



REGULATORY SERVICES COMMITTEE

REPORT

5 March 2015

Subject Heading:

1617.14 – 67 Corbets Tey Road,
Upminster

Erection of 6 No 1-bed flats
(application received 08.01.15)

Ward

Upminster

Report Author and contact details:

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Manager) 01708 432755

Policy context:

Local Development Framework
London Plan
National Planning Policy

Financial summary:

None

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

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| Clean, safe and green borough | <input checked="" 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 type="checkbox"/> |
| High customer satisfaction and a stable council tax | <input type="checkbox"/> |

SUMMARY

This planning application proposes the erection of a three-storey block of six flats on vacant land located at 67 Corbets Tey Road, Upminster. The proposal is considered to be acceptable in all material respects and is recommended for approval, subject to conditions and the prior completion of a legal 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 450m² and amounts to £9,000.

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:

- The sum of £36,000 towards the costs of infrastructure associated with the development in accordance with the Planning Obligations SPD;
- An obligation that the development's future occupiers do not apply for parking permits in the local area;
- 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 Council's reasonable legal fees for completion of the agreement shall be paid prior to the completion of the agreement irrespective of whether or not it is completed;
- The Council's planning obligation monitoring fees shall be paid prior to completion of the agreement.

That the Head of Service 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 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, particulars and specifications.

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. Car parking - Before the flats hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Landscaping – No development shall take place until details of all proposed hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. 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 LDF 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 LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle storage - Prior to the 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 and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. Boundary treatment - Prior to the commencement of the development hereby approved, details of proposed boundary treatment, including details of all boundary treatment to be retained and that to be provided, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out in accordance with the agreed details and the boundary treatment retained thereafter.

Reason: In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

9. 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 in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

10. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development including the access

road shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

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

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

12. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

13. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;

- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) 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 with the LDF Development Control Policies Development Plan Document Policy DC61.

14. Land contamination: 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 this 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 (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a "Validation Report" must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source

and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, "Land Contamination and the Planning Process".

Reason:

To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

15. Sound attenuation - The houses hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and the flats shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

INFORMATIVES

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering will require a licence and the applicant must contact the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.
2. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
3. In aiming to satisfy condition 9 above, the applicant should seek the advice of the Metropolitan Police Designing Out Crime Officer. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.

4. The applicant is reminded that the proposed location of the refuse and recycling storage may be contrary to the Building Regulations requirements. It is recommended that this matter be discussed with the Council's Building Control officers prior to the commencement of development.

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.
5. 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.
 6. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £9,000. 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.

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| REPORT DETAIL |
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1. Site Description

- 1.1 The site is a 306sqm area of land located off Corbets Tey Road, Upminster and comprises a vacant area of hardstanding, which was formerly part of the car park of the site's, and neighbouring land's, previous use as a conference facility. The adjoining land, which was also part of the former conference facility, benefits from planning permission for the development of nine residential units. That approved development is nearing completion. The site under consideration is also accessed from Corbets Tey Road, which runs through the centre of Upminster and is designated as a Major District Centre in the LDF.
- 1.2 The site's western boundary and southern boundary lie adjacent to land associated with retail and residential properties fronting onto Corbets Tey Road. The northern and eastern boundaries adjoin land associated with the neighbouring redevelopment.

2. Description of Proposal

- 2.1 The proposal is for the erection of a block of flats containing six one-bed units.
- 2.2 The proposed block would have a mansard style roof, with the flats being distributed over three storeys including within the roof space. The proposed building would have a maximum height of approximately 10m. The first and second floor flats would each benefit from a balcony. The ground floor flats would benefit from private gardens.
- 2.3 Three parking spaces would be provided, which would be accessed from land to be shared with the neighbouring development of nine units. The refuse storage area would be located alongside that of the neighbouring residential redevelopment. The existing vehicular access onto Corbets Tey Road would be retained.

3. Relevant History

- 3.1 There is an extensive planning history related to the former West Lodge. The previous decisions of most relevance to the proposal are as follows:

P0225.14 – Amendment to the plans approved as part of planning permission P1152.13 to amend the western boundary – Approved. Awaiting completion of a legal agreement.

P1152.13 – Demolition of existing building and erection of seven flats and two houses – Approved.

4. Consultations/Representations

- 4.1 Neighbour notification letters have been sent to 74 local addresses. No representations have been received.
- 4.2 Comments have also been received from the following:

Designing Out Crime Advisor
No objections; condition and informative recommended.

Environmental Health (Noise)
No objections; conditions recommended in relation to limitations on noise transfer and construction times.

Environmental Health (Contaminated Land)
No objections; condition recommended.

Highway Authority
No objections.

5. Relevant Policies

5.1 National Planning Policy

National Planning Policy Framework (“the NPPF”)

5.2 Regional Planning Policy

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.13 (sustainable drainage), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 6.14 (freight), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.19 (biodiversity and access to nature) and 8.2 (planning obligations) of the London Plan are relevant.

5.3 Local Planning Policy

Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC50, DC51, DC53, DC55, DC61, DC63, and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document (“the LDF”) are material considerations.

In addition, the Residential Design Supplementary Planning Document (“the SPD”), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and Planning Obligations SPD are also material considerations in this case.

6. **Staff Comments**

6.1 The issues arising from this application are the principle of development, design and amenity considerations, environmental impact, highway and parking issues, community infrastructure, and other considerations.

6.2 **Principle of Development**

6.2.1 The site is located within a fringe area of Upminster Major District Centre where Policy CP4 of the LDF states that town centre hierarchy will be promoted and enhanced by, amongst other things, ensuring that the scale and use of new development is consistent with the role and function of the town centre so as not to harm the vitality of viability of other centres. Policy DC16 is aimed at ensuring that the primary retail function of the district centres is maintained. The application site is, however, located to the rear of the shopping parade and as such has no retail frontage. The relevant policies do not preclude residential development in such locations, indeed wider policy is aimed at promoting the introduction of housing into town centres in order to maintain their vitality. Staff are therefore satisfied that the

proposed development will have no adverse impact on the function of Uppminster town centre and the proposal is considered to be acceptable in principle.

6.3 Design Considerations

6.3.1 Policy DC2 of the LDF stipulates the appropriate residential densities in given areas of the borough. Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The SPD contains guidance in relation to the design of residential development.

6.3.2 The site is located to the east of Corbets Tey Road, to the rear of retail premises and residential properties located in an area with a town centre character. The aforementioned residential properties comprise flats located above retail premises. To the south of the site is a rear access road associated with properties along Corbets Tey Road, along with a church located in a more residential area, comprising a range of suburban house types. Immediately to the east of the site is a nine unit residential scheme having a very similar height, form, and appearance to the proposal. Both the proposal and this neighbouring development would appear to form one development and would effectively function as such, having a shared, gated access and refuse collection facilities.

6.3.3 The application proposes a traditional form of design and construction, and is considered to be in keeping with the character and context of the surrounding area, which is characterised by a mix of house types. The scale and massing of the proposal is considered to be broadly in keeping with the character of the wider area, particularly given the adjoining flatted development located to the east, and older flatted developments to the west. It is recommended that planning conditions be imposed requiring the submission of details relating to the proposed use of materials, boundary treatment, landscaping, refuse storage, and bicycle storage.

6.3.4 Given the nature of the proposal, including its appearance, layout, scale, massing and design in relation to the surrounding area and within the proposed development itself; it is considered that the proposal would have an acceptable impact on the character of the area, and that it would therefore be in accordance with Policy DC61 of the LDF.

6.4 Layout and Amenity Considerations

6.4.1 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. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.

- 6.4.2 It is considered that the siting of the proposed building would not result in any significant adverse impacts on the amenities of neighbouring occupiers, particularly in terms of overlooking, loss of light, and outlook, given the separation distances between the proposal and the location of its fenestration. It is also considered that there are adequate stand-off distances between the proposed building and neighbouring sites that are likely to come forward for redevelopment in future. The proposal's western elevation would be located approximately 16m away from the flats located to the west.
- 6.4.3 The Council has adopted policy, which seeks to guide a higher density of development to those parts of the Borough having good access to public transport. In this instance the application site is ranked as being within a moderate Public Transport Accessibility Level Zone (PTAL 4). The recommended density range in such a location would be between 50 and 110 dwellings per hectare where flats and houses are proposed, and 80-150 dwellings per hectare where "mostly" flats are proposed. The density of the proposed development, when the shared access arrangements are taken into account, would be approximately 133 units per hectare. It is worth bearing in mind that, if the proposal and the adjoining nine-unit scheme are considered together, as a fifteen unit scheme, then the proposal effectively has a density of around 79 units per hectare.
- 6.4.4 Policy 3.5 of the London Plan stipulates minimum internal space standards for new dwellings. These stipulate that one bed flats, for two people, should have gross internal areas of at least 50sqm in area. All of the proposed units exceed these requirements, each being around 55sqm in area.
- 6.4.5 The Council's Residential Design Supplementary Planning Document is of relevance in relation to the setting out of new development and amenity space provision. Unlike previous guidance the SPD does not prescribe fixed standards for private amenity space or garden depths. Instead, the SPD places emphasis on new developments providing well-designed, high quality spaces that are useable. In this respect the private gardens proposed for the ground floor flats and the balconies proposed for the upper floor flats, are considered to be acceptable.

6.5 **Environmental Impact**

- 6.5.1 The Council's Environmental Health officers were consulted about the application with no objections being raised. Conditions have been recommended in relation to land contamination, sound attenuation, and limitations to construction times. It is recommended that these be employed should planning permission be granted.

6.6 **Parking and Highway Issues**

- 6.6.1 The application proposes that the development would be accessed in the same way that the adjoining nine unit scheme would be.

- 6.6.2 The Highway Authority has raised no objections to the proposal. The planning consent issued in relation to the neighbouring nine unit scheme included conditions to ensure that there would be no significant adverse impacts on highway safety and amenity. These involved the approval of details, agreed by the Highway Authority, for the installation of pedestrian safety barriers along Corbets Tey Road. As these arrangements will be made in association with the neighbouring development, which has commenced on site and with which the proposal will share an access, it is not considered necessary to make use of this condition again.
- 6.6.3 A condition was also recommended requiring the approval of details relating to cycle storage, however, it is recommended that this condition be imposed in this case to ensure that the occupiers of the six new units also have access to bicycle storage.
- 6.6.4 As part of the neighbouring scheme, the Highway Authority previously discussed the proposed location of the refuse and recycling storage with Refuse Collection Services, and they were satisfied that refuse would be stored in close enough proximity to the public highway. It had been stated that the distances between the refuse storage and some of the proposed units would be in excess of that allowed by Building Regulations. This had been explained to the neighbouring landowner and it was recommended that an informative be attached to the planning permission, advising the applicant to discuss this matter with the Council's Building Control officers. It is recommended that that informative be employed again in this case, given that the proposal's refuse and recycling storage would be located in the same position.
- 6.6.5 Policy DC2 of the LDF recommends, in this location, the provision of less than 1 parking space per unit where mostly flats are proposed. The proposal under consideration would only involve flats. Three parking spaces are proposed, which is the equivalent of 0.5 spaces per unit. Given the site's location in close proximity to public transport links and Upminster town centre, this is considered to be acceptable. The spaces would be provided in conjunction with the parking for the neighbouring development of nine units, which includes provision for visitor parking. It is, however, recommended that the landowner enters into a planning obligation preventing future occupiers from applying for parking permits.
- 6.6.6 Subject to the use of the afore mentioned condition and obligation, the proposal is considered to be acceptable in respect of parking and highway safety issues and in accordance with Policies DC32, DC33 and DC34 of the LDF.

6.7 **Community Infrastructure**

- 6.7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The chargeable floor space of the development once the demolition works are

taken into account is approximately 450sqm, which equates to a Mayoral CIL payment of £9,000.

- 6.7.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, "If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise". Section 70 of the Town and Country Planning Act 1990 sets out the general considerations for Local Planning Authorities in determining planning applications and Section 70(2) requires that, "in dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations". Paragraph 2 of the National Planning Policy Framework (NPPF) reiterates this: "Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise".
- 6.7.3 The proposal is liable to a contribution of £36,000 in accordance with adopted Policy DC72 of the Development Plan and the adopted Planning Obligations SPD. These policies are up to date and accord with Paragraph 12 of the NPPF and the proposal should therefore be determined in accordance with these policies unless material considerations indicate otherwise. Staff have had regard to the Planning Policy Guidance (PPG) relating to the application of a residential unit threshold for infrastructure tariff which advises that no contribution be sought for developments of 10 residential units or less and which is a material consideration however officers consider that greater weight should be accorded to up to date Development Plan Policy and the supporting Planning Obligations SPD. Staff consider that this guidance in the PPG does not immediately supersede current adopted policy as set out in the existing development plan and adopted supplementary planning guidance and that greater weight should be given to adopted policy within the development plan.
- 6.7.4 Policy DC6 of the LDF states that for residential developments involving ten units or more, that 50% of the dwellings should be affordable units. In this case, six units are proposed. However, officers have carefully considered the extent to which the proposal, when considered alongside the neighbouring nine-unit development, would constitute a fifteen unit scheme and therefore require the provision of affordable housing. The applicants have submitted evidence demonstrating that the site under consideration and the neighbouring plot have previously been in separate ownership. The two plots did not become part of a single ownership until after the approval and near completion of the neighbouring scheme. As such, it is considered in this case, that the proposed development would not be liable for requirements of Policy DC6.

6.8 Other Considerations

- 6.8.1 Havering's Crime Prevention Design Advisor has recommended a condition requiring the submission of details relating to the way in which "Secured by

Design" standards will be achieved, accompanied by an informative. In the interests of designing out crime, this condition and informative can be imposed should planning permission be granted.

7. Conclusion

- 7.1 The proposed residential development is acceptable in principle. The design and layout of the proposed development is considered to be in keeping with the character and amenity of the locality and would provide a suitably high quality living environment for the enjoyment of future occupiers. There is judged to be no material harm to neighbouring residential amenity arising from the proposal and the application makes acceptable provision for the retention and replacement of landscaping and for environmental protection. The proposal is considered to be acceptable in respect of parking and highways issues.
- 7.2 The proposal is considered to be acceptable having had regard to Policies CP1, CP2, CP9, CP10, CP17, DC2, DC3, DC6, DC7, DC30, DC32, DC33, DC34, DC36, DC40, DC49, DC51, DC53, DC55, DC61, DC63, and DC72 of the LDF and all other material considerations. It is recommended that planning permission be granted subject to the completion of a legal agreement and adherence to planning conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

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

There is a risk that the weight accorded to the Development Plan Policy and Supplementary Planning Document on Planning Obligations may be challenged at appeal or through judicial challenge.

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

Planning application P1617.14, all submitted information and plans.