

REGULATORY SERVICES COMMITTEE

2 August 2012

REPORT

Subject Heading:

P0539.12 – Former Duckwood Public House, 59 Whitchurch Road, Harold Hill

Demolition of existing public house and erect a terrace of 6 houses with 10 parking spaces using existing accesses (Application received 24th May 2012)

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

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 concerns an application for the demolition of the existing public house and the erection of a terrace of 6 new dwellings with 10 parking spaces using existing accesses. A Section 106 Legal Agreement is required to secure a financial contribution 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 £36,000 to be used towards infrastructure costs in accordance with the Draft 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 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 buildings 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, B, C and 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 (having previously submitted 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);

a) 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.

b) 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.

c) 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

d) 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. 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.

18. Obscure glazing - The proposed first floor window on the western flank of dwelling No. 1 serving a landing shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) 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.

19. 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 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.

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 671.5m² and amounts to £13,440.

INFORMATIVES

1. Reason for Approval

The proposal is considered to be in accordance with Policies CP1, CP2, CP8, CP17, DC2, DC3, DC4, DC7, DC11, DC27, DC32, DC33, DC34, DC35, DC36, DC40, DC49, DC53, DC55, DC61, DC62, 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 and the Draft Planning Obligations Supplementary Planning Document. 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 17 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 junction of Whitchurch Road and Wigton Way. The site is presently occupied by a former public house, which has the appearance of a chalet bungalow with accommodation in the roof space with gabled ends. There is a bus stop to the front of the application site. The surrounding area is typified by a mixture of two storey semi-detached and terraced dwellings. Ground levels drop east to west. There is a level difference of approximately 0.34m across the frontage of the site and 3.77m along Wigton Way, therefore, properties in Wigton Way are significantly lower than the existing public house.

2. **Description of development:**

- 2.1 The application seeks permission for the demolition of the public house and the construction of a terrace of 6 dwellings with 10 parking spaces using existing accesses.
- 2.2 Five of the terraced dwellings would have the same front and rear building lines and dwelling No. 6 (located adjacent to the junction of Whitchurch Road and Wigton Way) would have staggered front and rear building lines, as it would be recessed 1.8 metres from the front façade of the adjoining terraced dwellings. The parking spaces would be located to the front of the site. The dwellings would have raised terraces to the rear, with steps leading down to the garden.
- 2.3 The row of terraced dwellings would have a width of 29 metres and a depth of 10.3 metres. Either end of the terraced building would have gabled roofs with

hipped ends. The dwellings would have a ridge height of approximately 9 metres and feature roof lights on the front façade and rear dormer windows.

3. Relevant History:

3.1 No relevant planning history.

4. Consultations/Representations:

4.1 The occupiers of 32 neighbouring properties were notified of this proposal. One letter of representation was received with detailed comments that have been summarised as follows:

- Queried the boundary treatment on the western boundary of the site, which is in a state of disrepair.
- Subsidence and damage to their property during construction.
- Queried the person responsible for maintaining the shrubs being planted in the car park.
- Queried the time frame for the works subject to planning permission being granted.
- Restrictions covering hours of work on the site.

4.2 In response to the above comments, there would be a 1.8m high concrete slats and a 2.4m high close boarded timber fence and trellis as necessary on the western boundary of the site and this can be secured by condition if minded to grant planning permission. Conditions would be placed in respect of hours of construction and a construction method statement if minded to grant planning permission. The remaining issues will be covered in the following sections of this report.

4.3 The Fire Brigade is satisfied with the proposals.

4.4 Environmental Health - Recommend conditions if minded to grant planning permission.

4.5 Crime Prevention Design Advisor - Recommends conditions in respect of boundary treatments, cycle storage, lighting, landscaping and secured by design and an informative if minded to grant planning permission.

4.6 The Highways Authority has no objection to the proposals. Recommends two conditions and two informatives if minded to grant planning permission.

4.7 The StreetCare Department states that the plans show refuse containers for the proposed development, although the Borough only has sack collection, so the bags will need to be taken out of the containers and presented at the boundary of the houses for collection.

5. Staff Comments:

5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC4 (Conversions and subdivision of residential uses), DC11 (Non-designated sites), DC27 (Provision of Community Facilities), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) 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, the Draft Landscaping Supplementary Planning Document, the Draft Planning Obligations 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 Policy CP1 indicates that a minimum of 535 new homes need to be built each year on sites which are not designated for other purposes. The site is non-designated land for which housing is a priority use.

5.2.2 There are no specific planning policies which require the retention of public houses in the Borough. Nonetheless, on appeal the Secretary of State has determined that some public houses, due to their use for community gatherings in addition to their use as drinking establishments and their unique provision of such facilities within remote village locations, should not be removed to allow alternative development. Policies CP8 and DC27 indicate that community facilities should be provided and retained within the Borough. The Duckwood public house has been vacant for approximately ten years and during this time, there have not been any planning applications to utilise the site for a community use. Therefore, the redevelopment of this site for residential use within the urban area is therefore considered to be acceptable in principle.

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 43 units per hectare on this 0.14 hectare site, which falls within the range of this density and is therefore acceptable.
- 5.3.3 The development is arranged as a terrace of 6 fronting onto Whitchurch Road, which would be accessed via the existing 'in and out' driveway that serves the public house with a shared parking forecourt and gardens to the rear. The parking layout is more synonymous with flatted developments and represents a departure from surrounding development, which is characterised by private front gardens, some with allocated parking. It is considered that the provision of a shared forecourt to the front of the properties is deemed to be acceptable, as this arrangement has previously been accepted on nearby developments, such as No. 90 North Hill Drive. A condition will be placed in respect of a landscaping scheme if minded to grant planning permission.
- 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 64 and 107 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 public house and outbuilding on the site. The buildings are not of any particular architectural or historic merit and no in principle objection is therefore raised to their 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. Whitchurch Road is typified by a mixture of two storey semi-detached and terraced dwellings with hipped and gabled roofs.
- 5.4.3 Policy DC61 states that new properties should respond to distinctive local building forms and patterns of development and respect the scale, massing and height of adjoining properties. It is noted that the dwellings are narrower than surrounding properties and the height of this terraced building would be greater than adjacent neighbouring properties, although staff consider that this would not be harmful to the character and appearance of the streetscene for the following reasons. When considering the merits of this application, weight was attached to the fact that ground levels drop east to west where properties in Wigton Way are significantly lower than the existing public

house. In addition, the block of terraced dwellings would be set in between approximately 5.6 and 8.1 metres from the western boundary of the site and between 1 metre and 2.8 metres from the eastern boundary and as such, would not appear cramped on the site. The terraced building would be situated further back in the site than the existing public house in order to utilise the existing accesses and provide sufficient car parking. The siting of the terraced building is deemed to be acceptable, taking into account a separation distance of approximately 5.6 and 8.1 metres from the western boundary of the site and between 1 metre and 2.8 metres from the eastern boundary.

- 5.4.4 It is considered that the gabled roofs with hipped ends on either end of the terraced building would reduce its bulk and integrate well with the streetscene. It is Staff's view that the proposed houses would be comparable to neighbouring properties in terms of detailing including their canopy porch roofs. 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 Consideration has been given to the fact that the terraced building would be situated further back in the site than the existing public house. It is considered that the proposal would not result in a significant loss of amenity to No.61 Whitchurch Road, as there would be a separation distance of approximately 5.6 and 8.1 metres between the flank of dwelling No. 1 and the western boundary of the site. Following an internal inspection, it is noted that No. 61 Whitchurch Road has one ground floor flank window, which serves a hallway and is obscure glazed. No.61 Whitchurch Road has an obscure glazed door on its flank, which serves the kitchen and is a secondary light source with windows on the rear. No. 61 Whitchurch Road has a first floor flank window, which is clear glazed and serves a landing, which is not a habitable room. Dwelling No. 1 features a first floor flank window, which serves a landing and can be obscure glazed and fixed shut with the exception of top hung fanlights if minded to grant planning permission to avoid any undue overlooking of the rear garden of No. 61 Whitchurch Road.

- 5.5.2 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 Whitchurch Road, as there would be a front to front distance of approximately 31 metres between the front façade of the nearest neighbouring dwellings (No.'s 50-56 Whitchurch Road) and the front façade of the proposed dwellings. It is considered that the proposal would not result in any undue overlooking and loss of privacy given the above separation distance. In addition, the plans show 3 new trees and shrubs to be planted on the northern boundary of the site to provide some screening and this landscaping can be secured by condition.

- 5.5.3 It is considered that the proposed development would not result in a significant loss of amenity to the neighbouring dwellings located south east of

the site, as there is a green to the front of No.'s 2-12 Wigton Way, which has a depth of approximately 16 to 25 metres. It is considered that the proposal would not result in any undue overlooking and loss of privacy given the above separation distance.

5.5.4 It is considered that the proposed development would not result in a significant loss of amenity to the neighbouring dwellings at No.'s 1, 3, 5 and 55 Wigton Road, as these dwellings are located at an oblique angle from the proposed dwellings and No. 5 Wigton Road does not have any flank windows. It is considered that the proposed development would not result in any undue overlooking and loss of privacy to neighbouring properties in Wigton Road for the following reasons. Firstly, consideration has been given to the existing 4.6m deep raised terrace area to the rear of the public house. Secondly, the plans show a 2.4m high close boarded timber fence and trellis on the eastern, southern and western boundaries of the application site, which should provide sufficient screening given the change in ground levels and can be secured by condition if minded to grant planning permission. Thirdly, the plans show 9 new trees and a hedge to be planted on the western and southern boundaries of the site to provide further screening and this landscaping can be secured by condition. The western corner of the terrace for dwelling No. 1 has been chamfered to minimise the potential for any overlooking. There are steps from the terraces leading down to the rear gardens of the proposed dwellings, which would occupy a lower ground level.

5.5.5 When reviewing the merits of this application, consideration was given to the fact that the terrace of 6 dwellings would replace a former commercial use as a public house and therefore, there should be less potential for noise and disturbance to neighbouring properties in the vicinity of the site. Furthermore, neighbouring properties have an outlook over the site, which currently comprises of a dilapidated public house and outbuilding with an overgrown garden. It is Staff's view that the proposed development would improve the condition and appearance of the site. Landscaping and boundary treatment conditions can be secured by condition if minded to grant planning permission. The block of terraced dwellings would be set in between approximately 5.6 and 8.1 metres from the western boundary of the site and between 1 metre and 2.8 metres from the eastern boundary, which would help to mitigate its impact on neighbouring properties.

5.5.6 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 public house. 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 1.5 spaces on hardstanding per dwelling. In addition, there would be one disabled

car parking space. A shed is proposed in each rear garden to provide storage for 2 cycles per unit, details of which can be secured by condition if minded to grant planning permission. 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. Trees

- 6.1 An arboricultural implications report was submitted with the application. There are no tree preservation orders on the site. Staff have no concerns regarding the removal of four trees on the site, which comprise of a Cypress and three Sycamores. The small areas of self sown ash and sycamore are also to be cleared. The planting of twelve new trees would compensate for the loss of the existing trees and would be secured by way of a landscaping condition if minded to grant planning permission.

7. The Mayor's Community Infrastructure Levy

- 7.1 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 671.5m² which equates to a Mayoral CIL payment of £13,440.

8. Planning Obligations

- 8.1 A Section 106 Legal Agreement is required to secure a financial contribution of £36,000 to be used towards infrastructure costs in accordance with the Draft Planning Obligations Supplementary Planning Document.

9. Conclusion

- 9.1 The proposed residential use of the site is acceptable in principle and no objections are raised to the loss of the public house. It is considered that the 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 £36,000 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 Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application forms and plans received 24/5/2012.

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.