



Havering
LONDON BOROUGH

Planning Committee
11 February 2021

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| Application Reference: | P1913.17 |
| Location: | Land adjacent to Priory Road |
| Ward: | Gooshays |
| Description: | Construction of five residential units with off-street parking, garages and private amenity space. |
| Case Officer: | Cole Hodder |
| Reason for Report to Committee: | The application is by the Council. The Local Planning Authority is considering the application in its capacity as local planning authority and without regard to the identity of the Applicant. |

1. BACKGROUND

- 1.1 The application is by the Council and Council owned land, and as such is referred to the Planning Committee for decision in accordance with the Committee Consideration Criteria of the Constitution.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The application would provide five dwellings which would not be detrimental to the character and appearance of the street-scene and would provide a high quality living environment for future occupants, in addition to making adequate provision for off-street parking and private amenity provision.
- 2.2 The site is not within the Metropolitan Green Belt and as matter of judgement there is no in principle objection to the land being brought forward for redevelopment to provide new housing. The current development provides an opportunity to improve upon the ecological value of the land to the west adjacent to Carters Brook and to provide a more inclusive and defined access to the Manor to the rear for the benefit of residents. This is regarded as

complying with relevant planning policy which requires that the loss of open space is to be compensated by improvements to the quality of open space within the vicinity.

- 2.3 In addition to the above, the proposed development would contribute towards meeting unmet Housing Delivery within the Borough which is a material consideration. A significant shortfall in housing delivery compared to housing requirement was identified through the Council failing to meet the requirements of the Housing Delivery Test 2020. As a result of the outcome of the Housing Delivery Test 2020, Paragraph 11 of the National Planning Policy Framework is engaged. Paragraph 11 of the National Planning Policy Framework requires that permission be granted unless any adverse impacts of providing new dwellings to assist the Council in addressing the shortfall would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole.
- 2.4 The proposed development is considered acceptable on its own merits, however with consideration given to the requirements of Paragraph 11 of the National Planning Policy Framework, it is not considered that a decision to refuse permission could be substantiated as the level of harm viewed objectively would not outweigh the benefits of granting permission.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to conditions to secure the following matters:

Conditions

1. Time Limit 3 years - The development to which this permission relates must be commenced not later than three years from the date of this permission.
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
3. Ecological Survey – Notwithstanding the details submitted with the current application, prior to the commencement of the development hereby permitted an updated ecological survey shall be undertaken and a full and detailed, site specific Biodiversity Management Plan (BMP) shall be submitted to the Local Planning Authority providing details of how biodiversity net gain over and above the existing conditions of the site would be achieved. The plan shall include a method statement regarding careful timing of the clearance works, ecological supervision as required and shall extend to detailed methods of mitigating harm through the redevelopment of the site in response to any new findings present. The proposed development shall be implemented in accordance with the approved Biodiversity Management Plan.

4. Construction Methodology – Prior to commencement of the development hereby permitted, a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers shall be submitted to and approved in writing by the Local Planning Authority.
5. Surface water drainage strategy – Prior to commencement of development, a full and detailed surface water drainage strategy to supplement those details provided with the current application, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented strictly in accordance with the approved details.
6. Levels - Prior to the commencement of the development hereby permitted, details of the existing and proposed site levels shall be submitted to and approved in writing by the Local Planning Authority.
7. Materials – No above ground works shall take place until samples of all materials to be used in the construction of the dwellings shall be submitted to and approved in writing by the Local Planning Authority to ensure the proposed development will harmonise with the character of the surrounding area.
8. Landscaping – No above ground works shall take place until detail of hard/soft landscaping including scheme of planting and methods of tree protection have been submitted to and approved in writing by the Local Planning Authority. This shall extend to the details of additional planting to serve new dwelling, western part of the site adjacent to Carters Brook and full methodology of the works to facilitate the swept path and those works shall be implemented per the approved details and completed prior to first occupation of the new dwellings.
9. Boundary Treatment - Prior to first occupation details of all boundary treatment shall be provided and the installed in accordance with those approved details and maintained for the perpetuity of the development
10. Cycle Storage – Prior to first occupation details of cycle storage provision shall be submitted to and approved in writing by the Local Planning Authority and those details shall be implemented and maintained
11. Refuse and recycling - Prior to the first occupation of the development hereby permitted, refuse and recycling facilities shall be provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.
12. Vehicle Access – No part of the development shall be occupied until access to the highway has been completed in accordance with the details that have been previously submitted to and approved in writing by the Local Planning Authority.

13. Wheel wash facilities - Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.
14. Hours of construction - 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays unless otherwise agreed in writing.
15. Pedestrian Visibility Splay - 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.
16. Permitted development rights removed – No extensions (including porches), roof extensions or outbuildings without prior consent
17. Garage restriction – The garages permitted shall be used for the storage of motor vehicles only and not for any other use.
18. All dwellings approved to comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.
19. All dwellings hereby approved to be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Informatives:

1. Precautionary advice for wildlife
2. Street name and numbering
3. Proposed changes to the public highway
4. Temporary use of the highway/storage of materials
5. Surface water management
6. Flood risk activity permit (requested by Environment Agency)

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 Permission is sought for the formation of five detached dwellings with associated amenity areas and detached garages. As part of the current submission it is proposed to undertake works to the area of land to the immediate west of the site to facilitate improved access to the Manor to the north.

Site and Surroundings

- 4.2 The application site is an area of open land on the northern side of Priory Road between the junctions of Priory Grove and Tees Drive and is bordered by open space to the north and south. A detached residential care home and semi-detached properties are situated to the east along Priory Road. Natural landscape with Carter's Brook act as a buffer to the west of premises fronting Tees Drive.
- 4.3 Ground level falls from west to east and the site accommodates a number of mature trees, principally to the rear where the site is enclosed by mid-height railings. There is pedestrian access present permitting access to the Manor beyond; however, this is not readily visible from the roadside and at the time of site inspection was obscured by mature vegetation and the change in ground level.
- 4.4 The surrounding area is characterised by two storey dwellings, a mixture of detached and semi-detached buildings. There is a general consistency in terms of massing with unifying features such as dark tones in the materials used and pitched roofs with gabled ends. The care home immediately to the east of the site represents somewhat of a departure from the established urban grain and bookends the semi-detached dwellings fronting Priory Road. It sits on a more prominent front building line and projects into the site at a depth greater than that of the adjacent residential dwellings occupying a considerable amount of the site.

Planning History

- 4.5 The following planning decisions are relevant to the application: No relevant history.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in section 6 of this report, under the heading "MATERIAL PLANNING CONSIDERATIONS".
- 5.2 The following consultees were invited to comment on the application:

LB Havering Street Management (Highways)
LB Havering Waste and Recycling
Environment Agency
Fire Brigade (New hydrants)
Fire Brigade (Access)

5.3 No objections were made from any of the above parties invited to comment, subject to suggested conditions and informatives as outlined in the preceding section of this report.

6. LOCAL REPRESENTATION

6.1 A total of sixty-two neighbouring properties were notified about the application and invited to comment, in addition to this a site notice was displayed adjacent to the site and the application was advertised in the local press.

6.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

6.3 No of individual responses: 186, of which: 185 objected, 1 supported

The following Councillors made representations:

The late Councillor Rumble

- It would be detrimental to the open nature of this area.
- It would have a great environmental impact.
- This area lies within a floodplain.
- The land is incorporated into the adjacent Dagnam Park and as such is an area where, historically, the parks resident deer roam.
- The proposed houses are of a totally different design and material and would not blend in with the existing homes.
- Cause added problems with parking in an area that already has a shortage of safe parking places , especially for visitors to the nearby dementia care home

Councillor Sargent

- A development on this valuable amenity space will have an extremely detrimental effect to the character and quality of the immediate area and the way it functions.
- This open space which allows access to Dagnam Park has been enjoyed by local residents and wildlife since the original estate was built.
- This proposed development would strip away further rights for members of the public to use this area.
- As mentioned in point 1 Dagnam Park Nature Reserve is directly behind this proposed development.
- Disturbance associated with this development is likely to have a major impact on established woods and wildlife where conditions are already ecologically stressed in terms of habitat or food availability.
- We also have a badgers set in this vicinity.
- Building works, noise, air pollution will most definitely push established wildlife away from this safe haven possibly out on to already very busy surrounding roads.

- This natural environment is a valued local asset offering a wide range of opportunities for enjoyment, recreational and sustainable activity.
- Planning and councils should protect, enhance and promote Havering's valued green infrastructure including open space and green networks.
- A housing development would not be a positive change for this area.
- The natural surrounding environment with irreplaceable native trees, hedgerows form part of the natural path for wildlife to follow, to and from the reserve.
- The development will also disturb the natural character of the area.
- Parcels of green land have slowly disappeared because of overdevelopment.
- The proposed site area is also known locally to be a flood plain.
- The loss of green space and tree's will progress the already quite often bogged site as the water will follow its natural course which in this case is heading down to the brook.
- Infrastructure
- Overdevelopment has a detrimental effect on already overstretched healthcare facilities with local hospitals current waiting times.
- This extends to our schools and an already heaving transport network with roads fit to burst with traffic at peak times.
- A significant rise in noise and air pollution.

Representations

Objections

6.4 It must be noted that officers can only take into account comments that concern relevant material planning considerations and not those based on personal dislikes, grievances, land disputes, values of properties, covenants and non-planning issues associated with nuisance claims and legal disputes, etc. The following issues were raised in the representations received:

- Loss of open space
- Loss of mature trees
- Harm to wildlife/loss of grazing space for Deer
- Increased traffic/loss of on-street parking
- Insufficient infrastructure
- Loss of Green-Belt land
- Noise and disruption during works
- Loss of views
- Harm to outlook
- Poor drainage, surface water run off would be worsened through development

6.5 The loss of open space is a material planning consideration and will be explored within the 'Material Planning Considerations' section, as will the ecological considerations of the proposed development including surface water drainage, matters of highways/parking and the impacts of the development on neighbouring amenity.

- 6.6 However, in response to comments made and to offer clarification on some of the above points, the proposed development does not reference the removal of any trees from the site, nor is the site situated within the Metropolitan Green Belt. A condition is suggested requiring details of landscaping/planting as well as methods for protection of mature trees.
- 6.7 With regards to matters of infrastructure, in particular from representations expressing concern over increased pressure on existing facilities through the current development and the cumulative impact of other development within the borough (for example increased demand for GP Surgeries and school places). The proposed development would be liable for contributions under the Mayoral Community Infrastructure Levy in addition to the Havering Community Infrastructure Levy. There would be an opportunity through CIL contributions to improve infrastructure within the borough.
- 6.8 Other matters include the suggestion of a covenant or agreement in place that the land was not meant to be developed and reference has been made to the historic redevelopment of the surrounding area. No evidence has been put forward to support this. However, planning permission, if granted, would not supersede any covenant or interest in land were this to exist. For the purposes of assessing the current application this is not a material planning consideration.
- 6.9 One letter of support was received, in addition comments were made welcoming the inclusion of dedicated/improved access to the Manor shown on submitted plans. The matters of surface water flooding and the appearance of the access/land were also indicated to be less than adequate during wetter periods.

7 MATERIAL PLANNING CONSIDERATIONS

- 7.1 The main planning issues raised by the application that the committee must consider are:
- Principle of development
 - Local character/Design
 - Ecological impacts/trees
 - Flood risk
 - Quality of living environment for future occupiers
 - Impact on neighbouring amenity and;
 - Implications for highways, pedestrian access and parking

8 Principle of development

- 8.1 The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District and Local Centres; however, it is designated as Public Open Space in the Local Development Framework (LDF).

- 8.2 Paragraph 97 of the National Planning Policy Framework (NPPF) states that existing open space and sports land should not be built on unless:
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 8.3 Policy 7.18 of the London Plan states that the loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area.
- 8.4 The Open Space Standards Paper (2016) (OSS) was commissioned by London Borough of Havering to identify deficiencies and surpluses in existing open space provision to inform the future provision for open spaces within the Borough. In addition, it was to serve as a mechanism to enable an approach to securing open space facilities through new housing development and help form the basis for negotiation with developers for contributions towards the provision of appropriate open space facilities and their long term maintenance.
- 8.5 A total of 171 sites receive a rating for quality and value out of the 176 sites included in the audit. Sites not receiving a quality and value score were either not viewable at the time of the visit or only added to the study at a late stage. Most assessed open spaces in LBH (73%) rated above the quality thresholds set. Proportionally a higher percentage of parks and gardens (77%) rated above the threshold for quality. This is a reflection of their excellent appearance and high standard.
- 8.6 The Open Space Assessment Report (2016) provides detail with regard to what provision exists in the Borough, its condition, distribution and overall quality. It considers the demand for provision up to 2032 based upon population distribution, planned growth and consultation findings.
- 8.7 The application site is designated by both the Open Space Standards Paper (OSS) and Open Space Assessment Report (OSA) as being located within the "North Analysis Area". The OSA outlines that the North Analysis Area sufficiently meets the needs of residents for amenity green-space recommended based on the wider Havering standard (0.52 hectares per 1000 population). The document supports improving the quality of existing provision and those areas designated as scoring low for quality and low for value are considered the priority.
- 8.8 Whilst the findings of the OSA could be reasoned to support the view that the requirements Para 97(a) of the Framework have been met, the proposed development would offer tangible benefits to alternative provision which must also be considered. The application site is categorised as low quality, high value

by the Open Space Standards Paper. Therefore, opportunities which might improve the contribution of the site are regarded as being policy compliant and within the meaning of Para 97(b) of the NPPF. The study outlines that the preferred approach for sites of equivalent value (those of Low Quality/High Value) is to enhance their quality. It is however not exhaustive on how this can be achieved. The document indicates that the suggested action for the site in question is to revisit the general appearance and maintenance of the area.

- 8.9 LDF Policy DC18 is a key consideration and requires that the Council seek the retention and enhancement of all public open space and recreation, sports and leisure facilities that are in private and public ownership. Any loss of open space to a non recreation/leisure use must be accompanied by an improvement to the quality of open space in the vicinity or to remedying qualitative and quantitative deficiencies in open space elsewhere in the Borough. There is not regarded as being a deficiency of open-space within the immediate context. However, Policy 7.18 of the London Plan, which is also relevant, states that the loss of local protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area.
- 8.10 The present purpose of the land is as recreational open space. It is well maintained and tended by the Council. Representations made by residents support the view that the land is frequently used by residents, in addition to the local deer population are who indicated to use the land for grazing. It serves as a means of access to the Manor Field beyond; however, the means of access is not readily visible from the roadside due to its location. The site is bounded by formalised boundary treatment to the rear and in the north western corner of the site, bordering the Manor beyond is a set of kissing-gates. Representations made by residents express concern over the loss of access to the Manor for residents and wildlife; however, central to the current proposals is a means of providing access to the Manor beyond in line with the Council's long-term vision of providing a Green Network. This, in addition to the benefits associated should be tempered against the loss of the open-space in its present form
- 8.11 Informal recreation has considerable health benefits for physical and emotional wellbeing. The majority of the population are more likely to participate in passive, rather than active recreation, and provision should be made for them to do this, by encouraging them and making it as easy and inviting as possible. The current development in seeking to alter the pedestrian experience would improve accessibility to the open space beyond through works shown to the western part of the site. The current arrangement presents a barrier for access to be taken for those with mobility issues which may preclude against or discourage some residents from accessing the Manor grounds to the rear of the application site. The current proposals make provision for a more inclusive means of access whilst also making new provision for Council operatives in connection with maintenance of the land beyond.
- 8.12 As to whether the proposed development would comply with London Plan Policy 7.18, it could be reasoned that through the absence of any deficit identified in the Open Space Assessment Report that the loss of part of the site to private dwellings would be met by alternative provision within the locality.

However; the additional works proposed to improve access for residents are a key consideration in so far as that those works would improve the quality of existing provision by making the land beyond the site more accessible. It is accepted that these benefits are to some extent a matter of judgement as the policy and associated commentary gives no further guidance on how equivalency or quality should be assessed.

- 8.13 A further consideration for members and a consideration that may further temper any perceived harm in the loss of the open space for redevelopment are the results of the 2020 Housing Delivery Test (HDT 2020). The HDT 2020 results found that delivery of housing in the borough was well below the requirement over the designated period. Consequently the presumption in favour of sustainable development outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) is engaged.
- 8.14 The NPPF offers support for new housing in sustainable locations that represents an efficient use of land. Paragraphs 124-131 of the NPPF are also relevant, which among other things seek to achieve well-designed places that are sympathetic to local character and provide adequate amenity for neighbours and future occupants. Consequently, any proposed development would need to meet these objectives of the NPPF and other relevant planning policies in order to benefit from the presumption in favour of sustainable development.
- 8.15 In considering the proposed development and in view of the wider access to public open space members will need weigh up the loss of what is a relatively small area in the context of the North Analysis Area, alongside the public benefit offered through improving accessibility to the site and the Manor beyond, whilst also giving consideration to the development providing much needed housing stock in line with Borough targets. It is acknowledged that different weight may be attributed to these matters by residents and members; however, when viewed objectively it is not envisaged that the redevelopment of the site would be unacceptable in principle. The wider character impacts require further assessment.

9. Local character/Design

- 9.1 The character implications of the development stem principally from the formation of dwellings in this location and the perception that this may adversely harm the rural and spacious character of the area. Open spaces contribute positively to local character and in this location are juxtaposed by the presence of dwellings. However, the application lends itself to redevelopment owing to the existing rhythm and pattern of development on the northern side of this part of Priory Road.
- 9.2 The development proposes the construction of family housing on the site. The proposed buildings are laid out in linear form, with influence taken from the surrounding environment. Whilst the immediate context is not formed of detached dwellings, they would not unduly harm local character in the opinion of officers, in view of the broader patterns of development and general rhythm that is present.

- 9.3 The surrounding environment is populated predominantly by two storey semi-detached dwellings with steeply pitched roofs and gabled ends. The area to the east of the application site is bookended by the Priory Care Home which is a large detached building with gabled ends and prominent two storey front projection with hipped roof.
- 9.4 The proposed dwellings would follow the building orientation of the buildings to the east, which are angled within their respective plots to front Priory Road. Whilst the proposed dwellings would be forward of the front building line of adjacent premises they would be at a point that could be regarded as transitional and somewhere between the properties to the east and those to the west which are separated by the more rural area alongside Carters Brook which does not form part of the application site. The overall ridge height and massing would appear compatible with the dwellings designed to follow the gradient of the existing land which falls away from east to west as evidenced by the street-scene elevation provided.
- 9.5 The building design incorporates a regular appearance for a two-storey detached dwelling with a pitched roof, replicating the gabled ends and front projection present elsewhere within the street-scene. The design would incorporate a facing brick façade and a staggered front building line, with a front door and major openings presenting to the street. Although the building design does not explicitly mimic the architectural style of other premises within the immediate context, it is possible to conclude that the approach has been informed by surrounding built form to the extent that the dwellings would not appear incongruous visually.
- 9.6 The form and layout of development indicated would be compatible with the character of surrounding development. All dwellings are indicated to be set back from the site frontages in a manner that is consistent with local character and setting. The provision of detached garages set forward of the principal elevation, whilst not a feature present within the locality, is not considered to be an element where harm could be derived given the spacious character of the respective plots and separation from the back edge of the pedestrian footpath.
- 9.7 The proposed development would be acceptable on design grounds and when assessed against the Havering Core Strategy (HCS) Policy DC61, which requires new developments to be satisfactorily located and of a high standard of design and layout, which are compatible with the character of the surrounding area.

10. Ecological impacts/trees

- 10.1 A full Arboricultural Report was undertaken with regards to the presence of trees on the site. Whilst there are no tree preservation orders imposed upon the site; there is no intention to remove any trees as part of the proposed development in the case of either the proposed dwellings or the supporting works to facilitate access to the Manor.

- 10.2 In the case of the proposed dwellings and associated development this would be well removed from any trees which were observed to be located at the extremities of the site bordering the Manor to the rear. The report outlines that to implement the permission sought there would be sufficient distance from the constraints offered by the existing trees to prevent any direct impact. Methods are suggested to ensure that the existing specimens are protected during the course of the development in the event of approval. The measures whilst acceptable in principle are not exhaustive however, and therefore a condition is suggested requiring further details and methodology for their protection during the course of development.
- 10.3 In addition a full ecological survey was commissioned with a walk-over study undertaken which encompassed the site in its entirety including the land adjacent to the site to the west forming a copse and small stream (Carters Brook). The findings of the consultant were that the development was expected to have no, or only minor adverse impacts on ecology and biodiversity and some gains subject to the recommendations set out in the assessment being met, enforced and monitored.
- 10.4 The area of land to which the dwellings would be sited is well-maintained and tended land which at the time of site inspection was open with trees and shrubs located at the extremities of the site, to the borders and the rear. It is accepted that the red-line plan encompasses the more densely populated area to the west of the site adjacent to Carters Brook which is of wholly different character to the site by in large; however, the extent of works to this area of the site are limited, with the swept path to serve the Manor beyond tracing the outline of the existing landscaping. Given the limited available habitat present where the dwellings would be located it is unlikely that there would be any harm arising in ecological terms, which is a view corroborated by the findings of the consultant.
- 10.5 As such the location of the proposed dwellings would be sufficiently well removed from the land adjacent to Carters Brooks. Whilst land surrounding Carters Brook forms part of the application site, through the formation of the access to the Manor Fields, as indicated, the swept path to serve residents would be alongside the rear garden of the western most dwelling and the land adjacent to Carters Brook. The path would run alongside and under the existing tree canopy as shown on drawing no. 3410_PL03B. The view is that there would be sufficient separation from the area immediately adjacent to Carters Brook so as to mitigate any adverse harm to any ecological presence which may otherwise have been harmed by a more intrusive approach to this area of the site.
- 10.6 Whilst the assessment undertaken as part of this submission finds the area of the site to which the permission relates to be of relatively low immediate ecological value and capable of being protected through measures to be secured by planning condition this does not discharge the applicant from responsibilities under the Wildlife and Countryside Act 1981, the contravention of which would be a criminal offence. An informative would be placed on any approval setting out the responsibilities of the applicant.

- 10.7 In most circumstances it is accepted within the planning system that it is possible to avoid causing harm to protected species and wildlife through the timing of works, or if necessary through other methods of mitigation. Whilst the redevelopment of the site for new dwellings would be removed from the land immediately adjacent to Carters Brook, it is accepted that the development including formation of the swept path would hold the potential to disrupt nearby wildlife, potentially not present during the walk over survey. A condition requiring an updated survey prior to commencement of any works is regarded as being reasonable.
- 10.8 The updated survey will be required to expand further upon those methods set out in the survey submitted with the application in response to any new findings, including further details of avoidance of harm through best practice, monitoring, management, remediation measures and details of action to be taken in the event that previously unidentified protected species are encountered during works. It is envisaged that such a condition as is proposed would be capable of securing biodiversity net gain over and above the existing condition of the site through careful timing of the clearance works and ecological supervision as required in accordance with LDF Policy DC59 and the Habitats Regulations and the Wildlife and Countryside Act 1981 (as amended).

11. Flood risk

- 11.1 Part of the site is within a Flood Zone and as such the applicant has provided a Flood Risk Assessment and Surface Water Drainage strategy. The edges of the site are known to be in Flood Zone 3 (focused mainly around the copse and Carters Brook); however, the location of the actual dwellings proposed would be set away from this area of the site and within Flood Zone 1, due to the gradient of Priory Road and level change. The principal flood risk for the new dwellings would be the watercourse running parallel to the site (Carters Brook); however, owing to the location of the proposed dwellings and their relative separation in addition to the change in ground level, it is envisaged that any flood water would run parallel to the western boundary of the site.
- 11.2 With regards to surface water discharge at the site, in suburban areas where non-permeable surfacing exists this is an ever-present risk. Accordingly measures must be taken with new development to ensure that any adverse impacts are mitigated through appropriate responses to site constraints. Through the formation of dwellings in this location there would be an increase in the impermeable area of the site and thus the volume of water discharging from the site would be increased.
- 11.3 Owing to the ground type present infiltration is not an option in this location for surface water run-off and the applicant instead proposes to discharge surface water to the watercourse to the west of the site. This methodology proposes, in so far as is possible given the increase in impermeable area, to mimic the existing situation through onsite attenuation. This would be provided through shallow swales located in the Flood Zone 1 area of the site. From review of the measures provided it is envisaged that an appropriate response to the constraints of the site is capable of being achieved and further details of a

SUDS scheme, having regard to further detailed design, would be secured by planning condition.

- 11.4 The swept path through to the Manor would be comprised of permeable materials and is not considered to pose any adverse impacts upon the resultant arrangement. In all, it is considered that through a detailed surface water drainage strategy that any potentially adverse impacts are capable of being mitigated.
- 11.5 The Environment Agency were invited to comment on the current proposals over the impact of the development in terms of Flood Risk for the proposed dwellings, associated landscaping and access adjacent and did not raise an objection. It is on that basis that it is not considered that there are any grounds with which to withhold permission on those matters.

12. Amenity of Future Occupiers

- 12.1 Having applied the standards required by the London Plan Policy 3.5 (which is derived from the DCLG Technical Housing Standards) the gross internal floor area and bedroom size and mix would exceed the given minimum standards. Outlook and aspect would be consistent with a high quality living environment.
- 12.2 New dwellings must also demonstrate an acceptable arrangement of private amenity space. Given the size of the plots respectively, level of separation from one another and positioning of the dwellings each would benefit from a generously sized rear garden area.
- 12.3 The presence of the adjacent care home is noted as it is evident that there are primary windows in the side facing elevation. Notwithstanding that the adjacent building is reliant on borrowed outlook, the position of windows in this elevation would hold the potential to overlook the rear gardens of the development site or to a lesser extent contribute to the perception of being overlooked through the arrangement of windows present. A scheme of landscaping/boundary treatment may offer some benefits; however, it would not entirely be capable of fully addressing this matter.
- 12.4 The arrangement is not considered to result in material harm or to compromise the other qualities of the scheme under consideration. The most private area of a rear garden has been held to be that immediately adjacent to the rear elevation. The windows in the adjacent Care Home are angled across the plots and views would be at an oblique angle, certainly not over the most private part of the rear gardens or to the extent that there would be inter-looking from primary windows. Whilst there would be views over some of the plots, in particular the eastern most dwelling this is regarded as a matter of judgement for future occupiers rather than a failing of the scheme for which permission could be withheld.

13. Impact on amenity of surrounding residential properties

- 13.1 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through

overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.

- 13.2 Whilst representations have been made by residents which express concern over loss of view, the loss of a view or perception of this is not a material planning consideration. Loss of view relates more broadly to views held over greater distances, whereas the loss of outlook which would be a material planning consideration, relates to the physical presence of a building or structure and the harm arising from that close proximity. This would translate to harm in planning terms through a potential to be overbearing or intrusive development. With the level of separation involved from those premises fronting Tees Drive and the relatively self-contained characteristics of the plot, the amenity impacts of the development are limited to the adjacent Care Home, primarily the eastern most proposed dwelling.
- 13.3 To that end, there are a number of windows located in the side elevation of that Care Home and records held by the Council confirm that they serve a mixture of bedrooms and other habitable spaces. There is then a potential for redevelopment of the adjacent land to prejudice outlook and light to those windows to the detriment of the amenity of occupants. However, the flank wall of the adjacent Residential Home is angled across the application plot and the eastern most dwelling would after consideration be well separated. It is not considered that there would be any potential for inter-looking, nor harm to outlook from those windows due to the position of the eastern most dwelling on the site and the angled position of the proposed dwelling and Care Home respectively.
- 13.4 Whilst there is potential for there to be some loss of light, or level of overshadowing in the afternoon/evening it is not considered that any loss of light, or level of overshadowing would be substantial enough so as to substantiate a decision to refuse permission.
- 13.5 As indicated previously, flank windows would have unimpeded views over the rear gardens of the proposed dwellings. This is regarded as a matter for prospective occupants to consider rather than a failing of the scheme.

14. Implications for highways, pedestrian access and parking

- 14.1 Policy DC33 seeks to ensure that all new developments make adequate provision for car parking. The PTAL rating for the site is 1B which translates as poor access to public transport. This would translate to a high parking provision for new dwellings equivalent to two spaces per dwelling.
- 14.2 Public Transport Accessibility Levels (PTALs) are used by TfL to produce a consistent London wide public transport access mapping facility to help boroughs with locational planning and assessment of appropriate parking provision by measuring broad public transport accessibility levels. There is evidence that car use reduces as access to public transport (as measured by PTALs) increases. Given the need to avoid over-provision, car parking should

reduce as public transport accessibility increases. London Plan Policy 6.13 requires outer London boroughs to take account of residents' dependency on cars in areas with low public transport accessibility (generally PTALS 0-1). Where appropriate the London Plan suggests that Boroughs consider revised standards (which could include minima) and encourages higher levels of provision than what is generally permissible, to avoid generating unacceptable pressure for on-street parking.

14.3 Whilst comments made by residents are noted, no objection has been made by the Highway Authority. On that basis, the loss of on-street parking is regarded as acceptable and that there are no matters with which to withhold permission on matters of Highways/Parking.

14.4 A condition is to be imposed restricting the use of the garage of each dwelling in the event of approval to ensure that it remains solely for the storage of vehicles.

15. Conclusion

15.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.