



REGULATORY SERVICES COMMITTEE

26 April 2018

REPORT

Subject Heading:

P1370.17

The Old Forge, Hall Lane

Erection of four, three bedroom semi-detached homes on a former factory site (received 11/08/17)

Ward:

Harold Wood

SLT Lead:

Steve Moore - Director of Neighbourhoods

Report Author and contact details:

Adèle Hughes
Senior Planner
adele.hughes@havering.gov.uk
01708 432727

Policy context:

Local Development Framework
The London Plan

National Planning Policy Framework

Financial summary:

None

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

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[X]
[X]
[X]
[X]

SUMMARY

This proposal seeks consent for the erection of four, three bed semi-detached homes on a former factory site. In all respects, the proposal is considered to accord with the relevant policies contained in the LDF Core Strategy and Development Control Policies Development Plan Document and The London Plan. A Section 106 Legal Agreement is required to secure a financial contribution. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal Agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed would be liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The CIL payment is applicable as the proposal is for four dwellings. The gross internal floor area of the proposed dwellings is 340m². As the former commercial buildings on the site have been demolished, their floorspace cannot be taken into account in assessing CIL liability. The applicable fee is based on an internal gross floor area of 340m² and amounts to £6,800 (subject to indexation).

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 obligations.

- A financial contribution of £24,000 to be used for educational purposes.
- 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, if by 24 August 2018 the legal agreement has not been completed, the Planning Manager has delegated authority to refuse planning permission.

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 (as set out on page one of this decision notice).

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.

3. Parking provision - Before the building is first occupied, the area set aside for car parking as shown on Drawing No.'s AD/2017/010/03 Revision A and AD/2017/010/04 Revision A 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.

4. 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), including the replacement sash windows on the front of the building, 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: 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. Refuse & recycling - The building shall be not occupied until refuse and recycling facilities are 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.

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.

6. Cycle storage - The building shall not be occupied until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. 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 is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

7. 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.

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

8. Hours of construction - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; 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.

9. 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 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 break-down of the wheel washing arrangements.

Reason: Insufficient information has been supplied with the application in relation to wheel 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.

10. Construction Method Statement - No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. 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: 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.

11. Landscaping - No works shall take place in relation to any of the development hereby approved 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 their protection in the course of development. No development other than the access shall take place until the approved tree and shrub protection measures have been implemented. All development other than the access shall only be carried out in accordance with the approved tree and

shrub protection until completion. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding season following completion of the development or in accordance with a programme approved in writing by the Local Planning Authority. Any tree or plant which within a period of 5 years from completion of the development dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with another tree or plant of the same species and size as that originally planted, 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.

12. Contaminated land - (1) Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;
- a) A Phase I (Desktop Study) Report documenting the history of the 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 (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
 - c) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

13. Contaminated land (2) a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

14. Obscure glazing - The proposed first floor windows on both flanks of the proposed dwellings hereby approved serving bathrooms as shown on Drawing No.'s AD/2017/010/04 Revision A and AD/2017/010/07 Revision A shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).

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

15. Boundary treatment - Prior to the first occupation of the dwellings hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement 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.

16. Removal of permitted development rights - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, other than porches erected in accordance with the Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, without the express permission in writing of the Local Planning Authority.

Reason: To safeguard the character of the surrounding area and in the interests of neighbouring 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.

17. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no window or other opening (other than those shown on the submitted and approved 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.

18. External lighting – In the event that external lighting is provided, details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the proposed dwellings hereby approved. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. 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 residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

19. Ground levels - No works shall take place in relation to any of the development hereby approved until details of proposed ground levels and finished floor levels are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: Insufficient information has been submitted with the application of any changes in grounds level to accommodate the development and details of any changes are required prior to commencement to ensure that the development is acceptable and does not have any unexpected impact on existing residential amenity in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

20. Water efficiency - The dwelling 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. Building Regulations - The dwelling 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.

INFORMATIVES

1. 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. The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £6,800. 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. Further details with regard to CIL are available from the Council's website.
3. 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.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed.
5. Highway legislation - The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of 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 of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.
6. Temporary use of the public highway -- 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 licence from the Council. If the developer required scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

7. Surface water management - The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.
8. 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 application site, which amounts to 0.11 hectares, lies within the Green Belt on the eastern side of Hall Lane. The single storey commercial buildings on the site have been demolished. There is an extensive verge on the highway boundary.
- 1.2 The area is generally open, but with a number of detached dwellings in the vicinity, including two immediately to the north of the site. The surrounding area comprises of well vegetated land with mature hedgerows and areas of significant planting, including the land to the west of Hall Lane planted as part of the Thames Chase Community Forest.

2. Description of Proposal

- 2.1 The application is for the erection of four, three bedroom semi-detached homes on a former factory site.
- 2.2 The proposed houses would be set back some 20m from the rear edge of the highway and 1.8m from the shared boundary with Four Wantz. The nearest property's flank wall would be located approximately 1.4m from the southern boundary of the site. The two dwellings to the northern part of the site would be setback 3 metres behind the front façade of the dwellings adjacent to the southern boundary. Rear amenity space would be provided to each property.

- 2.3 Each property would be approximately 5.1m wide and have a depth of 10m with hipped roofs and maximum ridge heights of 6.7m above ground level. Two parking spaces would be provided to the front of each property.
- 2.3 The application submission seeks to demonstrate that there are very special circumstances that would justify new residential development in the Green Belt. These include a reduction in the volume of buildings on the site that would increase the openness of the site. Planning permission for the same development was granted in 2015 and 2011 based upon a similar case.

3. History

- 3.1 P1422.14 - Demolition of drain clearance and design factory to create 4no 3 bedroom dwellings (2no semi-detached) – Approved.
- P0783.11 - Factory to be demolished and construction of 4no. three bedroom dwellings (2no. semi-detached)- Approved.

4. Consultation/Representations

- 4.1 The occupiers of 16 neighbouring properties were notified of this proposal. No letters of representation were received.
- 4.2 The Highways Authority has no objection to the proposal subject to conditions regarding a pedestrian visibility splay and vehicle cleansing and informatives if minded to grant planning permission.
- 4.3 Fire Brigade - The Brigade is satisfied with the proposals.
- 4.4 StreetCare Department - Waste and recycling sacks will need to be presented by 7am on the boundary of the property on Hall Lane on the scheduled collection day.
- 4.5 Environmental Health – Recommend two conditions regarding contamination if minded to grant planning permission. No comments in terms of noise.

5. Relevant Policy

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP14 (Green Belt), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC29 (Educational Premises), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC40 (Waste recycling), DC45 (Green Belt); DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Residential Design Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Planning Obligations

Supplementary Planning Document and the Havering Local Plan 2016-2031 Proposed Submission Version are material considerations.

- 5.2 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 6.13 (parking), 6.9 (Cycling), 6.10 (Walking), 7.1 (building London's neighbourhoods and communities), 7.4 (local character), 7.16 (Green Belt), 8.2 (Planning obligations) and 8.3 (Community infrastructure levy) of the London Plan are relevant. The DCLG Technical Housing Standards document and the Parking Standards Minor Alterations to the London Plan are relevant.
- 5.3 Policies 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 9 (Protecting Green Belt land) of the National Planning Policy Framework are relevant.

6. Mayoral CIL implications

- 6.1 The development proposed would be liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The CIL payment is applicable as the proposal is for four dwellings. The gross internal floor area of the proposed dwellings is 340m². As the former commercial buildings on the site have been demolished, their floorspace cannot be taken into account in assessing CIL liability. The applicable fee is based on an internal gross floor area of 340m² and amounts to £6,800 (subject to indexation).

7. Staff Comments

- 7.1 Planning permission was granted for the creation of four, three bedroom (2 no. semi-detached) chalet-bungalow style dwellings with accommodation in the roof space in February 2015 (P1422.14), when the committee considered that very special circumstances had been demonstrated that justified a departure from Green Belt policies. It was concluded that the harm that would be caused to the Green Belt was outweighed by other material considerations. The single storey commercial buildings on the site have been demolished and work has commenced on the foundations. This proposal comprises of two storey semi-detached dwellings with hipped roofs, which have a lower ridge height (of 6.7m) than that previously approved under P1422.14 (7.8m). The footprint and siting of the dwellings remain the same as previously approved.
- 7.2 The main issues in this case are the principle of development, density and site layout, the impact on the streetscene and neighbouring amenity and highway and parking issues.

8. Principle of Development

- 8.1 The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances. Chapter 9 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The construction of four dwellings is deemed to be inappropriate in principle and the very special circumstances were considered under the previous approved application, P1422.14 and were considered to be acceptable. When reviewing the merits of this application, significant weight has been attached to the fact that there is an extant planning application for four dwellings on the site (application P1422.14), which does not expire until 13th May 2019. The footprint and siting of the proposed dwellings remain the same as previously approved. This proposal seeks revisions to the previously approved scheme, as it consists of two pairs of semi-detached dwellings with hipped roofs with a ridge height of 6.7m, as opposed to two pairs of chalet-style dwellings with accommodation in the roof space with a ridge height of 7.8m.

9. Green Belt implications

- 9.1 Planning permission was granted for two pairs of semi-detached chalet-bungalow style dwellings with front and rear dormer windows on the site under application P1422.14. Members have previously concluded, under application P1422.14, that harm that would be caused to the Green Belt was outweighed by other material considerations, particularly as the proposed dwellings replace previous commercial buildings on the site and Staff consider that this remains a material consideration for this application.
- 9.2 This proposal comprises of two pairs of two storey semi-detached dwellings with hipped roofs. It is considered that the proposed dwellings would not result in material harm to the open character and appearance of the Green Belt, as the footprint and siting of the dwellings remain the same as previously approved. Furthermore, the proposed dwellings have a ridge height of 6.7m, which is 1.1 metres lower than the dwellings approved under application P1422.14, which had a ridge height of 7.8m. The previously approved dwellings had gabled roofs, whereas the proposed dwellings feature hipped roofs, which minimise their bulk. Taking all the above factors into account, it is considered that the proposal would not result in material harm to the character and appearance of the Metropolitan Green Belt, as the application is for the same development as previously approved (albeit in a slightly different form) and there have been no material change in local circumstances.

10. Density/Site layout

- 10.1 The site has a PTAL of 0 and the area is considered to be suburban in character. Policy 3.4 Table 3.2 of the London Plan indicates that for 3.1-3.7 habitable rooms/unit, a density range of 40-65 units per hectare would be appropriate. The application site covers an area of approximately 0.11 hectares. The proposed density of development is 36 units per hectare, which is acceptable. It is considered however that the relatively low density

of development on this site is acceptable in principle owing to the constraints presented by the form of the site, which would prevent the site from being successfully developed at a higher density.

- 10.2 The proposed development adheres to all of the criteria of the DCLG Technical Housing Standard. The footprint and siting of the dwellings remain the same as previously approved.
- 10.3 In respect of amenity space the Supplementary Planning Document (SPD) for Residential Design places emphasis on new developments providing well designed quality spaces that are usable. In terms of amenity space provision, the proposed dwellings would have a minimum and maximum private amenity space of between approximately 107 and 130 square metres. 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. Details of boundary treatment and landscaping can be secured by condition if minded to grant planning permission.

11. Design/Impact on Street/Garden Scene

- 11.1 Policy DC61 states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Development must therefore complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.
- 11.2 Consent was previously granted for two pairs of semi-detached chalet-bungalow style dwellings with front and rear dormer windows on the site under application P1422.14. The footprint and siting of the proposed dwellings remain the same as previously approved. The previously approved dwellings had gabled roofs with a ridge height of 7.8m, whereas the proposed dwellings have hipped roofs with a ridge height of 6.7m, which minimise their height and bulk.
- 11.3 It is considered that the height, form and design of the proposed dwellings would integrate satisfactorily in the streetscene and with the character and appearance of the surrounding area. The proposed materials comprise of roof tiles, brick and render and samples of these will be secured by condition if minded to grant planning permission.

12. Impact on Amenity

- 12.1 Policy DC61 states 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.
- 12.2 There are two residential properties immediately to the north of the site, the

nearest being the Four Wantz which shares a boundary with the site. Staff consider that whilst the main windows to the two-storey Four Wantz property are located in their southern and northern elevations, at a distance of approximately 11 metres to the nearest side elevation of the proposed development, there would be no significant loss of amenity to the existing occupier. This is due in part to the difference in ground level with the new dwellings being sited on lower ground. A condition is recommended requiring agreement of finished ground levels to ensure that an acceptable relationship is maintained. Details of boundary treatment and landscaping can be secured by condition if minded to grant planning permission.

- 12.3 The proposed dwelling adjacent to the northern boundary of the site has a first floor bathroom window, which can be obscure glazed and fixed shut with the exception of top hung fanlights if minded to grant planning permission to prevent any overlooking or loss of privacy to this occupier. In addition, a condition is proposed to prevent the provision of any further flank windows to the proposed dwellings to protect neighbouring amenity. Subject to these conditions, Staff consider that there would be no significant harm from the development to occupiers of adjacent properties.
- 12.4 It should however be noted that although Staff consider the proposal to be acceptable in its current form, any additions, extensions or alterations to the proposed dwellings may result in harm to the character of the surrounding area and neighbouring amenity. In light of this, Staff are of the opinion that all Permitted Development Rights for the proposed development should be removed in order to safeguard the amenities of neighbouring occupiers.

13. Highway/Parking

- 13.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. The application site has a PTAL rating of 0. The Council's parking standard is a maximum of 1.5 to 2 spaces per unit. The London Plan has a car parking standard of up to 2 spaces per unit within PTAL 0 to 1. In total 8 car parking spaces are proposed for the four dwellings, which is sufficient. The Highway Authority had no objection to the proposals and recommends two conditions regarding a pedestrian visibility splay and vehicle cleansing and informatives if minded to grant planning permission. Details of refuse and cycle storage will be secured by condition if minded to grant planning permission. It is considered that the proposal would not create any highway or parking issues.

13. Section 106

- 13.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) 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.

- 13.2 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 DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. 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.
- 13.3 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.
- 13.4 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs 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.
- 13.5 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.
- 13.6 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years 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, in accordance with Policy DC29 of the LDF.
- 13.7 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 13.8 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, in accordance with CIL legislation. Four new dwellings will equate to a contribution equating to £24,000 for educational purposes.

14. Conclusion

- 14.1 Staff consider the site to be acceptable in principle for residential development. Staff consider that the proposal would not result in material harm to the open and spacious character of the Green Belt and would integrate satisfactorily with the streetscene. 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. Staff consider the amount and configuration of the parking proposals to be acceptable. There would be a financial contribution of £24,000 for education purposes. 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 would be required to prepare and complete the required Section 106 legal agreement. The s106 contribution is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the contribution and obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating 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.