



REGULATORY SERVICES COMMITTEE

26 June 2014

REPORT

Subject Heading:

P0400.14 – 65 Lambs Lane, Rainham

Demolition and replacement dwelling and 2 detached bungalows and single garage to the rear. (Received 24 April 2014)

Report Author and contact details:

Suzanne Terry
Interim Planning Manager
(Applications)
suzanne.terry@havering.gov.uk
01708 432755

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 demolition and replacement dwelling and 2 No detached bungalows and single garage to the rear at 65 Lambs Lane south in Rainham.

The residential development on the site is considered to be acceptable in principle. As a matter of judgement, 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. The development is also considered to be acceptable in respect of parking and highway issues.

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 . The application fee is based on a combined net increase in floor area of 218.1 square meters which equates to a Mayoral CIL payment of £4,362.00.

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 £12,000 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. Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans as detailed on page one of the 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 the LDF Development Control Policies Development Plan Document Policy DC61.

3. Storage of 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 and maintained permanently to the satisfaction 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.

4. 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.

5. 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

6. Removal of permitted development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2008, Article 3, Schedule 2, Part 1, Classes A to E, no enlargements, improvements or other alteration shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden areas 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 the LDF Development Control Policies Development Plan Document Policy DC61.

7. Landscape: 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. Boundary treatment: 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. Materials samples: 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 safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

10. Trees: Prior to the commencement of the development hereby approved the trees to be retained on site shall be protected in accordance with the appropriate recommendations contained in British Standard 3998:1989 (Tree Works) to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on site in the interests of amenity and to accord with Policy DC60 of the LDF Development Control Policies Development Plan Document.

11. Secure 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 Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

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

12. Access: Prior the first occupation of dwellings hereby permitted, the access drive shall be fully constructed to the satisfaction of the Local Planning Authority.

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

13. Sprinklers: Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system to each of the dwellings No.65a and No.65b hereby approved. Thereafter this provision shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

Reason: In lieu of adequate access for a Fire Brigade pump appliance and in the interest of amenity and safety for future occupiers.

14. 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 Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system to each of the dwellings No.65a and No.65b hereby approved. Thereafter this provision shall be retained permanently unless otherwise agreed in writing by the Local Planning Authority.

Reason: In lieu of adequate access for a Fire Brigade pump appliance and in the interest of amenity and safety for future occupiers.

15. 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.

16. Parking provision: Before the buildings 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 LDF Development Control Policies Development Plan Document Policy DC33.

17. 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 walls of the buildings 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 the LDF Development Control Policies Development Plan Document Policy DC61.

18. Alterations to Public Highway: The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies CP10, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

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 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. In aiming to satisfy condition 11 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition.
4. 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.
5. 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.

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 £4362 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 application site is located on the north side of Lambs Lane South. It is currently occupied by a single detached dwelling, with a group of flat roofed outbuildings to the rear.
- 1.2 The site is bordered on all sides by residential dwellings, to the west are the properties of The Glen, to the north, Vincent Road and to the east, Orchard Avenue.

2. Description of Proposal

- 2.1 This application follows previous approvals under planning application reference P1494.10 and P0606.10 for the development of a replacement dwelling and a single new bungalow on the site.
- 2.2 The site area has now been enlarged to the rear by the addition of further land and the current proposed area measures approximately 1585 sqm.
- 2.3 The proposal is for the demolition and replacement of the existing dwelling and the construction of 2 X 3 bedroom detached bungalows to the rear; No.65a and No.65b.
- 2.4 The differences between this current application and that previously approved are as follows;
- The current application increases the proposal area with an additional plot of land to rear of No. 67 Lambs Lane South, which also runs behind No.44-50 Orchard Avenue.
 - Within the plot described above a further dwelling No.65b is proposed in addition to the one previously granted planning permission.
 - The replacement dwelling would be approximately 350mm less in depth and would no longer include a rear conservatory.
 - The design and layout of No.65a differs slightly.
 - A single garage to No.65 is proposed to the rear of No.65 for the use of that property.
- 2.5 Access to the site is taken from Lambs Lane South. The access road measures 3.5 metres at the site entrance narrowing to 2.8 metres and runs in a northerly direction adjacent to the western boundary of the site. The site layout shows four surface parking spaces to the rear, plus a garage and a front garden parking space for the replacement dwelling.

3. Relevant History

- 3.1 P0037.14 - Demolition of existing dwelling at No. 65 and construction of replacement two storey house along with a single storey bungalow to the rear garden with associated access road and parking area (resubmission of planning permission P1494.10) and erection of 3 detached bungalows to the rear.

Withdrawn

- 3.2 P0699.11 - Demolition of existing dwelling at No. 65 and construction of replacement two storey house along with a single storey bungalow to the

rear garden with associated access road and parking area (resubmission of planning permission P0606.10)

Withdrawn

- 3.3 P1494.10 - Demolition of existing dwelling at No. 65 and construction of replacement two storey house along with a single storey bungalow to the rear garden with associated access road and parking area (resubmission of planning permission P0606.10)

Approve with conditions 9-12-10

- 3.4 P0606.10 - Demolition of existing dwelling and construction of a replacement chalet and one additional bungalow.

Approve with conditions 27-7-10

- 3.5 P1187.09 - Demolition of existing dwelling and construction of 3No. detached bungalows.

Refused 18-2-10

4. Consultations/Representations

- 4.1 43 neighbouring properties were consulted. 3 letters of objections received to date.

Objections in summary:

- Overbearing and intrusive.
- This area is far too small and cramped for any further development
- Overdevelopment

Officer's response: The above issues are addressed under the Layout and design impact paragraphs below

- 4.2 Highways- No objections subject to visibility splay condition
- 4.3 London Fire Brigade Water Team- No objections
- 4.4 London Fire and Emergency Planning -No objections
- 4.5 Environmental Health- No objections subject to appropriate conditions.
- 4.6 Essex Water-No objections
- 4.7 Waste & Recycling - No objections, however individual bins would have to be taken out and presented on collection day.

5 Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and density), DC3 (Housing Design and layout), DC33 (Car parking), DC61 (Urban Design), of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Planning Obligations Supplementary Planning Document and the Residential Extensions and Alterations Supplementary Planning Document. In addition, Policies 7.4 (Local character) of the London Plan and Chapters 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework are relevant.

6. Staff Comments

- 6.1 The issues in respect of this application are the principle of development, impact on the streetscene and design, amenity issues and parking and highways implications.

7. Principle of Development

- 7.1 Policy DC11 states that where sites which are suitable for housing become available outside the Green Belt, the employment areas, the commercial areas, Romford Town Centre and the district and local centres, the Council will not normally permit their use for other purposes. The location of the site complies with these criteria.
- 7.2 The site currently has a residential land use. In accordance with the objectives of Policy CP1, there is no objection in principle to residential development on this site, providing that the proposals are acceptable in all other material respects. A recent Government announcement has amended the definition of previously developed land contained in NPPF to afford Local Authorities greater control over garden development. Staff are of the view that this announcement does not mean that all forms of development on gardens are unacceptable and that issues of character and setting should still be taken into account. The location of the site complies with these criteria.

8. Density/Layout

- 8.1 The site has an area of 0.16 hectares and three dwellings are proposed. This gives an overall development density of 19 units per hectare. Policy DC2 recommends a density range of between 30-50 hectares in this location. However, density is only one measure of the acceptability of a

development proposal and consideration has to be given to the fact this is a back garden setting.

- 8.2 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.
- 8.3 The layout of the site provides for sufficient private garden areas for all dwellings (over 120 square metres for each dwelling) providing a suitable setting. In respect of amenity space, staff are of the view that the proposed rear garden areas would meet the objectives of the Residential Design SPD in providing usable and private spaces. A boundary fence condition would be imposed on any decision notice to ensure an appropriate appearance.
- 8.4 The proposed access road narrows to 2.8 metres and would not therefore enable access for larger vehicles, including refuse collection vehicles. The previous proposal (application reference P1187.09) for three dwellings on the site proposed a refuse storage area within the front garden area which was judged to be harmful to the street scene. Whilst this was omitted from the more recent approvals for 2 dwellings it has been reinstated in this current scheme, although only for use on collection days. For day to day use residents would need to store refuse within their property boundary and place to the site frontage enclosure on collection days. Subject to an appropriate design for such enclosure, the impact in the street scene is not considered to be sufficiently harmful to warrant refusal if the application is judged to be acceptable in all other respects.
- 8.5 Each habitable room within the dwellings would be of a suitable size and would be served with a clear opening for suitable light and outlook. The size of each dwelling would also satisfy the London Plan area requirements and accordingly the living accommodations of the dwellinghouses are considered to be adequate and usable.
- 8.6 The replacement dwelling and the proposed bungalow to the rear essentially replicate the arrangement that has already been approved. The additional land to the west is wider than the actual plot of No. 65 Lambs Lane South and staff judge the resulting siting and layout to be acceptable.

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 development proposes a frontage building (no. 65) facing towards Lambs Lane South. This is acceptable in principle and replaces an existing dwelling on the site and has previously been granted permission. The dwelling is set back from the front site boundary and reflects the existing staggered building line to the streetscene. The proposed frontage building is considered acceptable in the street scene in respect of bulk and massing and compatible with the character of local development.
- 9.3 The proposed building would be of two-storey and would match the adjoining neighbour and the properties at The Glen. Accordingly, staff are of the view that the dwelling is compatible with the streetscene which is drawn from a variety of building forms.
- 9.4 As with the previously approved scheme, the proposed replacement dwelling would see the dwelling project further forward of the adjoining property at no. 67, the forward most part of the building would be single storey and set away from the boundary. Staff are of the view that this relationship is acceptable.
- 9.5 The proposed dwellings no. 65a and 65b would be situated to the rear of no. 65 at the bottom of the site. The proposed dwellings have been designed with low pitched hipped roofs to appear as unobtrusive as possible within the rear garden environment. The height of these buildings ranges from 2.5 to 4.76 metres high at the ridge as approved in previous application.
- 9.6 The buildings only rise to their maximum height at a distance in excess of 30 metres from the rear building line of the neighbouring dwelling and is also sited to the north-west of this property.
- 9.7 Having regard to these factors, the position, height and design of the dwelling 65a and 65b in relation to no. 67 are considered acceptable. Consideration has also been given to the fact that at present there is a group of flat roofed outbuildings with a depth of over 20 metres within the site situated along a substantial section of the boundary with the neighbouring property with a footprint of almost 100 square metres which would be demolished. The removal of this structure would, in staff's view improve the outlook of the neighbouring property.
- 9.8 In terms of the impact of the proposed dwelling No.65a on neighbouring properties in The Glen, the building has been designed with the bulk of the property set away from this boundary.
- 9.9 No.65b is considered of sufficiently low height and is set well away from closest property to the east, No.50 Orchard Avenue.
- 9.10 In summary, the proposed dwellings in their proposed position, height and design are judged to be compatible with the overall character of development in the locality. The rear dwellings at no. 65a and 65b would not be readily visible in the street scene. With the above taken into consideration, staff are satisfied that the proposed development is unlikely to

result in any visual harm. The development is considered to be acceptable and accords with the principles of Policy DC61.

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 proposed dwelling to the site frontage (no. 65) has previously been granted planning permission in the same location as proposed and is considered to have an acceptable relationship to the neighbouring properties at no. 63 and 67.
- 10.3 The proposed dwelling known as no.65a is considered, on balance, to have an acceptable relationship with neighbouring properties. The proposed dwelling would have a low eaves height and staggered ridge heights which would reduce its visual dominance in the rear garden environment.
- 10.4 As mentioned above a bungalow of similar proportions has already been granted planning permission in a similar layout. The proposed bungalow No.65a would be situated some 1.6 metres from the western site boundary and would achieve a back to flank distance of some 14.6 metres from dwellings in The Glen, which is only 200mm less than that previously granted planning permissions and as such staff are of the view that this relationship remains acceptable. It would be set away from the host dwelling by some 33 metres. It does have a flank window serving proposed bedroom 1, it is considered that it would not overlook to create loss of privacy to No. 27 The Glen as it would look out to the rear of their existing detached rear garage. It would be set away approximately 4.3 metres and 3.5 metres in front of No.65b to appear in a staggered layout, such layout is considered that it would not hinder the amenity of No.65bs front window which serves bedroom 2, which would be the nearest window, and both bungalows would not have side flank windows facing each other.
- 10.5 Bungalow No.65b as mentioned above would be situated between the side of No.65a and to the flank boundary which makes up the rear boundaries of residential dwelling of No.50 Orchard Avenue and their detached garage blocks. There would be a separation distance of approximately 19 metres to the nearest dwelling of No.50, with the single storey nature of the bungalow and such distance, is considered sufficient enough to avoid potential harm to their amenity.
- 10.6 Given the location and orientation of the proposed dwellings there would be no material loss of privacy or overlooking to neighbouring properties.
- 10.7 In respect of the location of the access road, staff consider that whilst this is close to the western site boundary the road would only serve the dwellings, and so would not materially harm neighbouring residential amenity. If

permission were granted, conditions could be imposed in respect of appropriate boundary treatment to ensure neighbouring residents were not unduly disturbed by use of the access road.

- 10.8 With the above taken into consideration, staff are therefore satisfied that the proposed development is 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 Policy DC33 seeks to ensure all new developments make adequate provision for car parking.
- 11.2 The site is in a location where Policy DC2 indicates parking provision of 1.5-2 spaces per dwelling is appropriate. The proposal provides adequate parking for a development of this scale and would be acceptable in this respect (although a condition may be required to ensure a buffer between the parking spaces and neighbouring fence).
- 11.3 The access road is relatively narrow and would not enable larger vehicles, including refuse collection vehicles to enter the site. Nevertheless, no objection is raised this providing arrangements are made to collect refuse from the road in Lambs Lane South.
- 11.4 In respect of refuse collection, the scheme proposes that refuse is stored within properties boundaries and then placed by occupiers at the site frontage on collection day. Although this would involve the occupier of no. 65a and 65b carrying their rubbish over a significant distance this was approved in the previous permission and is not considered to represent material grounds for refusal for this current application.
- 11.5 In respect of fire brigade access, the fire brigade have raised objection to the previous permission however the access arrangements remain unaltered from that scheme. On the previous scheme the fire brigade were happy subject to a suitable system being installed to meet BS9251. Staff consider this matter could be resolved by condition if permission were granted.
- 11.6 London Fire and emergency also had concerns with regards to No.65a and No.65b not having sufficient provisions of domestic sprinklers. It is considered that these concerns could be resolved by condition if planning permission were granted.
- 11.7 With the above taken into consideration with the appropriate conditions, it is considered that the proposals are acceptable and accords with the principles of Policy DC 33.

12. Mayoral CIL and Section 106 implications

- 12.1 The proposal is liable for a Mayoral CIL contribution based on an increase in the existing Gross Internal Area. Officers have calculated a net increase in floor space of 218.1 square meters. Based on this calculation the applicant is liable to pay a Mayoral CIL payment of £4,362.00.
- 12.2 A Section 106 Legal Agreement is required to secure a financial contribution of £12,000 to be used towards infrastructure costs in accordance with Policy DC72 and the Planning Obligations Supplementary Planning Document.

13. Other Issues

- 13.1 There are no preserved trees on site and it is considered, given the back garden location, that there would not be any justification to preserve the existing trees or landscaping. A new landscaping scheme can be secured via condition.

14. Conclusion

- 14.1 Staff consider that the principle of residential development in this location is suitable, the site and design is considered to be appropriate for a new dwelling.
- 14.2 For the reasons outlined above within the report, the proposal is considered to be acceptable and approval is recommended as it would not be contrary to the provisions of the Havering Supplementary Planning Documents and Policy DC61 and DC72 of the LDF Core Strategy and Development Control Policies DPD.

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 24th April 2014.