



REGULATORY SERVICES COMMITTEE

21 August 2014

REPORT

Subject Heading:

P0251.14 – Hare Lodge, Upper Brentwood Road, Romford - Construction of a two storey dwelling. (received 05/03/14)

Report Author and contact details:

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Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

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

SUMMARY

This application proposes the erection of a detached 2-storey dwelling with associated parking. The application had been called before the Regulatory Services Committee by former Councillor Lynden Thorpe.

The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, rear garden environment, Gidea Park Special Character Area, residential amenity and highways/parking. Staff consider the proposal to be acceptable.

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

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 125.2m² and amounts to £2,504.

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

- A financial contribution of £6,000 to be paid prior to commencement of development and to be used towards infrastructure costs.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- Payment of the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That 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:

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

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

2. Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans listed on page 1 of this decision notice.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Parking layout: Before the building(s) hereby permitted is first occupied, provision shall be made for 2 x No. off-street car parking spaces within the site and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate car parking provision is made off street in the interests of highway safety.

4. Materials: 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.

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. Standard flank wall condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995(or any order revoking and/or re-enacting that Order with or without modification), no window or other opening (other than those shown on the submitted and approved plans,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

7. Cycle storage: 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.

8. Hours of construction: All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

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

9. 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.

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

10. Soil Contamination: Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in

writing by the Local Planning Authority. Without prejudice to the generality of the foregoing, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy the requirements of BS 3882:2007 "Specification of Topsoil".

Reason: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with the LDF Core Strategy and Development Control Policies DPD Policy DC53.

11. Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order) (or any order revoking and re-enacting that Order with or without modification) no extensions, roof extensions, roof alterations or outbuildings shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

12. Screen fencing: Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority the approved details shall be implemented immediately on approval 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. Obscure glazing: The proposed wraparound first floor window situated in both the southern and eastern elevation shall have the part located in the southern elevation permanently glazed with obscure glass to the satisfaction of the Local Planning Authority. This window shall also be fixed shut except for any part situated above 1.7m from finished floor level.

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

14. Construction Method Statement: Before commencement of the proposed development, 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.

15. Domestic Sprinklers: Prior to the first occupation of the development hereby permitted, provision shall be made for the installation of a domestic sprinkler system to the dwelling. 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.

INFORMATIVES

1. Fee Informative:

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

2. Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
3. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 They are able to provide qualified advice on incorporating crime prevention measures into new developments.
5. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1. **Call In**
- 1.1 The application was called in by former Councillor Lynden Thorpe prior to the recent elections as it is a back garden development in an area which is protected by being in the Gidea Park Area of Special Character and would still be inappropriate even if that was not the case. Former Councillor Lynden Thorpe also considered the proposed dwelling would have a dominant effect on neighbouring properties

2. Site Description

- 2.1 The application site comprises 450m² and consists of part of the front and side garden of Hare Lodge, an existing 2-storey detached early 20th century dwellinghouse. The house has a white wash finish, bay windows, a prominent front gable end and a tiled roof. It occupies a large spacious setting, set back from the main road and property boundaries.
- 2.2 Hare Lodge is set deep into the site, with a driveway and parking area to the front and amenity space behind. There are two preserved trees on site, subject of Tree Preservation Order 22/74. There are a number of other trees within the site, mainly to the frontage, which are not subject to the TPO.
- 2.3 Levels within the site are generally even, although outside of the site the land rises to the south over the nearby railway line to the south.
- 2.4 The site is situated within the Gidea Park Special Character Area. To the south is a terrace of three 2-storey dwellings converted to flats. To the north is Brent Court, a 1960's 3-storey flat roofed development of flats. 2-storey, semi-detached dwellings lie to the rear of the site in Compton Avenue.

3. Description of Proposal

- 3.1 Application is made for full planning permission for the construction of a 2-storey, three bedroom detached dwellinghouse on the southern part of the garden of Hare Lodge.
- 3.2 The dwelling would be two storeys measuring approximately 8.1m in width and 10.3m in depth at its deepest point. It would have a hipped roof which measures 6.55m in height to eaves and 9.1m to the ridge. The dwelling would centrally located in the site and will be set 1.1m of the northern, 6.4m off the western boundary and 5.3m off the southern boundary.
- 3.3 On ground floor level would be a w.c., open plan living/dining room, kitchen and conservatory. On the first floor would be 3 no. bedrooms, a bathroom and an en-suite bathroom.
- 3.4 A new vehicular / pedestrian access would be taken off the existing access drive to Hare Lodge. Two parking spaces would be provided on the south side of the proposed dwelling.
- 3.7 The dwelling would have an east-west orientation with garden spaces towards the rear (west), measuring approximately 126m².

4. History

4.1 On 15 June 2007, planning permission Ref. P0606.07 was refused for the demolition of Hare Lodge followed by redevelopment to provide 8 No. flats and 4 No. houses. The Refusal Reasons were:

- The proposal by reason of the scale, bulk and design of the proposed buildings, their position close to the boundaries of the site and lack of amenity space would result in a cramped, overdevelopment of the site which is materially harmful to and out of character with surrounding development and the Gidea Park Special Character Area to the detriment of amenity

- The proposal, by reason of the lack of residential amenity space would result in a cramped development, out of character with its surroundings as well as providing inadequate amenity space for future occupiers of the development to the detriment of residential amenity.

- The proposal, by reason of the scale and bulk of the development and its relationship with neighbouring residential dwellings would be overbearing and intrusive and would result in material loss of privacy and amenity to occupiers of neighbouring dwellings, as well as resulting in poor living conditions for future occupiers of the proposed development as a result of the proximity of the two blocks within the site to each other, to the detriment of residential amenity.

- The proposal makes inadequate provision for car parking within the site, which would be likely to lead to an increase in indiscriminate on street parking in the vicinity of the application site to the detriment of highway safety.

- The proposal fails to make provision for the protection or retention of preserved trees within the site, which would be likely to be detrimental to amenity, contrary to the provisions of Policy ENV5 and Supplementary Planning Guidance to Policy ENV5 of the Havering Unitary Development Plan, as well as Policy DC60 of the Core Strategy and Development Control Policies Submission Development Plan Document.

- The proposal fails to make adequate provision for sustainability or for the use of renewable energy within the development.

- The proposal fails to make provision for a contribution towards increased demand for educational facilities arising from this development.

4.2 On 27 February 2008, planning permission Ref. P2418.07 was refused for the demolition of Hare Lodge followed by redevelopment by a new building to provide 11 flats. The Refusal Reasons were:

- The proposal by reason of the scale, bulk and design of the proposed building, its position close to the boundaries of the site and lack of amenity

space would result in a cramped, overdevelopment of the site materially harmful to and out of character with surrounding development, the Gidea Park Special Character Area.

- The proposal, by reason of the lack of residential amenity space would result in a cramped development, out of character with its surroundings as well as providing inadequate amenity space for future occupiers of the development to the detriment of residential amenity.

- The proposal, by reason of the scale and bulk of the development and its relationship with neighbouring residential dwellings would be overbearing and intrusive and would result in material loss of privacy and amenity to occupiers of neighbouring dwellings.

- The proposal makes inadequate provision for car parking within the site, which would be likely to lead to an increase in indiscriminate on street parking in the vicinity of the application site to the detriment of highway safety.

- The proposal fails to make provision for a contribution towards increased demand for educational facilities arising from this development.

4.3 On 25 October 2012, planning permission Ref. P0272.12 was refused at the Regulatory Services Committee for the erection of 1 no. 3 bed dwelling on land adjacent Hare Lodge. The Refusal Reasons were:

- Due to its poor siting and design the proposal would provide a cramped environment, out of character with the prevailing character of the local area and streetscene and would fail to preserve or enhance the Gidea Park Special Character Area.

- The proposed development would, by reason of its cramped layout and rear amenity space result in poor living conditions for future occupiers of the host property.

The application was subsequently dismissed on appeal. The Inspector considered that the proposal is capable of providing a contemporary and sustainable design but considered that the design of the dwelling by virtue of its flat roof would be out of keeping with the surrounding area. He did not consider the proposal to have a cramped layout or to result in poor living conditions for future occupiers of the host property.

5. Consultation/Representations

5.1 Notification letters have been sent to 108 neighbouring addresses and 88 objections were received raising the following concerns:

- closeness of the development would result in overlooking,

- proposed dwelling would be too big, too high and too close to Hare Lodge and would fail the requirements concerning the Gidea Park Special Character Area
- detrimental to the Gidea Park Special Character Area
- already too much traffic in the road
- would affect the spaciousness of Hare Lodge
- overbearing development upon Hare Lodge
- development will be overbearing and intrusive,

5.2 The Gidea Park and District Civic Society objects to the proposal as it may not be excessively cramped in its relationship with Hare Lodge, but it would be cramped and wholly out of keeping in its relationship with the nearby dwellings in Cranbrook Drive.

5.3 The Council's Environmental Health Service requested a soil contamination condition in the event of an approval.

5.4 The Highway Authority has raised no objection to the proposal.

5.5 The London Fire and Emergency Planning Authority is not satisfied with the proposal as access for Fire Brigade vehicles does not comply with Section 1 of ADB volume 1. The provision of a domestic sprinkler as an alternative has been suggested.

6. Relevant Policies

6.1 Policies CP1 (Housing Supply), CP17 (Design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime), , DC69 (Areas of Special Townscape and Landscape Character) and DC72 (Planning Obligations of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Residential Extensions and Alterations Supplementary Planning Document (SPD), Draft Planning Obligations SPD and the Residential Design SPD are also relevant.

6.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 6.13 (Parking), 7.1 (Building London's Neighbourhoods and Communities), 7.2 (Inclusive Design), 7.3 (Designing out Crime), 7.4 (Local Character), 7.5 (Public Realm), 7.6 (Architecture) and 8.3 (Community Infrastructure Levy) of the London Plan (2011)

6.3 National Planning Policy Framework (NPPF) Section 6 "Delivering a wide Choice of Homes", and Section 7 "Requiring Good Design".

7. Staff comments

7.1 This proposal is put before the Committee owing to the application being called in. The main issues to be considered by Members in this case are the principle of development, the site layout and amenity space,

design/street scene issues, impact on Gidea Park Special Character Area, amenity implications, and parking and highways issues.

7.2 It should be noted that the previous application was dismissed on appeal purely on the basis of the design of the house and its resultant impact on the surrounding area. The Inspector made particular reference to the flat roof. The only significant difference between the previous refusal and the current application is the addition of a hipped roof.

7.3 *Principle of Development*

7.3.1 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.

7.3.2 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 96m² for a 3-bed 5-person dwelling. The proposal has an internal floor space of 125.2m² which is in line with the recommended guidance.

7.4 *Site Layout / Amenity Space*

7.4.1 The Council's Residential Design SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

7.4.2 Amenity space would mainly be provided towards the rear (west) of the dwelling. The amenity space in this instance would measure approximately 112m². The site currently has screen fencing around its boundaries however, appropriate fencing can be required by means of a planning condition to those boundaries that do not have appropriate fencing.

7.4.3 Amenity provision in the locality is generally arranged towards the rear of dwellings. Staff consider the amenity space to be more than sufficient for the proposed dwelling. Staff are of the opinion that the garden area would be large enough to be practical for day to day use and with the provision of fencing, would be screened from general public views and access, providing private and usable garden areas. As a result, it is considered that the proposed amenity area of the new dwelling would comply with the

requirements of the Residential Design SPD and is acceptable in this instance.

7.4.4 In terms of the general site layout, the proposed detached dwelling would have sufficient spacing towards the front and with a generous amenity area towards the rear, and therefore is not considered to appear as an overdevelopment of the site. A separation distance of 2.2m would remain between the proposed dwelling and Hare Lodge and approximately 11m to the dwelling situated to the southeast. To the rear it would retain a separation distance of approximately 27m to the nearest properties to the rear at No. 27 and 30 Cranbrook Drive. The proposal would therefore maintain a sufficient spacing between buildings and is not considered to appear as a cramped form of development. The layout of the site is therefore considered acceptable.

7.4.5 In respect of spacing it should be noted that the planning inspector stated that, by virtue of the general spacing between dwellings and their side boundaries, in principle, a new dwelling in the location proposed would not be harmful to the character and appearance of the area. As the proposal is not materially different from the previous scheme in this respect, the Inspector's view is a material consideration and the proposal is considered acceptable in terms of spacing and setting.

7.5 *Impact on Local Character and Street Scene*

7.5.1 Policy DC61 of the LDF Development Plan Document seeks to ensure that new developments are satisfactorily located and are of a high standard of design and layout. Furthermore, the appearance of new developments should be compatible with the character of the surrounding area, and should not prejudice the environment of the occupiers and adjacent properties. Policy DC61 of the DPD states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

7.5.2 The proposed dwelling would be set back approximately 30m from Upper Brentwood Road with the front building line matching that of Hare Lodge. The proposal would also be well set back from the adjacent flats at Brent Court and end of terrace dwelling at 485 Upper Brentwood Road. The proposal is therefore visible but not unduly prominent in the streetscene.

7.5.3 The current application differs from the previous refusal in that a hipped roof has been added to the dwelling. In dismissing the previous appeal, the Inspector raised no objection to a contemporary design but expressed concern solely with the flat roof design. Whilst the proposal retains a contemporary feel, the design of the dwelling has now introduced a hipped roof to satisfy the Inspector's concern. In changing the roof to a hipped rather than flat form Staff consider that the proposal has addressed the Inspector's concern that a flat roof appeared incongruous with its surroundings. The pitched roof is considered to sit acceptably between Hare Lodge to the north and the terrace of houses to the south such that

the proposal is judged to be more in keeping with its surroundings compared to the previous proposals. The proposed dwelling would match Hare Lodge in width and would be subservient in overall height. Staff therefore considered the proposal not to have a harmful impact on the surrounding area.

7.6 *Impact on Special Character Area*

7.6.1 Policy CP18 - Heritage, within the Local Development Framework for Havering states:

"All new development affecting sites, buildings, townscapes and landscapes of special architectural, historical or archaeological importance must preserve or enhance their character and appearance"

Policy DC69, which refers to the Gidea Park Special Character Area, which this property is within, states:

"The Gidea Park Special Character Area has been designated because of the quality of its urban design and architectural detailing and also its locally important heritage and historical associations"

7.6.2 In determining the previous appeal, the Inspector considered carefully the character of the area and found no objection in principle to a new dwelling on this site. The Inspector also raised no objection in principle to a contemporary design on the site and raised concern primarily in respect of the flat roofed design. The proposal for a two storey dwelling with a hipped roof is judged to address this concern and be more subservient to and in keeping with the scale of Hare Lodge and other neighbouring dwellings. Members will however wish to consider the acceptability of the design and visual impact of the development on the Gidea Park Special Character Area, and are able to apply judgement in this respect,

7.6.3 In conclusion Staff do not consider the proposed dwelling to have a harmful impact on the Gidea Park Special Character Area.

7.7 *Impact on Amenity*

7.7.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

7.7.2 The proposed dwelling is situated approximately 2.2m from Hare Lodge. Staff do not consider the proposal to have an unacceptable impact on Hare Lodge as it would match its footprint and would have similar front and rear building lines.

7.7.3 The proposal is situated further back into the site than the end of terraced dwelling, No. 485 Upper Brentwood Road, situated to the south of the

application site. Staff do not consider the windows proposed to the front elevation to result in an unacceptable impact in terms of overlooking the windows to the rear of this property as it would be at an oblique angle at a distance of approximately 11m. The windows to the flank could have an impact in terms of overlooking the rear garden of this neighbour; however this would be mitigated by an obscure glazed condition. It should also be noted that there is dense vegetation currently situated on the southern boundary which limits any views to No. 485 Upper Brentwood Road.

- 7.7.4 Neighbours have raised concerns regarding the close proximity of the proposal to the neighbouring gardens at the rear of the development. The closest rear garden boundary would be set at approximately 6m with a distance of approximately 27m between the proposed dwelling and these neighbouring dwellings to the west. Staff do recognise the close proximity to the rear boundary however do not feel that the impact on amenity as a result of overlooking would be to such a degree as to justify a refusal. There would be a degree of overlooking however this would be mostly to the furthest part of the rear gardens of 27 and 30 Cranbrook Drive. The most private area of the rear gardens closer to the dwellings would remain a sufficient distance away to mitigate harmful overlooking as well as interlooking between window in the rear elevation of the proposed dwelling and the properties to the west.
- 7.7.5 It should be noted that the layout of the site, the siting of the proposed dwelling and location of window openings is not materially different from the previous proposal. The previous proposal was not judged to be materially harmful on grounds of harm to neighbouring privacy and amenity and Staff therefore this situation not to be materially changed.
- 7.7.6 In terms of general noise and disturbance, it is not considered that the addition of 1 x No. family dwelling would give rise to any undue levels of noise and disturbance to the surrounding neighbouring properties within what is a predominantly residential area.
- 7.7.7 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed dwelling 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.
- 7.7.8 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.

7.8 *Highways / Parking Issues*

7.8.1 The development would provide a total of 2 x No. parking spaces to the southern side of the dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would be in keeping with the requirements for a 3-bed detached dwelling and no issues are raised in this respect. Also no highway concerns are raised.

7.8.2 A condition would be added to provide storage for 2 x no. cycle spaces in order to comply with the Council's standards.

7.9 *The Mayor's Community Infrastructure Levy*

7.9.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 125.2m² which equates to a Mayoral CIL payment of £2,504.

7.10. *Planning Obligations*

7.10.1 In accordance with the Planning Obligations Supplementary Planning Document a financial contribution of £6,000 to be used towards infrastructure costs arising from the new development is required. This should be secured through a S106 Agreement

7.11 *Other Issues*

7.11.1 With regards to refuse collection, similar to other dwellings in the Borough, future occupiers would be required to leave refuse bags close to the highway on collection days. A condition would be added to require details of the refuse arrangements prior to the commencement of the development.

8. Conclusion

8.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or the Gidea Park Conservation Area. It is considered that the proposal presents an acceptable degree of spacing between buildings and is not considered to appear as unacceptably dominant or visually intrusive as seen from neighbour's rear gardens. Amenity space provision is considered sufficient. It is considered that the proposal would not have any material harmful impact on neighbouring amenity. Overall, Staff consider the development to comply with the aims, objectives and provisions of Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial Implications and risks:

Financial contributions are required through a legal agreement.

Legal Implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. Application forms and plans received 05/03/14; amended plans received 14/07/14.