



REGULATORY SERVICES COMMITTEE

23 February 2017

REPORT

Subject Heading:

P2032.16: Land r/o 37-59 White Hart Lane, Romford

Demolition of existing garage buildings at the site to the rear of nos. 37-59 White Hart Lane and erection of seven residential units, with landscaping, car parking and all associated works.
(Application received: 19-12-2016
Revised Plans Received: 08-02-17

Ward

Mawneys

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Local Development Framework

Policy Context:

The London Plan
National Planning Policy Framework
National Planning Policy Practice
Guidance
Local Development Framework

Financial summary:

None

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

Havering will be clean and its environment will be cared for	[x]
People will be safe, in their homes and in the community	[x]
Residents will be proud to live in Havering	[x]

SUMMARY

This report considers an application for the redevelopment of land to the rear of the White Hart Lane minor local centre. The site is currently occupied by garages which are mainly unused and an area of open space. The proposal is to demolish the garages and erect two terraces consisting of seven dwellings for affordable rent. The site lies within a predominantly residential area where the redevelopment of the land for housing would be acceptable in principle. The proposal raises issues of impact on adjoining residential occupiers and the provision of an adequate standard of accommodation for future occupiers. It will also be necessary to ensure that parking on the access road is controlled. There are matters of judgement in relation to the issues arising, but Staff consider that on balance, and subject to the prior completion of a S106 planning obligations unilateral undertaking the development would be acceptable.

RECOMMENDATIONS

1. That the Committee notes that, subject to the exemption that applies in respect of affordable housing, the development proposed would be liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee would be £12,712 (subject to indexation). This is based on the creation of 635.6 square metres of new gross internal floorspace.
2. That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into planning obligations under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:
 - A financial contribution of £42,000 to be used for educational purposes in accordance with the policies DC29 and DC72 of the LDF Core Strategy and Development Control Policies Development Plan Document and 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 Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Assistant Director of Regulatory Services be authorised to enter into a planning obligation to secure the above and upon completion of that obligation, grant planning permission subject to the conditions set out below.

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

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

2. *Accordance with plans* - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans listed below:

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. *Car parking* - No dwelling unit shall be occupied until the car/vehicle parking area shown on approved drawing 1427_PL_120 Rev B has been completed, and thereafter, the area shall be kept free of obstruction and permanently made available for the parking of vehicles associated with the development 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. *Materials* - The development hereby permitted shall not be commenced until samples of all materials to be used in the external construction of the buildings has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to

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

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

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

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 submitted to and agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7. *Cycle storage* - Prior to first occupation 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: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the

development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. *Boundary treatment* - The development hereby permitted shall not be commenced until details of proposed boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be installed prior to occupation of the development and retained thereafter in accordance with the approved plans.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

9. *Secured by design* - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers (DOCOs), the development shall be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to judge whether the proposals meet Secured by Design standards. Submission of a full and detailed application prior to commencement is in the interest of creating safer, sustainable communities and to reflect guidance in Policies CP17 and DC63 of the Core Strategy and Development Control Policies Development Plan Document and the NPPF.

10. *Car parking management scheme* - No part of the development hereby permitted shall be occupied until details to show how car parking is to be managed on the service road from White Hart Lane that provides access to the development has been submitted to the Local Planning Authority for approval in writing. The submission shall include details of measures to be used to manage and maintain the service road free from obstruction by parked vehicles. The car parking management strategy shall be provided in accordance with the approved details prior to the first occupation of any dwelling. Such facilities shall be permanently retained thereafter for the lifetime of the development.

Reason: Insufficient information has been submitted with the application to demonstrate how the service road that serves the development would be managed and parking controlled so as to avoid access for residents, service and emergency vehicles being restricted and the access to the electricity sub-station and flood water storage area being obstructed. The approval and provision of the management scheme is considered necessary prior to first occupation in the interest of highway safety and in order that the development

accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

11. *Hours of construction* - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works, including any works of demolition; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 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.

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

12. *Vehicle Cleansing* - 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 within the site 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. The submission will provide;

- a) A plan showing where vehicles will be parked within the site to be inspected for mud and debris and cleaned if required. The plan should show where construction traffic will access and exit the site from the public highway.
- b) A description of how the parking area will be surfaced, drained and cleaned to prevent mud, debris and muddy water being tracked onto the public highway;
- c) A description of how vehicles will be checked before leaving the site – this applies to the vehicle wheels, the underside of vehicles, mud flaps and wheel arches.
- d) A description of how vehicles will be cleaned.
- e) A description of how dirty/ muddy water be dealt with after being washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a breakdown of the wheel washing arrangements.

Reason: Insufficient information has been supplied with the application in relation to vehicle washing facilities. Submission of details prior to commencement will ensure that the facilities provided prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area. It will also ensure that the development accords with the Development Control Policies Development Plan Document Policies DC32 and DC61.

13. *Construction methodology* - The development hereby permitted shall not be commenced until a scheme has been 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 that phase 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 authority;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.
- j) Details of the method of demolition of existing buildings and structures and the removal/recycling of materials.

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

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

14. *Vehicle access* - No development shall commence on site unless and until the Local Planning Authority has approved a scheme of works for the proposed alterations to the public highway; and the development shall not be occupied until the approved scheme of works has been implemented by or on behalf of the applicant in full in accordance with the Local Planning Authority's written approval and has been certified as complete on behalf of the Local Planning Authority.

Reason: Insufficient information has been submitted with regard to the proposed alterations to the public highway. Submission of this detail prior to commencement will be in the wider interests of the travelling public and are maintained and comply with policies CP10, CP17 and DC61 of the Core Strategy and Development Control Policies Development Plan Document.

15. *Electric charging points* - None of the residential units hereby permitted shall be occupied until provision has been made for 20% of the parking spaces for those blocks to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

Reason: Insufficient information has been supplied with the application to demonstrate what level of provision is to be made for electric vehicle charging points. Provision prior to occupation will ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with policy 6.13 of the London Plan.

16. *Land contamination* - No works shall take place in relation to any of the development hereby approved (except works required to secure compliance with this condition) until the following Contaminated Land reports (as applicable) are submitted to and approved in writing by 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 site 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 two parts:

Part A - Remediation Scheme 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

17. *Renewable energy* - The renewable energy system for the development shall be installed in accordance with details previously submitted to and agreed in writing by the Local Planning Authority and shall be made operational prior to the residential occupation of the development. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

18. *Accessible dwellings* - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy DC7 of the Local Development Framework and Policy 3.8 of the London Plan.

At least two of the dwellings hereby approved shall be constructed to comply

19. *Noise insulation* - The noise level in rooms of the development hereby permitted shall meet the noise standard specified in BS8233:2014 for internal rooms. Details shall be submitted to the Local Planning Authority prior to first occupation of the development to demonstrate that this has been achieved.

Reason: In order to comply with Policies CP15, DC55 and DC 61 of the Local Development Framework Development Control policies Development Plan Document.

20. *Water efficiency* - All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency

Reason: In order to comply with Policy 5.15 of the London Plan

21. *Sustainable drainage* - The development hereby permitted shall not commence until full details of a Sustainable Drainage Systems (SuDS) to be incorporated into the scheme has been submitted to, and approved in writing by, the Local Planning Authority. The SuDS shall then be carried out in accordance with the approved details and retained permanently thereafter for the lifetime of the development.

Reason:-

Insufficient information has been submitted with the application to demonstrate how surface water drainage from surfaced areas would be achieved. Submission of details prior to commencement is considered necessary to ensure that drainage and discharge from the site is managed and maintained, and that the development accords with the Development Control Policies Development Plan Document Policies DC48 and DC51 and the SuDs Developer Guide.

22. *Permitted development* - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Article 3, Schedule 2, Part 1, (or any order revoking and re-enacting that Order with or without modification), no development shall take place under Classes A, B, C, D or E, excepting sheds up to 10 m³ in size, 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.

Informatives

1. *DMO Statement* - Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

2. *Mayoral CIL* - The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL) (subject to any exemption claimed). Based upon the information supplied with the application, the CIL payable would be £ 12,712 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

3. *Planning obligation* - The planning obligation required has 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.

4. *Temporary use of the highway* - If any 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. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.

5. *Access* - 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. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

6. *Highway works* - The grant of planning permission does not discharge the requirements of the New Roads and Street Works Act 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.

7. *Secured by Design* - In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.

8. *Construction* - The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.

9. *Sustainable development* - The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.

10. *Street naming* - Before occupation of the residential/commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone

through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The site comprises two garage blocks (six in each) with an area of grassland between. It amounts to 0.15 hectares. The garages are in a poor state of repair and largely unoccupied. The open space is currently fenced and gated, but includes benches and the grass is managed. The site lies to the rear (west) of the White Hart Lane minor district centre. To the north of the site is the Crownfield Junior School and to the west is open countryside. This includes the former flood storage area adjacent to the River Rom.
- 1.2 The site is accessed from White Hart Lane via the service road that loops round to the rear of the district centre. The centre comprises ground floor retail and other 'A' Class units with two floors of flats above. The application site and the district centre are Council owned.

2. Description of proposal

- 2.1 Demolition of existing garages to provide seven new dwellings in two terraces. These would be for affordable rent and comprise 5 x two bed and 2 x three-bed dwellings. The terraces would be arranged perpendicular to the service road with parking to the front. Each unit would have two parking spaces. The units would be of traditional design, constructed mainly in brick under a pitched tiled roof. Refuse storage would be provided to the front of the units with secure cycle storage within the garden areas.

3. Relevant History

- 3.1 None

4. Consultations/Representations

- 4.1 Two letters of representation received raising the following:
 - Loss of outdoor space for flats above the shops;
 - Not an efficient use of the land in meeting housing need - would be better to construct flats.
- 4.2 Public Protection - contaminated land condition recommended

- 4.3 Historic England - unlikely to have significant effect on heritage assets of archaeological interest
- 4.4 Thames Water - no objections
- 4.5 Essex and Suffolk Water - no objections
- 4.6 Streetcare (Drainage) - further calculations required. Parking on northern boundary block access to flood storage area
- 4.7 Streetcare (Refuse) - parking restrictions required to ensure refuse vehicle access
- 4.8 London Fire Brigade - no additional hydrants required
- 4.9 Streetcare (Highways) - no objections subject to conditions

5. **Relevant Policies**

5.1 Local Development Framework (LDF)

- Core Strategy and Development Control Policies Development Plan Document (DPD) Policies:- CP1 (Housing Supply); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP15 (Environmental management); CP17 (Design); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC6 (affordable housing); DC29 (Education Premises); DC32 (The road network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC40 (Waste Recycling); DC49 (Sustainable Design and Construction); DC53 (Contaminated Land); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC72 (Planning obligations)
- Evidence base to the Planning Obligations SPD
- Residential Design SPD
- Designing Safer Places SPD
- Sustainable Design and Construction SPD

5.2 London Plan

Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential); 3.5 (quality and design of housing developments), 3.6 (Children and young people's play and informal recreation); 3.8 (Housing Choice); 3.9 (Mixed and balanced communities); 3.11 (Affordable housing targets); 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes); 3.13 (Affordable housing thresholds); 5.2 (Minimising Carbon dioxide emissions); 5.3 (Sustainable design and construction); 6.13 (Parking); 5.12 (Flood risk management); 5.13 (Sustainable drainage); 5.21 (Contaminated

land); 6.3 (Assessing effects of development on transport capacity); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking) 7.3 (Designing out crime); 7.8 (Heritage Assets and archaeology); 8.2 (planning obligations)

- Housing Standards Minor alterations to the London Plan
- Housing SPG
- Parking Standards Minor Alterations to the London Plan

5.3 National Policy Documents

- Technical housing standards - nationally described space standard
- National Planning Policy Framework
- National Planning Practice Guidance

6. **Staff Comments**

Principle of the development

- 6.1 This is a full application for the development of land within the urban area. It is undesignated in the LDF and in accordance with Policy CP1 the land is prioritised for new housing. The garages on part of the site are mainly unused and in a poor state of repair. The open space between the two garage blocks, whilst managed is stated to be unrelated to nearby development or used by local residents. The land lies behind the White Hart Lane Minor Local Centre, but separate from it.
- 6.2 The redevelopment of the site to meet housing need is considered acceptable in principle.

Scale, Density and Site Layout

- 6.3 The site has a PTAL of 1a which is very low and indicates that the site has poor public transport accessibility. The site is classified as 'rest of borough' under Policy DC2 with a density range of 30-50 units per hectare for the housing type proposed. The application site is 0.15 hectares giving a density of 47 units per hectare which lies within the indicated range. However, density is only one measure of acceptability and there are other relevant considerations. These include the need to make efficient use of the site taking account of site constraints and the site layout and its impact on the character and appearance of the area. It is also necessary to provide an acceptable level of accommodation for future occupiers, including car parking.
- 6.4 In this regard all of the proposed dwellings would meet the minimum size standards in accordance with London Plan policy 3.5 and the Technical Housing Standards. There would also be private and usable amenity space in accordance with the Residential Design SPD. Whilst the layout of the amenity

areas would be compact there would be no significant overlooking issues. Each dwelling would have two off-street parking spaces which accords with the upper limit in Policy DC2.

- 6.5 The relationship with adjoining residential properties would be acceptable in terms of the potential for overlooking. Four of the new units would have gardens backing onto properties in Vanguard Close, however, this relationship and the resultant back to back distances, which are in the region of 21 metres, are not untypical of new urban development and would not give rise to any material impacts. In respect of the other three units there would be no impacts as they would not adjoin any existing properties. However, in respect of potential overlooking of proposed garden areas from existing development there are first and second floor flats above the retail units which would overlook these to some degree. The impact would be most significant for the two units closest to the service road. Boundary fencing and landscaping would help to reduce the impact and future residents would be aware of the situation before occupation. Whilst the relationship is not ideal there needs to be a balance between providing much needed housing and providing acceptable living conditions for future occupiers. Whilst the relationship is tighter in respect of this application, there are similar relationships elsewhere in the locality. In view of these factors staff consider that, on balance, the proposed layout would be acceptable.

Design/Impact on the streetscene

- 6.6 The site lies behind the main residential frontage and would have no immediate impact on the streetscene. The development would be seen within its own setting and context. In terms of character and appearance, the proposed dwellings would retain the general character of the area. The new units would be of traditional design with pitched gable ended roofs and the configuration of the dwellings would be similar to those in the adjoining Vanguard Close. Consequentially Staff consider that the development would be acceptable in terms of design and impact on the area.

Impact on amenity

- 6.7 The development's location behind the main residential frontage in White Hart Lane would limit any wider impact on amenity. As referred to earlier in the report the proposed configuration of the development would not lead to any significant impact on the amenities of existing residential occupiers. Future occupiers of the development would be subject to some impacts from deliveries and servicing to the district centre, however, these are likely to be limited given the size of the units within the centre and frequency of any deliveries.

Parking and Highway Issues

- 6.8 The proposals include two parking spaces per dwelling which is considered acceptable in view of the PTAL for the site. Originally three visitor spaces were proposed, but these obstructed access to the former flood lagoon to the rear of the west of the site. Staff have been advised that the flood storage area is

likely to be improved and brought back into service. Therefore, the three spaces have now been excluded. The development would result in the loss of 12 garage spaces, but only two are stated to be occupied. These occupiers would be offered alternative garages in the area.

- 6.9 The development would be accessed via a private service road to the rear of the shops where two-way flows currently occur. This road does not form part of the public highway. Parking on the road is subject to private management arrangements through Housing Services. There is the potential that uncontrolled parking could take place that restrict access for refuse collection, service and emergency vehicles. No objections are raised in highway terms to the increased use of the two service road junctions to serve the development. In view of the potential issues with uncontrolled parking a condition is recommended to require a parking and traffic management plan. This could include the introduction of a one-way system of the service road.

Contamination and ground conditions

- 6.10 Apart from the garage use of parts of the site which could have resulted in some limited contamination, the remainder of the site appears to have been undeveloped. A condition is recommended requiring a Phase 1 contamination assessment to be undertaken to assess the potential for contamination given past use of the land.

Infrastructure impact of the development

- 6.11 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (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.
- 6.12 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy 8.2 of the Further Alterations to the London Plan states that development proposals should address strategic as well as local priorities in planning obligations.
- 6.13 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.14 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now

out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.

- 6.15 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure – at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.16 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year's school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. Evidence has been provided from the Council's education service that there is a shortage of school places at both secondary and primary level in the Rainham area.
- 6.17 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, except in the London Riverside Area where a lower figure of £4,500 was agreed to reflect the increased costs of bringing sites within the area forward for redevelopment. In these circumstances it is considered that the lower figure is reasonable when compared to the need arising as a result of the development.
- 6.18 It would, therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6,000 per dwelling would be appropriate.
- 6.19 The proposed new dwellings would result in additional demands on education provision such that a financial contribution is needed in accordance with policies DC29 and DC72. There would be 7 units and a charge of £42,000 is considered necessary to make the development acceptable in accordance with these policies and which would need to be secured through a S106 Planning Obligation.

7. **Mayor's Community Infrastructure Levy (CIL)**

- 7.1 All new floorspace is liable for Mayoral CIL, subject to any exemptions. This application is for new housing that would be 100% affordable and under the CIL Regulations relief from the payment of CIL can be applied for. Subject to a claim for relief the CIL liability would be £12,712 based upon 635.6 square metres of new floorspace.

8. **Conclusions**

- 8.1 The site is currently occupied by garages which are mainly unused and an area of redundant open space. The proposed is to demolish the garages and erect two terraces of seven affordable dwellings. The proposed redevelopment of the site would be acceptable in principle in accordance with LDF and London Plan policies for new housing.
- 8.2 The proposal is considered acceptable in terms of impact on the character of the area, which is mainly residential and the impact on neighbouring residential occupiers. The site lies adjacent to the White Hart Lane minor district centre which includes two storeys of flats above the retail units. There are issues of potential overlooking of proposed garden areas from these properties, but on balance staff consider the impact acceptable. The site is accessed from the service road to the centre, but subject to controls over parking on the road this arrangement is considered acceptable.
- 8.3 The proposal would provide much needed affordable housing within Havering that would help meet housing need. There are matters of judgement in relation to the issues arising, but Staff consider that on balance, and subject to the prior completion of a S106 planning obligation the development would be acceptable.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

Legal resources will be required to prepare and complete the S 106 legal agreement. The S106 contribution is lawfully required to mitigate the harm of the development, and comply with the Council's planning policies. Officers are satisfied that the contribution required is compliant with the statutory tests set out in the CIL Regulations relations to planning obligations

Human Resources implications and risks:

None

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

1. Application form and revised plans received 19th December 2016 and 10th February 2017.