



REGULATORY SERVICES COMMITTEE

REPORT

4 September 2014

Subject Heading:

P0746.14: Land to the rear of 92 Harrow Drive, Hornchurch

Erection of 1no. three-bedroom bungalow with off street parking. (Application received 9 June 2014)

Report Author and contact details:

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Policy context:

**Local Development Framework
London Plan, Planning Policy
Statements/Guidance Notes**

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 checked="" 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

The proposal is for the erection of a detached bungalow at land to the rear of 92 Harrow Drive, Hornchurch. The site is a strip of garden land and forms part of a traditional arrangement of rear domestic gardens serving the detached and semi-detached houses that front onto Harrow Drive.

On balance the proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

This matter has been called in to committee by Councillor Ganly. The call in is on the grounds that additional traffic movement would exacerbate problems in the narrow access road caused by parking and those accessing and egressing their garages. The proposal also represents garden/land grabbing.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £1,500, subject to indexation. This is based on the creation of 75 square metres of new gross internal floor space.

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 used towards infrastructure costs and paid prior to the commencement of development in accordance with the Planning Obligations Supplementary Planning Document.
- 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 obligations/ 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 that the Committee delegate authority to the Head of Regulatory Services to grant planning permission subject to the conditions set out below:

1. Time Limit

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

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

2. In Accordance with Plans

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

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

3. Parking Provision

Before the dwelling hereby permitted is first occupied, the car parking provision shall be laid out to the full satisfaction of the Local Planning Authority and be made available for 2no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

4. External Materials

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 that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC54.

5. Landscaping

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

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

6. Refuse and Recycling

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

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.

7. Cycle Storage

Prior to the first occupation of the development 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. 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 Development Control Policies Development Plan Document Policy DC53.

9. Land Contamination

The applicant shall enable a watching brief to be 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 whether remediation is necessary a remediation scheme must be prepared, implemented and verified to the satisfaction of the Local Planning Authority.

Reason: To ensure that risks from any unexpected land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with LDF Core Strategy and Development Control Policies DPD Policy DC63.

10. Boundary Screening/ Fencing

Prior to the commencement of the development, details of all boundary screening and screen walling shall be submitted to and agreed in writing by the Local Planning Authority 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.

11. Flank Windows

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

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

12. Removal of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, Classes A, B, C or E no extensions, roof extensions or roof alterations shall take place and no outbuildings or other means of enclosures shall be erected within the rear garden areas of the dwellings 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.

13. Internal Sprinkler System

No development shall take place until details of the proposed emergency sprinkler system, to be installed in the approved dwelling, have been submitted to and approved in writing by the Local Planning Authority. The approved sprinkler system shall be installed prior to the first occupation of the development and retained as such for the life of the development.

Reason: In the interests of fire safety and amenity, in accordance with the LDF Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. 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. 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
3. Thames Water Informative
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. 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 £1,500 (subject to indexation). Further details with regard to CIL are available from the Council's website.
5. 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.

REPORT DETAIL

1. Background

- 1.1 This matter is brought before committee because the application has been called in by Councillor Ganly. The call in is on the grounds that additional traffic movement would exacerbate problems in the narrow access road caused by parking and those accessing and egressing their garages. The proposal also represents garden/land grabbing.

2. Site Description

- 2.1 The application relates to land at the rear of 92 Harrow Drive, Hornchurch. This is a strip of garden land and forms part of a traditional arrangement of rear domestic gardens serving the detached and semi-detached houses that front onto Harrow Drive.
- 2.2 The site is bounded by the Hurstlands Close garage court to the east, the rear gardens of 96 Harrow Drive and 14 Hurstlands Close to the north and the rear gardens of 88 & 90 Harrow Drive to the south.
- 2.3 Harrow Drive is characterised by large detached houses on spacious, deep plots and Hurstlands Close is predominately characterised by two-storey

and single storey flatted blocks leading to the garage court at the end of the cul-de-sac.

- 2.4 The site is relatively flat and covers an area of 400 square metres (0.04 hectares).

3. Description of Proposal

- 3.1 The proposal is for the erection of 1no. three-bedroom bungalow with off street car parking in the rear garden of 92 Harrow Drive.
- 3.2 The proposed dwelling will have an 'L-shaped' footprint of approximately 88 square metres, covering approximately 22% of the 400 square metre site. The dwelling will incorporate a part hipped-pitched roof design with a ridge height of 5.2 metres and will include a roof light in the front roof slope providing a light source to the entrance corridor. Internally the bungalow will be arranged with the three bedrooms and bathroom towards the front and a living room and kitchenette at the rear.
- 3.3 The proposed layout will include a garden to the rear with approximately 111 square metres of private amenity space enclosed by boundary fencing. To the front and side the proposal will provide a landscaped garden area and off street car parking spaces for 2no. vehicles in a forecourt parking area.
- 3.4 It is proposed that vehicular access to the site will be provided via Hurstlands Close, through the removal of the existing conifer hedgerow and boundary fence.
- 3.5 It should be noted that planning application P0242.08 was refused on the same site in April 2008 for the erection of a two storey building containing 4 no. 2 bed flats. Reasons for refusal included issues such as layout, scale, bulk and mass creating a dominant, overbearing feature in the rear garden environment harmful to the privacy of adjacent occupiers. In addition the proposal could not demonstrate satisfactory off street car parking provision.

4. Relevant History

- 4.1 P0242.08 - Erection of a two storey building containing 4 no. 2 bed flats – Refused
- 4.2 P0406.07 – Front and side dormer windows - Refused

5. Consultations/Representations

- 5.1 Neighbour notification letters were originally sent to 35 properties on 26th June 2014, however a number of residents reported that consultation letters were not received. Consequently a re-consultation was undertaken on 22nd July 2014. To date, as a result of the consultation 18 letters of objection have been received and 7 letters of support received, including 3 letters from the owners of the land.

5.2 The objections to the proposed development can be summarised as follows:

- Hurstlands Close and the garage court are too narrow and not suitable for increased traffic or use by vehicles larger than a car.
- The development will restrict access to the neighbouring garages used by residents on a daily basis.
- The applicant does not have a right of way over the private garage court.
- The road surface at Hurstlands Close is not suitable for use by large vehicles and would be damaged by construction vehicles and waste collection trucks.
- Refuse and servicing vehicles will not be able to turnaround.
- Insufficient off-street car parking will lead to future occupants and visitors parking in front of the garages or on Hurstlands Close causing an obstruction to residents and emergency vehicles.
- Previous proposals for residential development at the site in 1982 and 2008 have been refused.
- The access is not suitable for emergency vehicles.
- Loss of outlook from neighbouring houses and gardens and an alteration to the character of the rear garden setting.
- Loss of privacy/ overlooking to neighbouring gardens and properties.
- General disturbance and disruption from the construction of the new dwelling.
- The development will set a precedent for similar back garden development which will erode the quality of the area and radically change the fabric of the surrounding streets.
- The new access will compromise the security of the neighbouring properties.
- The design is very bland and not in-keeping with the surrounding area.
- A bungalow is not compatible with the character of the neighbouring house types.
- Site is too cramped to adequately fit a dwelling.

5.3 The comments in support of the application can be summarised as follows:

- There is a shortage of new build bungalows in the area.
- The proposal will help a first time buyer get onto the property ladder.

5.4 Essex and Suffolk Water - no objection.

5.5 Thames Water – no objection.

5.6 London Fire Brigade Water Team – no objection.

5.7 London Fire and Emergency Planning Authority – there appears to be insufficient room for a turning space for a pump appliance at the end of Hurstlands Close. Therefore recommend the inclusion of a condition requiring the provision of domestic sprinklers as an alternative.

5.8 The Local Highway Authority – no objection.

5.9 Environmental Health – no objection, requested the inclusion of conditions relating to contaminated land issues.

6. Relevant Policies

6.1 Policies CP1 (Housing Supply), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.

6.2 Other relevant documents include the Residential Design SPD, Sustainable Design and Construction SPD and the Planning Obligations SPD.

6.3 Policies 3.3 (increasing housing supply), 3.5 (quality and design of housing developments), 3.8 (housing choice), 5.3 (sustainable design and construction), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture) and 8.2 (planning obligations) of the London Plan, are material considerations.

6.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities) are relevant to these proposals.

7. Staff Comments

7.1 The main considerations relate to the impact on the character and appearance of the street scene, the implications for the residential amenity of occupants of nearby houses and the suitability of the proposed parking and access arrangements.

8. Principle of Development

8.1 The NPPF and Policy CP1 support an increase in the supply of housing in existing urban areas where development is sustainable.

8.2 Under the provisions of the NPPF there is no priority given to garden land as a re-developable brownfield site. However, in terms of the Local Plan the site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres and is within a predominantly residential area.

8.3 On this basis the proposal is considered to be policy compliant in landuse terms and its continued use for domestic residential purposes is therefore regarded as being acceptable in principle.

9. Density/ Layout

- 9.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 9.2 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conforms to minimum internal space standards. No standard is given for bungalows but as a guideline, for an equivalent three-bedroom flat for four occupants the spacing requirement is set at 74 square metres. The proposal will provide approximately 75 square metres of internal floor space which is in excess of the minimum standards. Given this factor it is considered that the proposed bungalow would be of an acceptable size for day to day living.
- 9.3 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading. An area of approximately 111 square metres to the rear of the proposed bungalow will be partitioned and set out as private garden amenity space. The proposed rear garden will have a south westerly facing aspect allowing good levels of sunlight. It is considered that the amount of private amenity space proposed in the development is adequate for the requirements of a 3-bedroom family home.
- 9.4 An area of approximately 441 square metres will be retained as private rear garden for the donor property 92 Harrow Drive. This provision is considered to be sufficient.
- 9.5 On balance it is considered that the proposed internal spacing and amenity areas would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants. The proposed dwelling would have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with Policy DC61 and The Residential Design SPD.

10. Design/Impact on Street/Garden Scene

- 10.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 10.2 The application site occupies a rear garden location, with a boundary onto the garage court at Hurstlands Close. As such consideration must be given to the impact on the rear garden setting as well as the streetscene of Hurstlands Close.
- 10.3 The proposed bungalow will incorporate an 'L-shaped' footprint and a part hipped-pitched roof design with a ridge height of 5.2 metres. Although there are currently garages at the end of Hurstlands Close, it is noted that the

remainder of the close is characterised by residential development on its western side. The adjacent dwellings at No.s 13 & 14 Hurstlands Close are single storey in height stepping down from the two-storey blocks which frame the remainder of the cul-de-sac. As such it is considered that the height and massing of the proposed single storey dwelling will respect the immediate context and complement the setting adjacent to the neighbouring bungalows and single storey garage structures.

10.4 In addition to the sympathetic scale and height it is considered that the siting of the proposed dwelling will respect the character of the street pattern along Hurstlands Close, with the buildings gradually stepping back from the street frontage. The siting and positioning of the proposed bungalow will adhere to this arrangement and respect this key characteristic of the street pattern.

10.5 An important consideration in respect of the backland development is the degree to which the proposed development would maintain or enhance the character and appearance of the rear garden setting. In assessing this aspect it is essential to consider the wider context of the site setting and give some acknowledgment to the existing buildings within neighbouring plots. In particular many of the properties along Harrow Drive are characterised by lengthy strips of spacious rear garden with substantial detached structures and outbuildings located adjacent to the rear boundary. This appears to form a key characteristic of the local rear garden scene and makes a positive contribution to the local character. It is therefore considered that the siting of the proposed bungalow would adhere to these characteristic principles, without excessively or unduly impacting on its immediate setting within Hurstlands Close. The amenity area and spaciousness around the proposed dwelling is considered to be consistent with local character, in particular it is similar to the relationship that the houses to the north (nos. 13 and 14 Hurstlands Close) have with neighbouring properties in Harrow Drive. Combined with the single storey nature of the proposed development, it is considered that the proposal would not be inconsistent with the prevailing pattern of development locally and existing character. The proposed development is considered to differ significantly in terms of scale, bulk and layout from that previously refused in 2008.

10.6 On balance it is considered that the proposed development would serve to maintain the character and appearance of the surrounding area. The relatively modest scale, bulk, height and massing of the bungalow would be sympathetic to the adjacent dwellings and rear garden setting.

11. Impact on Amenity

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

- 11.2 The main consideration in terms of residential amenity relates to the impact on the occupants of 88 & 90 Harrow Drive to the south, 92 & 96 Harrow Drive to the east and 14 Hurstlands Close to the north.
- 11.3 The south elevation of the proposed bungalow will include a bathroom window and kitchen window which will look out towards the existing boundary fence. Due to the rear garden arrangement the southern section of the site adjoins the garden boundaries of both No.s 88 & 90 Harrow Drive. The proposed bungalow will be located approximately 1.3 metres to 0.8 metres from the boundary with the neighbouring gardens as the boundary line tapers in slightly from east to west. Within this area No.s 88 & 90 have outbuildings and garden sheds structures abutting the fencing which serve to provide additional screening and a degree of separation from the development site.
- 11.4 The proposed bungalow will have a roof ridge height of 5.2 metres incorporating a partially hipped style roof design reducing the scale and a bulk of the roof slope. In terms of the distance from the rear of the neighbouring dwellings the proposal will be located some 26 metres from the closest point of 90 Harrow Drive at an oblique angle. Given the scale, height and massing it is considered that the proposed bungalow will sit comfortably within the garden setting without undue prominence or over dominance of the outlook from neighbouring dwellings. Given the distance from the rear of the neighbouring houses at Harrow Drive, the existing structures located adjacent to the boundary and the relatively low key scale of the bungalow the proposed dwelling would not unduly impact on the amenity of the neighbouring residents. Due to the existing site circumstances and the positioning of windows and the proposed height of the dwelling it is not that it would result in any undue impact on the privacy and outlook of the neighbouring residents.
- 11.5 The blank side elevation of the bungalow will be located some 15 metres from the side elevation of 14 Hurstlands Close. Given the orientation and positioning of the proposed dwelling in relation to No.14 it is not considered that the proposal will result in any undue impact on the amenity of the occupants.
- 11.6 The distances displayed between the proposed development and the houses at Harrow Drive and Hurstlands Close are considered to be acceptable in order to maintain outlook and privacy between the new bungalow and the neighbouring residents. As such it is not considered that the proposed development will result in any undue impact on the privacy of the occupants of the houses at Harrow Drive and Hurstlands Close.
- 11.7 On balance, it is considered that the proposed bungalow would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61 and the intentions of the NPPF.

12. Environmental Issues

- 12.1 The site has been in use as a residential garden for many years and there are no historical contaminated land issues associated with the plot.
- 12.2 The site is not located within a Flood Zone and presents no issues in relation to flood risk.
- 12.3 The proposal is not considered to give rise to any significant noise issues subject to conditions required by Environmental Health.

13. Parking and Highway Issues

- 13.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) the site has a low rating and therefore new residential development in this location is required to provide a high car parking provision of 2 no. spaces per unit.
- 13.2 The proposal can demonstrate provision for 2no. off street car parking spaces to the front and side in a forecourt parking area and driveway.
- 13.3 Vehicular access to the proposed site would be taken from the garage court off Hurstlands Close, which runs to the rear of houses on Harrow Drive. Hurstlands Close is a narrow road with no footway on the section around the garage court which presents constraints in terms of its suitability for emergency and service vehicles accessing the site. The London Fire and Emergency Planning Authority have raised concerns that emergency vehicles would not be able to access the site, although the installation of an internal sprinkler system would overcome this issue and will be included as a condition of any planning permission.
- 13.4 Neighbouring residents have raised concerns that Hurstlands Close is a private road and that the applicant does not have a right of way. Counter to this claim the applicant and owner has provided copies of the title deeds for 92 Harrow Drive which state that a right of way exists over and along Hurstlands Close and the garage forecourts and access way leading thereto.
- 13.5 The Local Highway Authority has raised no objection in relation to the proposed amount of car parking provision and the access and servicing arrangements from Hurstlands Close.
- 13.6 It is therefore considered that the proposed car parking and access arrangements are acceptable and would not result in highway safety or parking/ servicing issues.
- 13.7 The proposal indicates that waste and refuse will be stored to the front of the property and to the rear of the exiting row of garages. Full details of

waste storage arrangements can be reasonably obtained through the inclusion of a condition.

- 13.8 The proposal indicates no provision for the secure storage of bicycles, although it is noted that there is sufficient spacing within the site that could be utilised for this purpose. As such secure cycle storage details can be reasonably obtained through the inclusion of a condition.

14. Other Issues

- 14.1 Concerns have been raised by neighbouring residents that strips of land within the application site adjacent to Hurstlands Close are not included under the land registry title for 92 Harrow Drive. In relation to this issue the applicant has provided satisfactory evidence that due to the nature of the land sale when the property was first purchased sections of the site, which were originally to be retained by the housing developer as 'ransom strips' have been acquired by the applicant and now form part of the domestic curtilage of 92 Harrow Drive but are held under separate title deeds.

15. Community Infrastructure Levy and Developer Contributions

- 15.1 The proposed development will create 1 no. new residential unit with 75 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £1,500 based on the calculation of £20.00 per square metre.
- 15.2 Under the provisions of Policy DC72 of the LDF and the Planning Obligations SPD a payment of £6,000 should be made for each new dwelling in respect of the infrastructure costs arising from the development. The proposal would create 1 no. new dwelling and would therefore be subject to a legal agreement to provide a contribution of £6,000.

16. Conclusion

- 16.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 16.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. On balance the proposal is considered to be acceptable in all material respects.
- 16.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the street scene or rear garden setting nor would it 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 the applicant entering into a legal agreement to secure the infrastructure contribution.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources will be needed to draft the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 9 June 2014.