



REGULATORY SERVICES COMMITTEE

2 August 2012

REPORT

Subject Heading:

**P0554.12 – Former Community Hall,
Nelson Road, Rainham**

Report Author and contact details:

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Manager) 01708 432800**

Policy context:

Local Development Framework

Financial summary:

None

Demolition of existing community hall and construction of 8 new dwellings (4 detached and 4 semi-detached) with associated parking and private amenity space, new access road and landscaping (Application received 11th May 2012)

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

Ensuring a clean, safe and green borough	[x]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[]
Valuing and enhancing the lives of our residents	[x]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

This report relates to land in the ownership of the Council and is for the demolition of the existing community hall and the construction of 8 new dwellings (4 detached and 4 semi-detached) with associated parking and private amenity space, a new access road and landscaping. A Section 106 Legal Agreement is required in accordance with the draft Planning Obligations Supplementary Planning Document. Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and a Section 106 Agreement.

RECOMMENDATIONS

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

- A financial contribution of £48,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

1. Time limit - The development hereby permitted shall not be commenced 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. 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.

3. 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.

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

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

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

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

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

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle storage - Prior to completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

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

8. Sight lines - The proposals should 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.

9. Car parking - Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and 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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

10. 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.

11. 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 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.

12. Noise insulation - The semi-detached houses shall be 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 & Noise.

13. Permitted Development - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, as amended by the Town and Country Planning (General Permitted Development) (Amendment)(no. 2)(England) Order 2008 Classes A to E, or any subsequent order revoking or re-enacting that order, no extensions, roof extensions or alterations shall take place to the dwellinghouses and no outbuildings shall be erected in the rear garden area of the dwellings, with the exception of ancillary structures up to 10 cubic metres in volume, 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.

14. Boundary fencing - Prior to the commencement of the development, all details of boundary screening shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

15. 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.

16. External lighting - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include the low level lighting of the access road. The approved details shall be implemented in full prior commencement of the hereby approved development and permanently maintained in accordance with the approved details.

Reason: In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

17. Surfacing materials - Before any of the development hereby permitted is commenced, surfacing materials for the access road and turning area shall be submitted to and approved in writing by the Local Planning Authority and thereafter the access road shall be constructed with the approved materials. Once constructed, the access road shall be kept permanently free of any obstruction (with the exception of the car parking spaces shown on the plans) to prevent their use for anything but access.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in the interests of highway safety.

18. Access road - Before the buildings hereby permitted is first occupied, the access road to the site shall be surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the use of vehicles visiting the site.

Reason: To ensure that access to the site is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

19. Highway alterations - The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

20. Highway alterations - The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed 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.

21. Vehicular access - No development shall take place (except for works to construct the access required by this condition) until vehicular/pedestrian/cycle access from the public highway has been provided in accordance with the approved plans.

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.

22. 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 can 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 the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

23. Site levels - Prior to the commencement of the development, a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings 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.

Reason: To protect neighbouring amenity.

24. Flank Windows – Obscure/fixed - The proposed windows in the flank elevations of the proposed dwellings shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) which shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority.

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

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 808m² and amounts to £16,160.

INFORMATIVES

1. Reason for Approval

The proposal is considered to be in accordance with Policies CP1, CP2, CP17, DC2, DC3, DC11, DC27, DC33, DC61, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the Supplementary Planning Document (SPD) for Residential Design. The proposal is also considered to be in accordance with the provisions of Policies 3.3, 3.4, 3.5, 3.8, 6.13, 7.13, 7.4 and 8.3 of the London Plan.

2. In aiming to satisfy condition 22 the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

3. The developer 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.

4. 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 & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

5. 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.

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 located on the south eastern side of Nelson Road. The site is presently occupied by a two storey detached building, which was formally used as Whybridge Parents Association Childrens Club. A library and community centre are located to the north east of the site. There are garages and a pair of semi-detached dwellings to the south west of the site. There are two storey terraced properties to the north west of the site. There are detached and semi-detached dwellings located to the south east of the site. It is noted that the application site slopes downhill from north west to south east.

2. **Description of development:**

- 2.1 The application seeks permission for the demolition of the community hall and the construction of 8 new dwellings (4 detached and 4 semi-detached) with associated parking and private amenity space, a new access road and landscaping.
- 2.2 There would be a pair of semi-detached dwellings and a detached dwelling fronting onto Nelson Road with an access road in between. There would be three detached dwellings and a pair of semi-detached dwellings with a turning area to the rear of the site, which backs onto the rear gardens of dwellings in Hubert Road.
- 2.3 The dwellings have gabled roofs and have a ridge height of 8.2 metres. The dwellings to the site frontage have similar footprints, measuring on average 5.5m wide and 9.4m deep. Those to the rear of the site are of similar depth, at 9.4m but are wider at 6.6m.

3. **Relevant History:**

- 3.1 No relevant planning history.

4. **Consultations/Representations:**

- 4.1 The occupiers of 41 neighbouring properties were notified of this proposal. Five letters of objection were received (including one from Councillor Breading) with detailed comments that have been summarised as follows:
- Queried as to whether the dwellings would be for private sale or affordable homes.
 - Traffic and congestion.
 - Lack of parking.
 - Overlooking and loss of privacy.
 - Loss of light.
 - Overshadowing to the rear gardens of dwellings in Hubert Road.
 - The rear garden of the dwellings in Hubert Road occupy a higher ground level than the application site.
 - Noise and disruption from building works.
 - Queried when building works would commence and their duration.
 - The proximity of the dwelling in Plot A to the south western boundary of the site.
 - Drainage and flooding.
 - Concerns that the access road would be too narrow for refuse and fire brigade vehicles.
- 4.2 In response to the above comments, conditions would be placed in respect of hours of construction and a construction method statement if minded to grant planning permission. A condition can be placed requesting a drawing showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings if minded to grant planning permission. Drainage is not a material planning consideration and is a building control matter. The remaining issues will be covered in the following sections of this report.
- 4.3 The Fire Brigade is satisfied with the proposals. The access roadway and turning facilities should comply with 11.4 of ADB Volume 1.
- 4.4 Environmental Health - Recommend conditions if minded to grant planning permission.
- 4.5 Crime Prevention Design Advisor - Recommends a condition and an informative if minded to grant planning permission.
- 4.6 The Highways Authority has no objection to the proposals.
5. **Staff Comments:**
- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC27 (Provision of Community Facilities), DC33 (Car Parking), DC61 (Urban Design) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document and Policies 3.3 (increasing housing supply), 3.4 (optimising

housing potential), 3.5 (quality and design of housing developments), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The National Planning Policy Framework is relevant.

5.2 Principle of Development

- 5.2.1 The site is an existing community hall and Policy DC27 applies. Policy DC27 states that planning permission which involves the redevelopment of a community facility will be granted where it is can be demonstrated that there is no longer a need for the facility affected, either in its current use or any alternative use or where suitable alternative provision is made.
- 5.2.2 The community hall has been vacant since 2010. The agent has supplied supporting information detailing the marketing campaigns for the Nelson Road Community Hall. The property was first marketed in January 2011 with advertisements in the Romford Recorder. There was an extensive mailing campaign to all known developers, investors, existing users and community users. An advertising board was erected on the site displaying 'To let' and 'For sale'. Thirteen proposals were received from a variety of developers, community users and churches. A chosen party was unable to proceed with the purchase due to lack of funds. The property was removed from the market to be reviewed later in the year.
- 5.2.3 A decision was taken by Cabinet to dispose of the property and the site was remarketed in July 2011 and was advertised nationally in the Estates Gazette. There was an extensive mailing campaign to all known developers, investors, existing users and community users. The advertising board remained on the site. Six proposals were received and most of these where from developers. The chosen party raised issues with regards to possible underground landfill and subsequently withdrew their offer. The property was removed from the market and the possibility of gaining planning permission before advertising the site again was discussed. It is Staff's view that the above supporting information demonstrates that there is no longer a need for the facility in its current use or for any alternative use.

5.3 Density and site layout

- 5.3.1 The Density Matrix in Policy DC2 seeks to guide higher density of development to those parts of the Borough having good access to public transport. Policy DC2 indicates a density requirement of 30-50 dwellings per hectare.

- 5.3.2 The proposal achieves a density of some 34 units per hectare on this 0.233 hectare site, which falls within the range of this density and is therefore acceptable.
- 5.3.3 All of the proposed dwellings have a gross internal area in excess of 100 square metres. This exceeds the minimum internal space standards set out in Policy 3.5 of the London Plan.
- 5.3.4 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design does not prescribe fixed standards for private amenity space or garden depths unlike previous guidance. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In this instance the proposed houses would each benefit from a private rear garden area, which varies between a minimum and maximum of 75 and 202 square metres respectively. Staff are of the view that the proposed rear garden areas are acceptable in terms of area and would provide future occupiers with a useable external space for day to day activities such as outdoor dining, clothes drying and relaxation.

5.4 Design/impact on street/Garden scene

- 5.4.1 The application would comprise the demolition of the existing community hall on the site. While the building appears to be in a structurally sound condition, the building is not of any particular architectural or historic merit and no in principle objection is therefore raised to its demolition.
- 5.4.2 Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. Nelson Road primarily comprises of two storey terraced dwellings. There are community buildings at the junction of Nelson Road and Rainham Road, comprising a community centre and a library building. These are low rise buildings and are also set below street level due to a fall in levels towards the east.
- 5.4.3 It is Staff's view that the proposed houses do appear to replicate the architectural style of neighbouring dwellings in Nelson Road given their staggered front façade with two storey projecting element and would be comparable in terms of general proportions and detailing including their gabled roofs and canopy porch roofs.
- 5.4.4 The dwellings would be similar in height to neighbouring residential dwellings in Nelson Road. It is considered that the height and scale of the dwellings proposed is compatible with the prevailing scale and character of development within the locality. The position of the dwellings in the streetscene is considered to be compatible with the general building line in Nelson Road. Full details of the samples of materials will be secured by condition if minded to grant planning permission.

5.5 Impact on amenity

- 5.5.1 It is considered that the community centre and library would not be adversely affected by the proposal, given their use and the vehicular access and car park provide a minimum and maximum separation distance of approximately 12 and 18 metres.
- 5.5.2 It is noted that the community hall extends approximately 16 metres beyond the rear building line of No.'s 106-108 Nelson Road. It is considered that the proposed development would not result in a significant loss of amenity to No.'s 108-106 Nelson Road, as the detached dwelling in Plot A would be in general alignment with the front and rear facades of these neighbouring dwellings. In addition, there would be a separation distance of approximately 1 metre and 1.8 metres between the flank of the dwelling in Plot A and the south western boundary of the site. It is noted that the application site slopes downhill from north west to south east, therefore, the proposed dwellings in Plots D to H will occupy a lower ground level than No.'s 108-106 Nelson Road, which will help to mitigate their impact. A topographical survey was submitted showing the existing ground levels within the site as well as a proposed section through the site. Another drawing is required showing the proposed site levels of the application site and the finished floor levels of the proposed dwellings, which can be secured by condition if minded to grant planning permission.
- 5.5.3 It is noted that No. 108 Nelson Road has a window on its north eastern flank in the roof space of the dwelling, which should not be adversely affected by the proposal as it is obscure glazed and serves a landing, which is not a habitable room. It is considered that the dwellings in Plots D to H should not result in a significant loss of amenity to No.'s 108-106 Nelson Road, as there would be a distance of approximately 28 metres between the rear façade of these neighbouring dwellings and the front façade of the closest dwelling in Plot D. Taking the above factors into account, it is considered that the proposal would not result in any undue overlooking and loss of privacy. Conditions can be placed in respect of landscaping and boundary treatments if minded to grant planning permission.
- 5.5.4 It is considered that the proposed development would not result in a significant loss of amenity to the neighbouring dwellings located opposite the site in Nelson Road, as there would be a front to front distance of approximately 22.5 metres between the front façade of the nearest neighbouring dwellings (No.'s 73-83 Nelson Road) and the front façade of the proposed dwellings in Plots A to C. It is considered that the proposal would not result in any undue overlooking and loss of privacy given the above separation distance.
- 5.5.5 The proposed development should not adversely impact on the block of garages located south west of the application site, as there would be a

separation distance of approximately 1.4 and 1.7 metres between the flank of the dwelling in Plot D and the south western boundary.

5.5.6 It is considered that the proposed development would not result in a significant loss of amenity to the neighbouring dwellings located to the rear of the site in Hubert Road, as there would be a back to back distance of approximately 32 metres between the rear façade of the nearest neighbouring dwellings (No.'s 125-135 Hubert Road) and the rear façade of the proposed dwellings in Plots D to H. It is considered that the proposal would not result in any undue overlooking and loss of privacy given the above separation distance.

5.5.7 It is considered that the proposed development would not result in significant degree of traffic or congestion, given that the site was formally used as a community hall. The parking provision for the development is addressed in the following section of this report.

5.6 Highway/parking issues

5.6.1 Policy DC2 of the LDF indicates that in this part of the Borough parking provision for residential development should be a maximum 1.5 to 2 spaces per unit. The proposal complies with Policy DC2, as there would be two spaces on hardstanding per dwelling. In addition, there would be two visitor car parking spaces. The Highways Authority has no objection to the proposals subject to conditions. The Fire Brigade has no objection to the proposal. A condition will be placed in respect of storage of refuse and recycling awaiting collection if minded to grant planning permission.

6. The Mayor's Community Infrastructure Levy

6.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 808m² and amounts to a Mayoral CIL payment of £16,160.

7. Conclusion

7.1 It is Staff's view that the above supporting information demonstrates that there is no longer a need for the facility in its current use or for any alternative use. Therefore, residential development on the site is considered to be acceptable in principle and no objections are raised to the loss of the community hall. It is considered that the height, siting, design and scale of the dwellings proposed is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. The development is also considered to be acceptable in respect of parking and highway issues. The applicant has agreed to a financial contribution of £48k towards infrastructure improvements. Subject to the completion of a legal agreement the scheme is

considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

Legal resources will be required for the drafting of a legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal will result in the loss of a community hall. However, the decision to dispose of the hall follows from an extensive marketing campaign and lack of feasible interest in using the hall for community purposes. Evidence therefore suggests that there is no continued demand for the community hall and that its loss would not have an unacceptable impact on the local community or adverse equalities implications.

BACKGROUND PAPERS

Application forms and plans received 11/5/2012.

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.