



# REGULATORY SERVICES COMMITTEE

# REPORT

21 June 2012

<b>Subject Heading:</b>	<b>P0473.12 – Demolition of garages and construction of new 4 bed detached dwelling with turning area and landscaping on land at garage site, Vernon Road, Collier Row</b>
<b>Report Author and contact details:</b>	<b>Helen Oakerbee (Planning Control Manager) 01708 432800</b>
<b>Policy context:</b>	<b>Local Development Framework London Plan National Planning Policy</b>
<b>Financial summary:</b>	<b>None</b>

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

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 checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

## SUMMARY

This planning application proposes the erection of a dwelling at a Council garage site off Vernon Road, Collier Row. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The proposal would be

subject to the Council's tariff under the draft Planning Obligations SPD and therefore requires a S106 agreement. Subject to there being no adverse comments from consultees or the general public, along with the completion of a legal agreement and the conditions detailed below, it is recommended that planning permission be granted.

## RECOMMENDATIONS

That subject to the expiration of the consultation period on 29<sup>th</sup> June 2012 and any consultation responses received raising no new material considerations other than those already considered by Committee, it is recommended that the Committee delegate to the Head of Development and Building Control authority to grant planning permission, subject to the completion of a legal agreement and planning conditions. If new material considerations are raised, then the matter shall be remitted back to Regulatory Services Committee for its further consideration and resolution.

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 £6000 towards the costs of infrastructure associated with the development in accordance with the draft Planning Obligations SPD;
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Council's reasonable legal fees for shall be paid prior to 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, subject to there being no new material considerations, the Head of Development and Building Control 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 Development Control Policies Development Plan Document Policy DC61.

3) Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4) 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

5) Boundary Treatment – No development shall take place until details of the proposed boundary treatment at the site have been submitted to and approved in

writing by the Local Planning Authority. The approved details shall be implemented and retained for the life of the development.

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.

6) 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 be constructed to the rear or northern side of the proposed dwelling, 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 visual and residential amenity, and to maintain the openness of the Green Belt, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61

7) 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.

8) 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.

9) 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, nearby occupiers, and the neighbouring Site of Nature Conservation Interest. 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;
- j) Measures to prevent damage to trees.

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.

10) Visibility Splays: The proposals shall provide a 2.1 by 2.1 metre pedestrian visibility splay on either side of the proposed access, set back to the boundary of the public footway. There should be no obstruction or object higher than 0.6 metres within the visibility splay.

Reason:

In the interests of highway safety, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC32.

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) 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

14) Road lighting: Before the building (s) hereby permitted is first occupied, a scheme for lighting within the development, to include the lighting along the access road, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason:

In the interest of residential amenity.

## **INFORMATIVES**

1. Reason for Approval:

It is considered that the proposed development would constitute inappropriate development in the Green Belt, however, very special circumstances have been demonstrated by the applicant, which it is

considered, overcome the harm to the Green Belt, by reason of inappropriateness and any other harm. The proposed residential development is acceptable in principle in all other respects. The design and layout of the proposed development are considered to be in keeping with the character and amenity of the locality and to 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 proposals and the application, subject to a condition, can make acceptable provision for landscaping. The proposal is considered to be acceptable in respect of parking and highways issues.

It is considered that the proposal satisfies the relevant criteria of Policies CP1, CP17, DC2, DC3, DC32, DC33, DC45, DC58, DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

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. 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).

## 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.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site is a former Council garage court that still includes the hardstanding and 15 domestic garage units, which are now vacant. The site is located at the northern end of Collier Row. The majority of the site is located on unallocated land in a residential area, however, an area of land forming the north eastern part of the site is located in the Green Belt.
- 1.2 The site forms a long, irregular shaped area, running in a south-west to north-east direction. A significant area of the site is comprised of the access road that currently serves the garage court from Vernon Road. The access road runs alongside neighbouring residential properties, which it is separated from by a variety of fence types. The site boundaries are formed by wooden and metal fencing and concrete walls.
- 1.3 The site's northern boundary lies adjacent to neighbouring residential properties located along Kingshill Avenue. The eastern boundary abuts open land located in the Green Belt, and is in close proximity to a Site of Nature Conservation Importance. The southern boundary lies adjacent to residential properties located along Vernon Road, along with land associated with a former depot, and communal grassland associated with flatted dwellings located along Hillrise Road. The western boundary lies adjacent to the public highway, Vernon Road.



## **2. Description of Proposal**

- 2.1 This planning application proposes the demolition of the existing garage units at the site, and their replacement with a four bedroom, detached dwelling. The proposed dwelling would have a pitched roof and would be accompanied by a front and rear garden, a driveway with four parking spaces, and a detached garage building.
- 2.2 Vehicular access would be taken from Vernon Road, along the existing roadway serving the existing garage court.

## **3. Relevant History**

- 3.1 The site, which comprises two rows of garages associated with the neighbouring housing development, has been in use for domestic storage purposes.
- 3.2 Planning permission was granted in 2009 for two dwellings at a former depot site, which is located on the southern side of the access road serving the site under consideration. The planning permission granted (reference P1160.09) expires in October, 2012. Should that planning permission be implemented, then the two dwellings would share the same access road leading to the proposed dwelling under consideration.
- 3.3 That planning permission includes a fire engine turning area, which it would not be possible to implement should the development under consideration be granted consent and be implemented. However, the proposal under consideration also includes a turning area that the London Fire and Emergency Planning Authority consider sufficient for use by a fire engine. The developer of the former depot site may need to amend their planning permission should they choose to implement it.

## **4. Consultations/Representations**

- 4.1 A site notice and a press advertisement have been displayed and the expiry date for these is 29<sup>th</sup> June 2012. Neighbour notification letters have also been sent to 39 local addresses. One representation has been received from a neighbouring occupier stating that the proposal would be beneficial. However, it is also stated that some of the street lighting columns in the approach road should be replaced owing to their dangerous condition.
- 4.2 Crime Prevention Design Advisor  
No objections; condition and informative recommended.
- 4.3 London Fire and Emergency Planning Authority  
No objections.
- 4.4 Essex & Suffolk Water  
No objections.

- 4.5 Environmental Health  
Noise – No objections; conditions recommended.

Contaminated Land - No comments received. Members will be updated at Planning Committee.

- 4.6 Highway Authority  
No objections; condition recommended.

## **5. Relevant Policies**

### **5.1 National Planning Policy**

National Planning Policy Framework (“the NPPF”)

### **5.2 Regional Planning Policy**

The London Plan (July 2011) is the strategic plan for London and the following policies are considered to be relevant: 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 8.2 (planning obligations).

There is also a range of Supplementary Planning Guidance to the London Plan.

### **5.3 Local Planning Policy**

The following policies of the LDF Core Strategy and Development Control Policies DPD (“the LDF”) are of relevance:

CP1 - Housing Supply  
CP17 - Design  
DC2 - Housing Mix and Density  
DC3 - Housing Design and Layout  
DC32 – The Road Network  
DC33 - Car Parking  
DC45 – Appropriate development in the Green Belt  
DC58 – Site of Nature Conservation Importance  
DC61 - Urban Design  
DC63 - Delivering Safer Places

In addition, Residential Design Supplementary Planning Document (“the SPD”) and the draft 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, highway and parking issues, community infrastructure, and other considerations.

## 6.2 Principle of Development

- 6.2.1 The principle of residential development on this site, which would increase the Borough's supply of housing, would be in accordance with Policy 3.3 of the London Plan.
- 6.2.2 The existing buildings on the site are not of any particular historic or architectural merit and there is no objection in principle to their demolition.
- 6.2.3 Part of the site, at its north eastern end, is located in the Green Belt. Part of the proposed dwelling, its curtilage, and the whole of the proposed garage would be located in the Green Belt.
- 6.2.4 This planning application therefore proposes the change of use of land and building operations in the Green Belt. Policy DC45 of the LDF states that planning permission will only be granted for development in the Green Belt that is for given purposes, including outdoor recreation, and that new buildings in the Green Belt will only be approved where they are essential to the identified uses.
- 6.2.5 National planning guidance is also a material consideration in the determination of planning applications. In terms of the guidance contained in the NPPF, the preliminary assessment when considering proposals for development in the Green Belt is as follows:-
- a) It must be determined whether or not the development is inappropriate development in the Green Belt. The NPPF and the LDF set out the categories of development not deemed to be inappropriate.
  - b) If the development is considered not to be inappropriate, the application should be determined on its own merits.
  - c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies.
- 6.2.6 Paragraph 89 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in given cases, providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposed buildings in this case are part of a dwelling and a detached garage building. These building types are not included in the categories of acceptable building operations contained in the Development Plan or the NPPF. The proposed building operations would therefore constitute inappropriate development in the Green Belt. It is also considered that these structures would be harmful to the purposes of including land in the Green Belt, given the urbanising effect they would have.
- 6.2.7 The NPPF, in relation to material changes of use in the Green Belt, states that material changes of use constitute inappropriate development. It is

considered that the proposed change of use, which would include residential and domestic curtilage, would constitute inappropriate development in the Green Belt.

- 6.2.8 The proposed building operations and material change of use would constitute inappropriate development in the Green Belt. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It is for the applicant to show why permission should be granted and very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF, paragraph 88). Prior to appraising the very special circumstances case put forward, it is necessary to consider whether any other harm would arise from the development. This is explored below.

### **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 application site has an area of approximately 850sqm and proposes 1 residential unit, giving a development density equivalent to approximately 12 units per hectare. Whilst this is below the density range of 30-50 units per hectare set out in Policy DC2 and Policy 3.4 of the London Plan, it is partly a reflection of the site's long access route, and is considered appropriate for the site under consideration.
- 6.3.3 The site is located in a broadly residential area comprising a range of house types, with traditional, two storey, pitched roof dwellings and larger scale, inter and post war flatted development. The site itself is in a vacant condition.
- 6.3.4 The application proposes a traditional form of design and construction, which is considered to be broadly in keeping with the character and context of the surrounding area, which is characterised by a mix of house types. The proposal would have a pitched roof and conventional detailing and would be constructed using stock facing brick with render, and plain roof tiles. It is considered that the proposal would result in a visual improvement at the site, which is in a derelict condition, and would therefore improve the visual amenities of the Green Belt and the surrounding area.
- 6.3.5 It is recommended that further details regarding the proposed landscaping, boundary treatment, and cladding materials be required by planning conditions. As part of the site is located in the Green Belt, it is also recommended that permitted development rights be removed to prevent the erection of extensions and curtilage structures to the rear of the property.

6.3.6 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 and Policy 7.4 of the London Plan.

#### **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 The main elevations of the proposed dwelling would face in a broadly east west direction; no windows would be included in the side elevations. The proposed dwelling would be located approximately 32m to the north of the flatted building located along Hillrise Avenue. The nearest dwellings to the proposal are located along Kingshill Avenue and would be approximately 29m to the north. The proposed dwelling would be located approximately 6m from the curtilages of these properties, however, given the length of these gardens and the orientation of the proposal in relation to them, it is considered that the proposal would not result in any significant overlooking. The proposal's front elevation would face towards properties along Vernon Road; the dwellings of these properties would be located approximately 58m away.

6.4.3 The access road of the proposal would pass by neighbouring properties, but the number of vehicle movements would be no higher than during the site's use as a garage court, and would be sufficiently low not to result in any significant adverse noise impacts on the neighbouring occupiers.

6.4.4 Given the siting, layout, scale, and design of the proposal, it is considered that it would not result in any significant adverse impacts on the amenity of neighbouring occupiers, in terms of overlooking, outlook, or loss of light. It is considered that the proposal would provide an adequate amount of amenity space and internal accommodation for the enjoyment of future occupiers of the proposal.

6.4.5 The proposal is considered to be acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the SPD.

#### **6.5 Parking and Highway Issues**

6.5.1 Policy DC33 in respect of car parking refers to the density matrix in Policy DC2. Two parking spaces are proposed, along with two visitor parking spaces, which is considered to be acceptable.

- 6.5.2 According to the information provided by the applicant, all 15 garages are in a poor condition and all are currently vacant. The loss of these garages in favour of the proposal to provide new family accommodation is therefore considered acceptable and would not result in any highway safety or parking issues through displacement.
- 6.5.3 The access road would have a shared surface for vehicles and pedestrians. The width of the access road measures 4.5m, which is sufficient to accommodate emergency vehicles. The proposed access arrangements have raised no objections from the Highway Authority.
- 6.5.4 In light of the above, the proposal is considered to satisfy the requirements of Policies DC2, DC32, and DC33 of the LDF.

## 6.6 **Other Issues**

- 6.6.1 The proposed development would result in the demolition of three garages that have been in continuous use for at least six months during the past twelve months.
- 6.6.1 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.
- 6.6.2 This planning application is subject to the Council's tariff under the draft Planning Obligations SPD. The proposal would give rise to a contribution of £6000 towards infrastructure costs. This payment should be secured by a legal agreement, and planning permission should not be granted until this agreement has been completed.
- 6.6.3 The site is located in close proximity to a Borough level Site of Nature Conservation Importance located to the north and east of the site. Policy DC58 of the LDF states that the biodiversity and geodiversity of SNCIs will be protected and enhanced. The neighbouring SNCI contains a number of mature trees and it is recommended that a condition be imposed requiring the approval of a construction method statement detailing the means by which the SNCI will be protected during construction works.
- 6.6.4 A neighbouring occupier has stated that the street lamps along the access road are not in a safe condition. This is a matter for the landowner to investigate. However, a condition can be imposed to require details of lighting to be provided along the access road, which would be shared by pedestrians and vehicles.
- 6.6.5 **The Mayor's Community Infrastructure Levy**

The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The

chargeable floorspace of the development once the demolition works are taken into account is approximately 133sqm, which equates to a Mayoral CIL payment of £2660.

## **6.7 Green Belt – Very Special Circumstances**

- 6.7.1 The applicant has submitted very special circumstances, stating that the proposal would merely replace existing development on a Brownfield site. Several of the existing garages (94.6sqm in area and 218.18cum in volume) are located in the Green Belt; their demolition and replacement with the proposed buildings would result in a reduction in the amount of built development (area and volume) located in the Green Belt. The reduction in the built volume within the Green Belt, as a result of this proposal, would be approximately 108cum. Moreover, the proposal would result in an improvement to the visual amenities of the Green Belt and the surrounding area as it would result in the redevelopment of an unsightly and derelict piece of land.
- 6.7.2 It is considered that the submitted very special circumstances overcome the harm to the Green Belt, by reason of inappropriateness and other harm, and the proposal is therefore considered to be acceptable in terms of Green Belt policy.

## **7. Conclusion**

- 7.1 The proposed residential development is acceptable in principle. The design and layout of the proposed development are considered to be in keeping with the character and amenity of the locality and to 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 proposals and the application, subject to a condition, can make acceptable provision for landscaping. The proposal is considered to be acceptable in respect of parking and highways issues.
- 7.2 Officers consider the proposal to be acceptable having had regard to Policies CP1, CP17, DC2, DC3, DC32, DC33, DC45, DC58, DC61, and DC63 of the LDF and all other material considerations. Subject to there being no adverse comments from consultees or the general public, and the aforementioned legal agreement and conditions, it is recommended that planning permission be granted.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

The application site comprises land which has been disposed of by the Council.

### **Legal implications and risks:**

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

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

None.

## BACKGROUND PAPERS