickwork, dark grey artificial slate roofs and timber cladding with anodised aluminium/timber windows. The roofs will incorporate some photo-voltaic panels, which would not materially affect the streetscene. Staff are of the view that the proposed materials would be compatible with those to be found on neighbouring dwellings. A written specification of external walls and roof materials will be secured by condition if minded to grant planning permission.

5.5 Impact on amenity

5.5.1 The two storey building comprising flats 1-4 would be located on a north west to south east axis within the site. There would be a front to front distance of approximately 5 metres between No.'s 18 and 20 Kendal Croft and the front elevation of the two storey building located to the north west of the application site. It is considered that the two storey building would not result in a significant loss of amenity to No.'s 18-20 Kendal Croft, as a significant proportion of the building is located within the land previously used for garages and it would be located at an oblique angle from these neighbouring properties. In addition, the north western flank of the building would be in general alignment with the south eastern flank of No.'s 18 and 20 Kendal Croft, which will help to mitigate its impact. The pitched roof of the two storey building is also shallower adjacent to neighbouring properties, with an eaves height of 5.2 metres and a central ridge height of 7.9 metres. Having regard to the siting and roof form of the proposed two storey building and the front to front distance, Staff consider that this relationship is acceptable.

- 5.5.2 It is noted that No. 20 Kendal Croft has a front door (with an obscure glazed panel) and a window on its south eastern flank. The window serves a kitchen and is a secondary light source and there is a clear glazed door on its rear façade. The first floor neighbouring property at No. 18 Kendal Croft is currently vacant and has two first floor windows on its south eastern flank. It is considered that the building comprising of flats 5, 6 and 7 would not result in a significant loss of amenity to No.'s 18- 20 Kendal Croft, as its single storey and there is a flank to front separation distance of between approximately 4 and 6 metres between the south eastern flank of No.'s 18-20 Kendal Croft and the front elevation of this building.
- 5.5.3 It is considered that the two storey building would not result in a significant loss of amenity to No.'s 22-40 Kendal Croft, as a significant proportion of the building is located within the land previously used for garages and it would be located at an oblique angle from these neighbouring properties. In addition, there would be a flank to front distance of between approximately 6 and 9.5 metres between No.'s 22 and 24 Kendal Croft and the north western flank of the two storey building. There would be a flank to flank distance of approximately 9.8 metres between No.'s 26 and 28 Kendal Croft and the north western flank of the two storey building. Having regard to the siting of the proposed two storey building and the front to front/flank distances, Staff consider that this relationship is acceptable.
- 5.5.4 In respect of the relationship with No.'s 10 to 14 Kendal Croft, there would be a separation distance of between approximately 11 and 19 metres between the rear façade of the two storey building and the rear facades of these neighbouring properties. Given this separation distance, Staff consider that this relationship is acceptable. It is considered that the two storey building would not result in a significant loss of amenity to No.'s 10-14 Kendal Croft, as a significant proportion of the building is located within the land previously used for garages.
- 5.5.5 The two single storey buildings comprising of flats 5-8 are located adjacent to the rear gardens of dwellings in Carnforth Gardens and Ullswater Way. There would be a minimum separation distance of between approximately 18 and 21 metres between the rear facades of dwellings in Carnforth Gardens and the north eastern flanks of the two single storey buildings. There would be a minimum separation distance of between approximately 21 and 28 metres between the rear facades of No.'s 2 to 20 Ullswater Way and the rear facades of the two single storey buildings comprising flats 5-8. Given the back to back/flank distances, Staff consider that this relationship is acceptable.
- 5.5.6 In respect of the relationship with No.'s 20 to 26 Ullswater Way, the south eastern flank wall of the two storey building comprising flats 1-4 is set in approximately 1.6 metres from this boundary. There would be a flank to rear distance of approximately between 22 and 25 metres between the south eastern flank of the two storey building and the rear façade of No.'s 20 to 26 Ullswater Way. The pitched roof of the two storey building is shallower adjacent to neighbouring properties, with an eaves height of 5.2 metres and a central ridge height of 7.9 metres, which will help to mitigate its impact. There

are established conifers in the rear gardens of some neighbouring properties in Ullswater Way, which will provide some screening. Having regard to the siting and roof form of the proposed two storey building and the flank to rear distance, Staff consider that this relationship is acceptable.

- 5.5.7 Overall, no harmful levels of overshadowing or overlooking are considered to occur as a result of the proposed buildings, two of which are single storey. Also, the site would be enclosed with a new 2m high timber fence. Given the separation distances between the buildings and neighbouring properties, Staff consider that the proposal would not create any undue overlooking or loss of privacy. There are established conifers in the rear gardens of some neighbouring properties in Ullswater Way, which will provide some screening. It is considered that the ground and first floor windows serving the office on the front façade of the two storey building would not result in any undue overlooking or loss of privacy to No. 18 and 20 Kendal Croft, as they are sited at an oblique angle from these neighbouring properties and taking into account the separate distances outlined above.
- 5.5.8 It is considered that there would not be materially greater impact in respect of noise and disturbance compared to that previously generated by the former garages on the site. The proposal creates an access road, turning area and parking area that would be accessed from Kendal Croft. It is not considered that this arrangement would be materially harmful to amenity owing to the limited numbers of parking spaces and subject to adequate boundary treatment.
- 5.5.9 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed residential development in relation to the resultant limited plot space, any additions, extensions or alterations to the dwelling may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the appearance of the street scene and amenities of neighbouring occupiers.
- 5.5.10 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.

5.6 Highway/parking issues

- 5.6.1 The proposal includes the provision of an access road, which would be located at the end of Kendal Croft and areas of hardstanding, creating a total of 7 parking spaces (this includes one disabled bay). Four existing car parking spaces would remain adjacent to No.'s 5-19 Kendal Croft.
- 5.6.2 Annexe 5 of the Local Development Framework states that the parking standard for sheltered housing is 1 space per resident warden plus 1 space

per 4 units (where 1 bed). In this instance, the agent has advised that it is not anticipated that residents will be car owners, as this is a supported housing scheme for young adults with disability. There are seven on site parking spaces for the use of staff and visitors, which is deemed to be acceptable. The Highways Authority has no objection to the proposal. Staff consider the amount and configuration of the parking proposals to be acceptable.

5.6.3 The Fire Brigade has no objection to the proposal.

5.6.4 A condition will be placed in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.

6. Infrastructure

6.1 The proposal would have been subject to a financial contribution of £42,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document. However, in this instance, the development would be owned and managed by the Council and therefore, transferring the funds from one department to another would be a paper exercise. Therefore in this particular instance, a condition personal to the London Borough of Havering would be appropriate.

7. The Mayor's Community Infrastructure Levy

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The CIL payment is applicable as the proposal is for eight self-contained flats. According to the CIL form, the new dwellings would have a combined floor space of 471 square metres. On this basis, the CIL liability equals $471 \times 20 = 9,420$. On this basis, the CIL liability would be payable up to £9,377.61 (subject to indexation).
 $£20\text{sq.m} \times 471 = £9,420$.
 $£9,420 \times 0.9955 = £9,377.61$.

8. Conclusion

8.1 Staff consider the site to be acceptable in principle for residential development. It is considered that the siting, design and scale of the supported housing buildings proposed is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. It is considered that the proposal would not create any parking or highway issues. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

The application relates to a garage site, which is within the Council's ownership.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity. The supported housing units would be for young adults with disability.

BACKGROUND PAPERS

Application forms and plans received 20/12/2013.

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.