



**REGULATORY
SERVICES
COMMITTEE**

REPORT

04 October 2011

Subject Heading:

**P1293.11 – Garage court to the rear of
23 Keats Avenue, Romford**

**Demolition of existing 11 garages and
the erection of 1 dwelling with
associated parking**

(Application received 17th August 2011)

Report Author and contact details:

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Policy context:

Local Development Framework

Financial summary:

None

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

Clean, safe and green borough	[X]
Excellence in education and learning	[]
Opportunities for all through economic, social and cultural activity	[]
Value and enhance the life of every individual	[]
High customer satisfaction and a stable council tax	[]

SUMMARY

This application relates to a Council owned garage court. The application proposes the demolition of the existing 11 garages and the erection of 1 No. dwelling with associated parking.

The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

RECOMMENDATIONS

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

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

Reason:

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

2) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, 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 Development Control Policies Development Plan Document Policy DC61.

3) Parking standards: Before the building(s) hereby permitted is first occupied, provision shall be made for 2 x No. off-street car parking spaces 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: The materials used in the construction of the development hereby permitted shall be Hanson Clumber Red Brick for walls and Marley Eternit Modern Interlocking Tile (Smooth Grey) for roof tiles in accordance with the details supplied on Drawing No. 8430-009-1001 (received 17th August 2011), unless otherwise agreed and approved in writing by the Local Planning Authority.

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, 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.

7) Obscure glazed window: The proposed windows on 1st floor level to the eastern elevation serving the bathroom shall be permanently glazed with obscure

glass and with the exception of top hung fanlights shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority, in order that the development accords with Policy DC61 of the LDF.

Reason:

In the interests of privacy.

8) Cycle storage: Before the building(s) hereby permitted is first occupied, provision shall be made for 2 x No. cycle storage spaces to each plot in accordance with the approved plans (Drawing Nr. 8430-009-1000, received 17th August 2011) and thereafter this provision shall be made permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

9) Hours of Construction: No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

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

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;

i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

Reason:

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

11) Highways Licence Agreement: The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason:

To ensure the interests of the travelling public and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

12) Secured by Design: Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured by Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA

Reason:

In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

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

Reason:

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning and Noise" 1994.

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 Statement 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) 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

16) Permitted Development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, 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

17) 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. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. 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 StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. The developer, their representatives and contractors are advised that planning permission 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.

4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
5. 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.
6. There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
7. In aiming to satisfy Condition 12 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA is available free of charge through Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

REPORT DETAIL

1. Site Description

- 1.1 The application site is a garage court to the western side of Keats Avenue and to the rear of Nos. 17 - 23 Keats Avenue. The site is covered in hardstanding and comprise 11 garages. The site area measures 598sq.m. Site levels are generally level although there is a slight rise from east to west. Access to the site is from Keats Avenue.
- 1.2 The surrounding area has no characteristic built style with a mixture of 2-storey dwellings with mansard roofs and pitched roofs with gable ends.

Directly west of the site is Risebridge Golf Club which is also Green Belt land.

2. Description of Proposal

- 2.1 The application seeks permission to demolish the existing 11 x No. garages on the site and erect 1 No. detached dwelling.
- 2.2 The proposed dwelling would be towards the western side of the application site with its front towards the north and rear towards the south. The dwelling would measure 6.5m in width and 10.3m in depth. It would be 2-storeys in height measuring 5m to the eaves and 8.2m to the top of its ridge. The dwelling would be set away from its northern boundary by 6.5m, it would be 11.5m from the southern boundary and 8m from the eastern boundary.
- 2.3 On ground floor level would be a w.c., kitchen / dining room and a living room. On first floor level would be 4 bedrooms and a bathroom. Windows and doors would generally be arranged to the front (north) and rear (south) with flank wall windows to the eastern elevation.
- 2.4 The proposal would retain the existing access to the site measuring approximately 3.8m in width.
- 2.5 There would be a bin collection point 12m from the site entrance and 31m from the front of the proposed dwelling. The bin collection area indicates space for 2 bins.
- 2.6 Towards the front of the dwelling would be parking space for 2 cars with associated soft landscaping.
- 2.7 Amenity space would mainly be towards the rear with some amenity towards the sides. The amenity area would measure 151sq.m.
- 2.8 Towards the rear of the dwelling would be an area for refuse storage and a shed which can be used for cycle storage.

3. Relevant History

- 3.1 No relevant history.

4. Consultations/Representations

- 4.1 Notification letters were sent to 17 neighbouring properties with 1 letter of representation received with a petition signed by 47 residents. The letter raised objections in respect of the following:
 - Limitation of space and congested living area
 - Insufficient emergency vehicle access
 - Too close to neighbouring properties

- Overlooking / loss of privacy
- Intrusive and anti-social
- Inconvenience because of construction works
- Possible damage to neighbouring land during construction
- Overspill of parked vehicles onto adjoining roads
- Traffic safety issues

4.2 At the time of drafting this report the neighbour notification period has yet to expire. Members will be verbally updated on the evening of any further representations received.

5. Relevant Policies

5.1 Policies CP17 (design), DC3 (Housing Design and Layout), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) and the Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and the Residential Extensions and Alterations Supplementary Planning Document (SPD) and the Residential Design SPD is also relevant.

5.2 Policies 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.6 (Children and Young People's Play and Informal Recreation Facilities), 3.8 (Housing Choice), 6.9 (Cycling), 6.10 (Walking), 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) of the London Plan (2011)

5.3 PPS1 (Delivering Sustainable Development) and PPS3 (Housing), PPS4 (Planning for Sustainable Economic Growth) and PPG13 (Transport).

6. Staff Comments

6.1 This proposal is put before the Committee owing to the application site comprising land owned by the Council. 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, amenity implications, and parking and highways issues.

6.2 Principle of Development

6.2.1 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 PPS3 as the application site is within an established urban area.

6.2.2 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 113sq.m for a 4-bed 6-person dwelling. The proposal has an internal floor space of 450sq.m which is acceptable.

6.2.3 Policy CP1 indicates that outside town centres and the Green Belt, priority will be made on all non-specifically designated land for housing. The proposal is for redevelopment of a derelict site within an existing residential area. The proposal is therefore acceptable in principle and in accordance with Policy CP1 and policy 3.3 of the London Plan which seeks to increase London's housing supply.

6.3 Site Layout / Amenity Space

6.3.1 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.

6.3.2 Amenity space would mainly be provided towards rear of the dwelling, wrapping around to the sides. The amenity space in this instance would measure approximately 151sq metres.

6.3.3 Amenity provision in the locality are generally towards the rear and of a similar size compared to the proposal. It was noted that Nos. 1 and 3 Dyers Way have amenity areas in a similar location and of similar size to the proposal. It is considered that the proposed amenity area would be consistent with those in the immediate vicinity. Staff are of the opinion that the garden areas 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 a private and usable garden area. 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.

6.3.4 The residential density range for this site is 30 - 50 units per hectare. The proposal would result in a density of approximately 17 units per hectare. This density would be below the recommended density range for this area and given the limitations of the site is considered acceptable.

6.3.5 In terms of the general site layout, the proposed detached dwelling would have sufficient spacing towards the front and with generous amenity areas towards the rear, are not considered to appear as an overdevelopment of the site. The proposal would be towards the rear gardens of the

surrounding properties and with sufficient spacing between buildings, is not considered to appear as a cramped form of development. The layout of the site is therefore considered acceptable.

6.4 Impact on Local Character and Street Scene

6.4.1 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.

6.4.2 The proposal would be to the rear of properties along Keats Avenue and would therefore not form part of the Keats Avenue street scene. Notwithstanding, the proposals would form part of the rear garden environment and should have an acceptable design and appearance which is not harmful to the character of the area. The proposal would be of a similar height compared to the dwellings in the vicinity and would also have a pitched roof with gable ends.

6.4.3 The development would replace the existing garages and harstanding with dwellings which is similar in character and design of those along Dyers Way and further south along Keats Avenue. The development would further introduce soft and hard landscaping. The proposal is considered to be an improvement of the current situation on the site and would not detract from the surrounding environment.

6.4.4 In terms of its design and visual appearance, Staff are of the opinion that the development of a new detached dwelling in this location would have an acceptable impact with no harmful impact to the character and appearance of the surrounding area. In light of sufficient separation distances between the proposed dwellings and neighbouring properties, Staff are of the opinion that the proposals would not appear as a cramped form of development and overall would have an acceptable design and appearance, therefore compliant with the aims and objectives of Policy DC61 of the Local Development Framework.

6.5 Impact on Amenity

6.5.1 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.

6.5.2 The proposal is for a detached dwelling which would be approximately 11.5m from the southern boundary, 4m from the eastern boundary and 3.5m from the northern boundary. Staff are of the opinion that the separation

distances from neighbouring boundaries are sufficient and given its moderate 2-storey height, the proposal would not appear visually intrusive or bulky as seen from neighbouring properties.

- 6.5.3 Similarly, due to the separation distances, there would be no potential for overshadowing to any neighbouring properties.
- 6.5.4 The new dwelling would have windows to the south serving bedrooms on 1st floor level. These windows would however be 11.5m from the nearest neighbouring boundary which is the side garden boundary of No. 15 Keats Avenue. Any views from these windows to No. 15 would be at oblique angles and there would be no direct overlooking to this neighbour. This neighbour further has a garage to its northern boundary which would screen any potential for overlooking. The proposal is not considered to result in any overlooking or invasion of privacy towards the rear.
- 6.5.5 Towards the east would be a flank wall window on 1st floor level. This window would serve a bathroom and can therefore be conditioned to be fixed shut and obscure glazed. There would be no potential for overlooking to the dwellings east of the proposal.
- 6.5.6 Towards the north, the proposal would introduce 2 new windows serving bedrooms on 1st floor level. The separation distance between these windows and the rear of those properties likely to be affected (Nos. 1 and 3 Dyers Way) is approximately 24.5m. Staff are of the view that this separation distance is sufficient and no direct overlooking would occur to the windows or habitable rooms of these neighbouring dwellings. Staff acknowledge that the proposal may result in a degree of overlooking to the rear gardens of No. 1 and 3 Dyers Way however, Members are invited to apply their judgement in particular weighing up the potential harm against the benefits of providing new family accommodation.
- 6.5.7 In terms of vehicular activity and the proposed parking arrangement, Staff are of the opinion that one new 4-bedroom dwelling would not give rise to a significant rise in the level of vehicular activity over and above that which is currently experienced as a result of the garages.
- 6.5.8 In terms of general noise and disturbance, it is not considered that the addition of one new 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.
- 6.5.9 It should however be noted that although Staff consider the proposal to be acceptable in its current form, given the size of the proposed 2-storey developments 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.

6.5.10 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.

6.6 Highways / Parking Issues

6.6.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. The site has a PTAL rating of 1-2 and therefore requires 2 - 1.5 parking spaces per unit for a development of this type in Romford. The development would provide a total of 2 x No. parking spaces to the northern side of the dwelling. In terms of the number of spaces proposed, the provision of off-street parking spaces would comply with the requirements of Policy DC33 and no issues are raised in this respect.

6.6.2 According to information provided by the applicant, of the 11 garages, 7 are in use and the remaining 3 void. No alternative sites are proposed for displacements. Upon site inspection it was noted that the surrounding streets are not overly congested. Whilst no provision is made for displacement garages elsewhere, Staff are of the opinion that any remaining displacements can be accommodated on the surrounding streets without resulting in harm to the existing parking situation or neighbouring amenity. Staff consider the benefits of new family housing to outweigh the provision of 7 of the garages which is still in use elsewhere. Members are invited to apply their judgement in this respect.

6.6.3 The development provides storage for 2 x no. cycle spaces which would comply with the Council's standards as set out in Annex 6 which requires a provision of 2 spaces per dwelling with 3 or more bedrooms.

6.6.4 In light of the above, the proposal is considered to satisfy the requirements of Policy DC2 and DC33 and would not result in any highway or parking issues.

6.7 Other Issues

6.7.1 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. The proposal provides a bin collection point along the access road which is approximately 31m from the dwelling's front door. The maximum allowed distance under schedule 1, Part H of the Building Regulations 2000 is 30m. Staff are of the opinion that the proposed refuse collection point is marginally further than the recommended 30m and that it would be unreasonable to refuse planning permission for this reason alone. Future occupiers will be aware of the refuse collection arrangements prior to occupation and this aspect would therefore be a

matter of choice. Members are invited to apply their judgement to this aspect of the proposal.

- 6.7.2 Concerns are raised by the Highways Authority regarding Fire Brigade access to the site. Staff are of the opinion that it would be unreasonable to refuse the application as the installation of domestic sprinklers can satisfy the Brigade's requirements. In lieu of adequate access, the applicant proposes the installation of a sprinkler system and its installation can be secured by means of a planning condition.

7. Conclusion

- 7.1 Overall, Staff are of the opinion that the proposal would not detract from the character of the surrounding area or neighbouring properties. 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. It is considered that the proposal would not have any material harmful impact on neighbouring amenity however, Members are invited to apply their judgement in respect of potential overlooking to the rear gardens of Nos. 1 and 3 Dyers Way. Amenity space provision is considered sufficient. Whilst no provision is made for displacement garages elsewhere, Staff consider the benefits of new family housing to outweigh the provision of 7 of the garages which is still in use elsewhere. The vehicles currently parked in these garages can comfortably be accommodated on the adjoining roads. Members are invited to apply their judgement in this respect. Overall, Staff consider the development to comply with Policy DC61 and the provisions of the LDF Development Plan Document. Approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

This report concerns only material planning issues. Any land transaction between the applicant and the Council is dealt with independently.

Legal implications and risks:

This application is considered on merits and independently from the Council's interest as owner of the site.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposed dwellings would be constructed to meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers.

BACKGROUND PAPERS

Application forms and plans received on 17th August 2011.