

# REGULATORY SERVICES COMMITTEE

## **REPORT**

6 March 2014	
Subject Heading:	P1524.13 – Land Rear of 38 Corbets Tey Road
	Proposed pair of semi-detached dwellings and associated landscaping and car parking (Received 13 December 2013)
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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	[X]
Excellence in education and learning	[]
Opportunities for all through economic, social and cultural activity	[]
Value and enhance the life of every individual	[X]
High customer satisfaction and a stable council tax	[]

#### SUMMARY

This report concerns an application for the proposed pair of semi-detached dwellings and associated landscaping and car parking.

Councillor Linda Van Den Hende has called in the application on the grounds of overdevelopment, concerns in regards to access and parking, and the affects it has on residents of Stewart Avenue.

This application is considered to be acceptable in all material respects and, subject to the prior completion of a S106 legal agreement to secure the payment of the Planning Obligations Contribution, it is recommended that planning permission is 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.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £6k per dwelling unit, £12,000 in total, towards the infrastructure costs arising from the development would be required to fulfil the requirements of 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.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That Staff 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.

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

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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Materials: All new external finishes shall be carried out in materials to match those of the existing buildings to the satisfaction of the Local Planning Authority.

**Reason**: To safeguard the appearance of the premises and the character of the immediate area and to accord 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.

**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 the LDF Development Control Policies Development Plan Document Policy DC61.

4. Construction Hours: 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.

- 5. Construction Methodology Statement: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) Parking of vehicles of site personnel and visitors;

- b) Storage of plant and materials;
- c) Dust management controls;
- d) Measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) Scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities; g) siting and design of temporary buildings;
- h) Scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) Details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

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

6. Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

7. 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

8. Boundaries: Prior to the commencement of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

**Reason:** To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties and in order that the development accords with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

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

**Reason:** To prevent noise nuisance to adjoining properties and that the development accords with the Development Control Policies Development Plan Document Policy DC61

- 10. 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.

- 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.

11. Visibility Splay: The proposals should provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the existing accesses, 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:** 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.

12. 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, or any subsequent order revoking or re-enacting that order, no development shall take place under Class A and E for extensions and outbuildings 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.

13. Flank windows: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

14. Wheel washing: 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 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.

**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.

15. Cycle storage: Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

**Reason:** In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

16. Refuge and recycling: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

**Reason:** In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

#### **INFORMATIVES**

- 1. 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.
- 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. The Highway Authority requests that these comments are passed to the applicant. 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 Street Care, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
- 3. Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended in satisfying condition 10, that a watching brief is implemented for the presence of any land contamination throughout the construction works. In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified to the satisfaction of the Local Planning Authority.
- 4. 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.
- 5. 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 £3,060. 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. Further details with regard to CIL are available from the Council's website.

#### REPORT DETAIL

## 1. Site Description

- 1.1 The proposal site lies to the rear of No. 38 Corbets Tey Road, Upminster, which is currently a vacant rear area of an end of terrace with commercial unit at ground floor with residential flats above.
- 1.2 To the rear of the site is an open parcel of land enclosed by a boundary fence. There is a rear access leading to a servicing and parking area behind the commercial frontage units of Corbet's Tey Road, leading from Stewart Avenue.
- 1.3 The surrounding area is predominantly residential use, characterised by semi-detached 2 storey houses, and there are commercial properties on the ground floor units fronting Corbets Tey Road to the east.

## 2. Description of Proposal

- 2.1 Full planning permission is sought for a pair of semi-detached 2 bedroom dwellinghouses with associated parking and amenity areas.
- 2.2 The building measures 5.5m high to the eaves, 7.3m to the ridge (maximum), 9m wide, 6.6m deep and 7.9m deep ground floor and 5.3m on first floor (maximum), The building would front onto and be accessed from Stewart Avenue.
- 2.3 It would have a red brick wall on the ground floor with rendered cream first floor, UPVC doors and windows with the first floor having timber clad panels and the roof would be in red tiles.
- 2.4 The layouts of both dwellings mirror each other including the location of waste and cycle storage, front patio, front and rear gardens with front brick garden wall with brick on edge capping 0.9m high and 215mm depth brick. One dwelling has a single curtilage parking space and other dwelling has two in curtilage spaces.
- 2.5 Revised plans have been submitted during the application which amended the design of the dwelling to similarly match the design of the houses on Steweart Avenue in terms of proportions, design and heights. The plans also see a change in the building layout and the reduction of width of the single storey rear projections to allow more private amenity space.

#### 3. Relevant History

- 3.1 This application is a resubmission following on from a previously refused application P0657.13. That application was refused for the following reasons:
  - The proposed development would, by reason of its height, bulk, mass, forward position of the established building line on Stewart Avenue and the design of the proposed dwellings, especially the front bay window feature, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
  - 2. The proposal, by reason of the restricted size of the amenity space provision combined with the extent of overlooking from the adjacent property at No.38 Corbets Tey Road, would provide inadequate private sitting out space for occupiers of the future development, which would be overlooked and have a serious and adverse effect on their living conditions, contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

- In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.
- 3.2 Prior to the 2013 refusal, there were two earlier refusals under references P0427.11 and P1090.11, which were both, refused for the following reasons:
  - The proposed development would, by reason of its height, forward position, bulk and mass, appear as an unacceptably dominant and visually intrusive feature in the streetscene harmful to the appearance of the surrounding area contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.
  - 2. The proposal would, by reason of its layout close to the boundary, lead to an unsatisfactory relationship between building blocks, which prejudices the future development of the adjacent site and future amenity. The development is therefore contrary to Policies DC61 of the LDF Development Control Policies DPD.

## 4. Consultations/Representations

- 4.1 51 Neighbour notification letters were sent to 62 properties. No letters of objection received to date.
- 4.2 Essex & Suffolk Water No objections
- 4.3 Environmental Protection No objections subject to suitable conditions
- 4.4 Highways No objections
- 4.5 London fire and Emergency Planning Authority No objections

#### 5 Relevant Policies

5.1 Policies CP17 (Design), DC33 (Car parking), DC61 (Urban Design), of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 7.4 (Local character) of the London Plan and Chapters 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework are relevant.

#### 6. Staff Comments

6.1 The issues arising in respect of this application and which will be addressed through this report are the principle of development, impact on the streetscene and design, amenity issues and parking and highways implications.

## 7. Principle of Development

7.1 Although the site address is located within the Upminster Major District Centre, the residential development of the site is acceptable in land use terms. There is no loss of retail space proposed as part of this submission. The surrounding area is predominantly residential, therefore the proposal is considered acceptable in principle.

## 8. Density/Layout

- 8.1 It is proposed to erect a pair of 2 bed semi-detached houses. Policy 3.5 of the London Plan states that Local Development Frameworks should incorporate minimum space standards. The Mayor has set these at 70 square metres for a 2 bedroom, 4 person houses. The proposed houses are approximately 77 square metres floor area each. These are in accordance with the Mayor's standards.
- 8.2 The Havering Local Plan sets out a density range of 50-80 units per hectare for the Upminster urban area, the application site measures at 380 square metres which is 380.00m2. The proposal of 2 dwellings in this area would be calculated to 53 units per hectares, which accords with the density matrix within the adopted plan.
- 8.3 The Council's Design for Living 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.
- 8.4 Unlike previous guidance, this SPD does not prescribe fixed standards for private amenity space. Rigid space standards can restrict creative design and layout of new residential developments, particularly on smaller, awkward development sites. Developers will be encouraged to bring forward schemes involving imaginative and innovative provision of amenity space.
- 8.5 The layout of the proposed houses have been revised to set the each dwelling a further metre forward, this allows an additional amenity space to the rear proposed dwelling would have approximately 32 square metres of garden space.

- 8.6 The proposal would be conditioned to ensure adequate boundaries around the rear amenity space and with the introduction of a proposed rear single storey extension, it would avoid being overlooking from the first floor flat of 38 Corbets Tey Road which was a reason for refusal on the previous application.
- 8.7 With the above taken into consideration, the living accommodation of both dwellinghouses are considered to be adequate and usable.

## 9. Design and Appearance

- 9.1 Policy DC61 states that development should respond to local building forms and patterns of development and respect the scale, massing and height of surrounding physical context.
- 9.2 The site has a frontage onto Stewart Avenue, which is characterised by semi-detached two storey dwellings set behind front gardens. Corbets Tey Road is characterised by two and three storey terraces with commercial units at ground floor and flats above. Their respective frontages create two defined character areas, suburban and commercial core.
- 9.3 The proposed building would continue to front onto Stewart Avenue, where dwellings are set back from the highway by at least 6-7 metres which provides an established residential setting.
- 9.4 The current proposed houses are set back 5.7 metres away from the highway and in line with the existing building line with the adjoining neighbours, this addresses one of the previous reasons for refusal. The previous scheme proposed a building set at only 4 metres from the highway which was not representative of the overall character of Stewart Avenue.
- 9.5 Unlike all of the previous refusals, the current proposal's position forward would draw less attention to the scale and bulk of the building, therefore it would be less visible and would sympathetically relate to the neighbouring two storey development on Stewart Avenue. The proposed property would no longer dominate the inward view from Corbets Tey Road and therefore would not result in an incongruous, overly dominant appearance within the street.
- 9.6 Furthermore, unlike the previous refusals, the proposed building has a smaller depth which results in a substantial reduction in size and bulk with only a single storey projection proposed to the rear of the main house to create additional accommodation, whilst the main part of the 2 storey house would be set back 4.8 metres away from the rear boundary. This is an improvement compared to the previous refusal which had the 2 storey element 4.2 metres away from the rear boundary. This revised design reduces the proximity of the building relative to the shops/flats on Corbets Tev Road.

- 9.7 In addition to the above reasons, the revised proposed design of the houses would be in-character with the other semi-pairs on the street. The other houses all have front bay window and porch designs with either a gable or a hipped roof design feature. The resubmitted proposed dwellings reflects these designs, proportions and materials, therefore staff consider that the revised design is more in character with the locality.
- 9.8 As mentioned above, the maximum height for each proposed dwelling would be 7.3 metres in height, this would be approximately 3 metres shorter than height than the neighbouring properties. With this and the paragraphs above taken into consideration, staff consider that the proposal would not be an over development of the site.
- 9.9 In all, staff considers that the resubmitted and revised proposal addresses the previous reasons for refusal in relation to street scene, in that it would be in-character with the pattern of development in the Stewart Avenue. The proposals would not detract from the character of the local area and would therefore be acceptable in this instance. It is therefore considered that the development would safeguard and preserve the character and appearance of the surrounding area. The proposal is therefore acceptable in accordance with Policy DC61 and advice contained within the NPPF.

## 10. Impact on Amenity

- 10.1 Policy DC61 of the LDF requires new development not to harm the amenities of adjoining occupiers by reason of noise and disturbance, loss of light, overlooking or other impacts.
- 10.2 The nearest affected neighbours would be No. 2 Stewart Avenue and No.38 Corbets Tey Road, which contains a flat on the first floor.
- 10.3 In regards to No.2, this property is located at a reasonable distance away at from the proposed house at 4.4m. No.2 also has an existing first floor window, this serves a bathroom and is obscured, therefore there would not be any overlooking to the rear amenity area of the proposed houses.
- 10.4 With regards to No.38, the previous refusal proposed a layout of the rear amenity area which would be overlooked by the first floor window to this property and this was grounds for refusal as it would prejudice the privacy for the future occupier of the new dwelling. As mentioned above, the current application proposes a rear single storey mono pitched roof projection to each dwelling. This extension would remove the potential for direct overlooking from the neighbour's window as it would obscure clear views of the amenity areas.
- 10.5 With the above taken into consideration, staff are therefore satisfied that the proposed development is sufficiently well enough removed from residential properties and unlikely to result in any material harm. The development is considered to be acceptable and accords with the principles of Policy DC61.

## 11. Parking and highway issues

- 11.1 DC33 refers to the density matrix in DC2 for residential car parking levels. The site has a PTAL rating of 3-4 which equates to a parking requirement of 1.5 spaces per unit. Here, the proposals provide 3 parking spaces (1 space for the first house and 2 spaces for the second house). The spaces to the front/side would be accessed via new vehicular crossovers from Stewart Avenue.
- 11.2 Given that adequate parking has been provided within the curtilage, it is considered that this aspect of the scheme is acceptable. Waste, recycling and cycle storage would be provided to the side of the proposed houses in enclosed stores with access via the proposed front paved area. This arrangement is considered acceptable and Highways do not raise any objections.
- 11.3 With the above taken into consideration with the appropriate conditions, it is considered that the proposal considered being acceptable and accords with the principles of Policy DC 33.

## 12. Mayoral CIL and Section 106 implications

- 12.1 The total additional internal floor space would be 153 square metres floor area, this would equal a Mayoral CIL contribution of £3060.
- 12.2 A financial contribution of £6000 per dwelling unit towards the infrastructure costs arising from the development would be required to fulfill the requirements of the Planning Obligations SPD.
- 12.3 The proposal is for two dwellinghouses, therefore contribution required would be £12,000.

#### 13. Conclusion

- 13.1 The proposed semi-detached houses together with associated landscaping and amenity space, new boundary walling and the creation of a parking area is considered to be acceptable in principle having regard to the polices listed above.
- 13.2 Having regard to all relevant factors and material planning considerations staff are of the view that this proposal for the extensions. Staff are of the view that the proposal would not have an impact on the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and TO LEGAL AGREEMENT set out in this report.

## **IMPLICATIONS AND RISKS**

## Financial Implications and risks:

None directly arising from this application.

## Legal Implications and risks:

Legal resources will be required for the completion of a legal agreement.

## **Human Resource Implications:**

None

## **Equalities and Social Inclusion Implications:**

None directly arising from this application.

## **BACKGROUND PAPERS**

Application form, drawings and supporting statement received on 13th December 2013.