



Havering
LONDON BOROUGH

Planning Committee
11 February 2021

Application Reference:	P0528.20
Location:	Ockendon Kennels, Ockendon Road
Ward:	Upminster
Description:	Demolition of an existing building, conversion, part demolition and part extension of existing kennels and associated outbuildings into 14 dwellings with associated parking, garages, private amenity space and landscaping of communal open space.
Case Officer:	Adèle Hughes
Reason for Report to Committee:	The terms of the planning obligation have changed.

1 BACKGROUND

- 1.1 This application went to the Planning Committee on 30th July 2020, where there was a resolution to grant planning permission subject to conditions and the completion of a legal agreement. The application included the provision of 35% affordable housing comprising of two units in shared ownership (units 4 and 14) and three units for social/affordable rent (Units 11, 12 and 13). It is noted that this level of affordable housing provision scheme was policy compliant and therefore, no viability assessment was required.
- 1.2 The developer, Marvin Developments Ltd, approached twenty-four registered providers and asked if they would be interested in purchasing the five affordable housing units. Eight of the registered providers approached, own 95% of the housing association stock in the borough. None of these twenty-four registered providers expressed any interest in acquiring the affordable housing at Ockendon Kennels. The reasons given by the 24 associations as to the lack of interest include:
- The small number of affordable housing dwellings due to density.

- The location of the site relative to transport, local community facilities and employment.
 - The scale of the development would result in a modest number of affordable housing units and there would be practical difficulties surrounding the delivery, design or on-going management of these and/or a mix of tenures.
 - The affordable housing units would be expensive to create and maintain with high service costs.
- 1.3 The London Borough of Havering Planning Guidance Note for Commuted Sum Payments for Affordable Housing sets out the Council's approach to the circumstances where it is not appropriate for the affordable housing to be provided either 'on-site' or on an agreed alternative site and, following from this, where the Council considers that a commuted sum payment to the Council in lieu of 'on-site' provision may be appropriate.
- 1.4 Paragraph 62 of the National Planning Policy Framework (NPPF) states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities.
- 1.5 The Council accepts the applicant's justification for the commuted sum payment due to a lack of interest from twenty-four registered providers, due to the small number of affordable housing units in an isolated location. The applicant has advised that an off-site solution could not be considered as MDL is a new company and only has ownership of Ockendon Kennels. It does not control/own any other site and cannot offer an alternative site to re-locate the five affordable housing dwellings to. A commuted sum payment is all that can be achieved on this site. The Council appointed BPS Surveyors to act as their independent advisor and work with Marvin Developments and their consultant, KCL to identify an appropriate commuted sum. Following detailed discussions between the parties and a review of viability information, it has been agreed that a commuted sum payment of £462,280 should be paid in lieu of the on-site provision. The calculation is based upon the formula contained in the London Borough of Havering Planning Guidance Note for Commuted Sum Payments for Affordable Housing that was adopted by Cabinet in January 2017 for calculating a payment in lieu of the on-site affordable housing provision. On the commuted sum. On this basis, the Council has limited grounds to depart from this guidance and the advice that we have received that the commuted sum offered complies with this.
- 1.6 In accordance with independent advice from BPS Surveyors, the terms of the planning obligations have changed to include a late stage viability review mechanism relating to the provision of affordable housing. The late stage review is required to ensure that any profit is shared between the organisation providing the finance and the Local Planning Authority (for additional affordable housing provision in the event that viability has improved since the application stage).

1.7 The report is now brought back to Members, updated with further information on the above matter. The previous report has been transferred across and reproduced below from section 3.2 onwards for completeness, with the exception of sections 7.32 – 7.36 which relate to affordable housing.

1.8 The application was originally called in by Councillor Ower and Councillor Wilkins, on the grounds that the site has an extensive planning history, the proposed development is in the Green Belt, the dwellings are out of keeping with nearby homes and in the local conservation area. The proposed development would be sitting in an established conservation/green belt area and should definitely not be built on.

Officer note: The North Ockendon Conservation Area is located to the east and is on the opposite side of Ockendon Road to the south.

2 SUMMARY OF KEY REASON FOR RECOMMENDATION

2.1 The proposed development is considered to be acceptable in principle. It is considered that the proposal would not result in material harm to the Metropolitan Green Belt, would integrate satisfactorily with the streetscene, would not adversely affect neighbouring amenity or create any highway or parking issues. This application is recommended for approval subject to conditions and the completion of a legal agreement.

3 RECOMMENDATION

3.1 That the Committee resolve to grant planning permission subject to conditions and the prior completion of a legal agreement to secure the following planning obligations:

- A commuted sum payment of £462,280.
- A late stage viability review mechanism relating to the provision of Affordable Housing.
- Management and maintenance of open space outside of residential curtilage in development
- 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.

3.2 That the Assistant Director of Planning is delegated authority to negotiate the legal agreement indicated above.

3.3 That the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

1. Time limit – The development must be commenced no later than three years from the date of this permission.
2. Materials – The proposed dwellings hereby approved shall be constructed in accordance with the details shown on Drawing No. 62 Revision C – Proposed Materials and Section 7 (Materials) of the application form unless otherwise agreed in writing by the Local Planning Authority.
3. Accordance with plans – The development should not be carried out otherwise than in complete accordance with the approved plans.
4. Landscaping - Notwithstanding the details shown on the approved plans including Drawing No. 62 Revision C and the Arboricultural Impact Assessment, no above ground 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, shrubs and hedgerows on the site, and details of any to be retained, together with measures for the protection in the course of development.
5. Trees – Prior to the commencement of the proposed development hereby permitted and notwithstanding the Arboricultural Impact Assessment dated 17/07/13, a current arboricultural impact assessment including tree protection measures and any recommendations shall be submitted to and approved in writing by the Local Planning Authority. The proposed development shall be implemented in accordance with the approved arboricultural report, including any recommendations.
6. Flower beds - The flower beds shown Drawing No.'s 30 Revision E, 31 Revision E, 34 Revision C, 35 Revision C, 37 Revision C, 39 Revision C, 40 Revision C, 42 Revision C, 44 Revision C, 45 Revision C, 47 Revision C, 49 Revision C, 52 Revision C and 54 Revision C shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.
7. SUDS– The proposed development shall be implemented in accordance with the SuDSmart Pro SUDS strategy (report reference 72969R1) dated 27-03-2020 and maintained in perpetuity in accordance with this strategy.
8. Car parking – Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.
9. Garage condition - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (Order) or any other order replacing or amending the said Order the garage(s)/carport(s) hereby permitted shall be made permanently available for the parking of private motor vehicles and not for any other purpose including living accommodation or any trade or business.
10. Boundary treatment – Notwithstanding the details shown on the approved plans including Drawing No. 33 Revision E entitled 'Proposed boundary details layout', details of all proposed walls, fences, gates and other boundary treatment shall be submitted to and approved by the Local Planning Authority.
11. Removal of permitted development rights – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (Order) or any other order replacing or amending the said Order

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.

12. Refuse – Notwithstanding the details on the approved plans and prior to the first occupation of any dwelling hereby permitted, details of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority.
13. Standard flank window condition – No window or other opening (other than those shown on the submitted and approved plan) shall be formed in the flank walls of the building(s) unless specific written permission has first been sought and obtained from the Local Planning Authority.
14. Wheel washing - 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.
15. Vehicle access – No part of the development hereby approved 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.
16. Vehicle visibility splay - The proposals should provide a 4.5 by 80 metre traffic 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.
17. Construction methodology - No works (including for the avoidance of doubt demolition works) shall take place in relation to any of the development hereby approved until a Construction Method Statement to control any adverse impact of the development on the amenity of the public and nearby occupiers has been submitted to and approved in writing by the Local Planning Authority.
18. 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.
19. Secured by design – No above ground works shall take place in relation to any of the development hereby approved until a full and detailed application for the Secured by Design award scheme shall be submitted to and approved in writing by the Local Planning Authority.
20. Contamination - 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.
21. Ecological survey – The proposed development shall be implemented in accordance with the Preliminary Ecological Appraisal Incorporating Bat Survey

Inspection dated October 2019 including the recommendations, which shall include the following on site measures:

- Installing integral and external habitat boxes;
- Tree planting, installation of hedgerows as well as significant replacement and enhancement planting, which shall be undertaken as part of the proposal;
- Additional ecological enhancements included as part of the landscaping scheme in Annexe 5 of the Preliminary Ecological Assessment; and
- Appropriate precautionary measures in respect of site clearance relating to badger and reptile species.

If at any time during the works, the presence of bats is suspected or identified, works in that area shall cease immediately and the applicant/developer shall contact a suitably qualified ecologist to liaise with the local planning authority to enable further appropriate action to be implemented.

22. Prior to the commencement of any groundworks or development of the site, details of the enhancement of the site to achieve biodiversity net gain over and above the existing condition of the site shall be provided within a detailed, site specific Biodiversity Management Plan (BMP), in accordance with the Preliminary Ecological Appraisal Incorporating Bat Survey Inspection dated October 2019, which shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan shall include a method statement regarding careful timing of the clearance works (limited to March-September), hand destruction of rubbish/rubble piles and ecological supervision as required. The proposed development shall be implemented in accordance with the approved Biodiversity Management Plan.
23. Timing of demolition/vegetation clearance - Demolition and/or removal of trees, hedgerows, shrubs or tall herbaceous vegetation shall be undertaken between October and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to demolition and/or vegetation clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the demolition and/or vegetation shall not be removed until the fledglings have left the nest.
24. External lighting - Before the buildings hereby permitted are first occupied, a scheme for a bat sensitive lighting scheme in accordance with the Preliminary Ecological Appraisal Incorporating Bat Survey Inspection dated October 2019, shall be submitted to and approved in writing by the Local Planning Authority. All external lighting within the application site shall be installed in accordance with British Standards Institute (BSI) BS5489 and BS EN 13201. These standards identify further measures for reducing lighting spill, glare and overall pollution. Further guidance in respect of low impact lighting is provided in Guidance Notes for the Reduction of Obtrusive Light produced by The Institute of Lighting Engineers (ILE). The approved details shall be implemented in full prior to the first occupation of the buildings hereby approved and maintained in perpetuity in accordance with the approved details.
25. Archaeology – No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the

agreed works. If heritage assets of archaeological interest are identified by stage 1, then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved by the Local Planning Authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the approved stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
 - B. Where appropriate, details of a programme for delivering related positive public benefits.
 - C. The programme of post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.
26. Installation of Ultra-Low NOx boilers- Prior to the first occupation of the development, details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in strict accordance with the agreed details and shall thereafter be permanently retained. Following installation emissions certificates will need to be provided to the Local Planning Authority to verify boiler emissions.
27. Water efficiency – All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water efficiency.
28. Give way markings – Give way markings within the application site should be placed at the junction of the access road and Ockendon Road conforming to Traffic Signs Regulations and General Directions to ensure highway safety in accordance with details to be submitted and approved in writing by the Local Planning Authority and retained permanently thereafter.
29. Demolition of buildings - Prior to the first occupation of any dwelling hereby permitted, buildings G – X shown on Drawing No.'s 02, 15, 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31 Revision E and 33 Revision E shall be demolished in their entirety and all material arising there from permanently removed from the site.

Informatives

1. Approval following revision
 2. Approval and CIL
 3. Fee informative
 4. Highway informatives
 5. Street naming and Numbering
 6. Secured by design informative
 7. Archaeology informative
- 3.4 That, if by 11th June 2021 the legal agreement has not been completed, the Assistant Director of Planning is delegated authority to refuse planning permission.

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal is for the demolition of an existing building (Building L in Plot 10), conversion, part demolition and part extension of existing kennels and associated outbuildings into 14 dwellings with associated parking, garages, private amenity space and landscaping of communal open space.
- 4.2 The proposed materials for the dwellings are brick, featheredge cladding, cement slate tiles and timber windows and doors.

Site and Surroundings

- 4.3 The site, which is approximately 2 hectares in area, forms a broadly rectangular area of land, running in an east-west direction. The site's western and northern boundaries adjoin open land in agricultural use; the southern boundary adjoins Ockenden Road; whilst the eastern boundary adjoins a field, which is also in the ownership of the applicant, but separate from the application site.
- 4.4 The site involves a range of buildings and more temporary structures associated with its historic use as kennels and for the training of greyhounds. The western end of the site is dominated by a, now redundant greyhound track, whilst the remainder of the site comprises a range of single storey buildings and temporary structures. An area of hardstanding provides vehicle parking and manoeuvring areas, and links the various building plots with the site's access onto Ockenden Road. The site is considered to be in a generally dilapidated condition. The existing use of the site as a Greyhound training and boarding facility has now reduced to such a point that 95% of the buildings are unused. There are still a few dogs being kept on site.
- 4.5 The site is located in the Green Belt and in close proximity to the North Ockenden Conservation Area, which is located immediately to the south and to the east. The nearest neighbouring properties are located in excess of 100m to the south west and to the east.

Planning History

- 4.6 P0862.18 - Part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment – Approved.

P1915.17 - Conversion of existing kennels and associated outbuildings into 17 dwellings with associated parking and private amenity space - Refused.

P1668.15 - Redevelopment of the existing grey hound track and kennels with the construction of 22No. new dwellings – Refused. Dismissed on appeal.

P0653.15 - Redevelopment of the existing greyhound track and kennels with the construction of 22No. new dwellings – Withdrawn.

P1550.14 - Redevelopment of the existing greyhound track and kennels with the construction of 22No. new dwellings - Withdrawn.

P0742.13 - Replacement of the existing kennels and dog track with 30 new houses and associated amenities / facilities. The remainder of the site to be developed by the Ockendon Wildlife Trust to provide a natural habitat for biodiversity – Refused. Dismissed on appeal.

P2037.08 - Continued use of part kennel block as veterinary surgery (Greyhounds) – Approved with conditions.

P1760.08 - Continued use of part kennel block as veterinary surgery (greyhounds) plus new front extension to form reception office – Refused.

5 CONSULTATION RESPONSE

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.
- 5.2 Highways: No objection to the proposal and recommends conditions regarding a vehicle visibility splay, vehicle access, vehicle cleansing and informatives.
- 5.3 Thames Water – No objection. Recommends informatives.
- 5.4 Designing Out Crime Officer – Recommends a condition and an informative if minded to grant planning permission.
- 5.5 Fire Brigade – The Commissioner is satisfied with the proposals. The proposal must strictly adhere to the latest edition of ADB 5: Access and facilities for the fire service. Requested one private fire hydrant to be installed to cover the new houses.
- 5.6 Natural England – No comment.
- 5.7 Environmental health – Recommend three conditions regarding contamination and Ultra-Low NOx boilers if minded to grant planning permission. No concerns in terms of noise.
- 5.8 Environment Department – The site is at low risk of flooding, as it's in Flood Zone 1. The drainage strategy for surface water management and SUDS techniques employed is acceptable. It is noted that along the north eastern boundary of the site, there is an existing ditch line which discharges to a culvert under Clay Tye Road and then to an ordinary watercourse. It would be preferable if the attenuation pond was located closer to Clay Tye Road than what is currently proposed, as any exceedance could be conveyed into the existing ditch line and ordinary watercourse.
- 5.9 Emergency Planning Department – The site shows no real surface water risk either except in the centre of the greyhound track.

- 5.10 Historic England – The planning application lies in an area of archaeological interest. Unlike the 2013 application for new build on the site, the conversion proposals are likely to involve much less archaeological impact. However, the impact from for example, the garages appears to be greater than those proposed in the 2017 and 2018 applications. Numerous cropmarks are visible in the local fields. Roman remains are also recorded to the west along Ockendon Road. The trackway fringing the western boundary of the site may be a remnant of the north south route from Franks Farm, which is known to have at least medieval origins as a proposed pilgrimage route to Canterbury. In view of the lightweight nature of the existing buildings and the density of the new proposals, hitherto undiscovered archaeological remains may be affected by any consented scheme. The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. Consideration of the nature of the development, the archaeological interest and/or practical constraints are such that it is considered that a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed if necessary, by a full investigation.
- 5.11 StreetCare Department - Currently the Council provides a sacks collection Service for low rise properties. Waste can be stored in bins outside of scheduled collection day but waste will have to be presented in sacks at the boundary of each property by 7:00am on scheduled collection day.

6 LOCAL REPRESENTATION

6.1 A total of 145 neighbouring properties were notified about the application and invited to comment.

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

No of individual responses: 8 (which consists of 7 objections and 1 letter of representation)

6.3 The following Councillors made representations:

The application has been called in by Councillor Ower and Councillor Wilkins on the grounds that the site has an extensive planning history, the proposed development is in the Green Belt, the dwellings are out of keeping with nearby homes and in the local conservation area. The proposed development would be sitting in an established conservation/green belt area and should definitely not be built on.

Officer note: The North Ockendon Conservation Area is located to the east and is on the opposite side of Ockendon Road to the south.

Representations

6.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- The proposal would cause additional traffic problems,
- There is no need for this type of housing.
- The proposal would be detrimental to highway safety;
- There are no footpaths on that side of the road to access the bus stop.
- The proposal would be harmful to the Green Belt.
- Noise.
- Queried if the site was in a conservation area.
- The site was in agricultural land use before and should return to agricultural/green usage.
- Queried if consultation letters were received by other neighbouring properties.
- Removal of green space.
- Impact on the character and appearance of the surrounding area.
- Impact on Ockendon village, the conservation area and listed buildings.
- Visual impact.
- Drainage.
- It is alleged that some work has commenced on site.
- Access.
- Reference was made to previous planning applications on the site.

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development
- Impact on the Metropolitan Green Belt
- Density/site layout
- The visual impact and impact on amenity arising from the proposed development.
- Highways and parking issues
- Ecology
- Flood risk
- Trees
- Financial and other mitigation
- Affordable housing

Background

7.2 It should be noted that a previous application under P0862.18 for the part demolition, extensions and alterations to the existing kennels and outbuildings to form 14 no. dwellings with associated parking, private amenity space and boundary treatment was approved subject to conditions and a legal agreement to secure the affordable housing.

7.3 The current application proposes the demolition of an existing building, conversion, part demolition and part extension of the existing kennels and associated outbuildings into 14 dwellings with associated parking, garages,

private amenity space and landscaping of communal open space. The acceptability of the current proposal would be evaluated later in this report.

7.4 The main differences between planning applications P0862.18 and P0528.20 are as follows:

- Garages have been added to plots 2, 3, 5, 6, 8, 9 and 10.
- The size of the dwellings in plots 1-10 has increased.
- For P0862.18, the proposal involved a single storey front extension and replacing the flat roof with a thatched hipped roof to building L (in Plot 10) to create a two-bedroom (4 person) dwelling. For this application, building L would be demolished and replaced with a three-bedroom (six person) dwelling with accommodation in the roof space.
- The eastern boundary of the site has changed.
- There have been some changes to the site layout and the length of the road within the site has increased.
- The size of the rear garden for Plot 1 has been reduced from approximately 352 to 238 square metres.
- The size of the garden for Plot 9 has increased from approximately 641 to 953 square metres.

7.5 During the course of the application, negotiations took place with the agent and the proposal was amended as follows:

- The gardens of the dwellings were reduced to broadly reflect those of the previously approved application, P0862.18.
- The garage to unit 14 has been removed.
- The dwellings in plots 11, 12, 13 and 14 have been reduced in size to reflect the footprint and scale of the previously approved application.
- The proposed extensions to the dwellings in plots 1-9 have been reduced, so they now represent a volume increase of approximately 8% to the existing buildings on the site.
- The number of car parking spaces has been reduced from two to one for each of the dwellings in Plots 2, 3, 5, 6, 8, 9 and 10, as these properties also have a garage.
- The material for the car parking spaces for all the plots and the visitor parking has changed from block paving to grass grids.

Principle of development

7.6 The site is located in the Metropolitan Green Belt. The NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Another exception is the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

7.7 The proposal involves the demolition of an existing building, conversion, part demolition and part extension of the existing kennels and associated outbuildings into 14 dwellings with associated parking, garages, private amenity space and

landscaping of communal open space. The Design and Access statement submitted in support of the application states that the main bulk of the buildings are of a permanent construction. The buildings have solid concrete floors, brick walls, concrete frames and trusses. They are suitable to be converted with the addition of external insulation and cladding. The asbestos roofs will be removed and replaced with slates. The proposed extensions to the plots are single storey and relatively modest in size and as such, it is considered that they would not result in disproportionate additions over and above the size of the existing buildings. The proposal involves the demolition of an existing building (Building L in Plot 10) and Staff consider this to be acceptable in principle as it involves the partial redevelopment of previously developed land, which would not have a greater impact on the openness of the Green Belt than the existing development.

Impact on the Metropolitan Green Belt

- 7.8 As the proposal involves the demolition of an existing building, conversion, part demolition and part extension of existing kennels and associated outbuildings into 14 dwellings, it is considered that the proposal would not be harmful to the visual amenities of the Green Belt and the surrounding area. With the exception of the building in plot 10 (which is being demolished), the existing buildings have a ridge height of approximately 4.2m and this height will stay the same. The existing buildings on the site have a volume of approximately 7,062 cubic metres and the volume of the proposed development is approximately 7,742 cubic metres. This represents a volume increase of approximately 8% to the existing buildings on the site, which Staff consider to be minimal. The proposed extensions to the plots are single storey and relatively modest in size. All additions to buildings would be within the existing developed envelope of the site and as such, it is considered that they would not result in material harm to the Green Belt.
- 7.9 It is considered that reducing the size of the dwellings in plots 11, 12, 13 and 14 to reflect the footprint and scale of the previously approved application, reducing the size of the gardens of the dwellings to broadly reflect those of the previously approved application, P0862.18, removing the garage to unit 14, reducing the proposed extensions to the dwellings in plots 1-9, reducing the number of car parking spaces from two to one for each of the dwellings in Plots 2, 3, 5, 6, 8, 9 and 10 have collectively brought the proposal within the realms of acceptability. In addition, it is considered that changing the material for the car parking spaces for all the plots and the visitor parking from block paving to grass grids will minimise its visual impact and reflect the rural, Green Belt setting of the site.
- 7.10 Taking all the above factors into account, it is considered that the proposal would preserve the openness of the Green Belt and would not result in material harm to the character and appearance of the Metropolitan Green Belt.

Density/site layout

- 7.11 The site has an area of approximately 2 hectares and has a PTAL rating of 1b. In a suburban area of 2.7-3.0 hr/unit in a PTAL of 0 to 1, the recommended density range stated in the LDF is 50-75 units per hectare. The proposal equates to a density of approximately 7 units per hectare, which is below the range. It is considered however that the relatively low density of development on this site is

acceptable in principle owing to the nature of the proposal and the constraints presented by the form of the site, which would prevent the site from being successfully developed at a higher density.

- 7.12 Policy 3.5 of the London Plan advises that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. To this end Policy 3.5 requires that new residential development conform to minimum internal space standards set out in the plan. In this instance, the proposed dwellings would meet all the criteria of the DCLG Technical Housing Standard. In terms of the site layout, all of the proposed dwellings would have adequate access to sunlight and daylight.
- 7.13 The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.
- 7.14 It is considered that the amenity space for the proposed dwellings would not be unacceptably overlooked by neighbouring properties. In addition, boundary treatment and landscaping conditions will be imposed if minded to grant planning permission. Staff are therefore of the opinion that the amenity spaces would be private, screened from general public view and access, and are in a conveniently usable form. As a result, it is considered that the proposed amenity area of the new dwellings complies with the requirements of the Design for Living SPD and is acceptable in this instance.

Visual impact

- 7.15 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. The SPD contains guidance in relation to the design of residential development. Neighbouring occupiers have objected to the proposal on the grounds that it would be harmful to the visual amenities of the area and the Green Belt.
- 7.16 Policy DC68 of the LDF mainly imposes controls on development within conservation areas, but does state that the character of conservation areas should be preserved or enhanced. Given the siting of the proposal in relation to the North Ockenden Conservation Area, with the presence of an open field immediately to the east of the site, and the proposed rear gardens and public highway at the southern end of the site affording a degree of separation, it is considered that the proposal would not significantly harm the setting of the aforementioned conservation area.
- 7.17 The site currently has a ramshackle appearance with significant areas of hardstanding and a range of buildings covering much of the site area. The proposal involves the demolition of an existing building, conversion, part

demolition and part extension of existing kennels and associated outbuildings into 14 dwellings with associated parking, garages, private amenity space and landscaping of communal open space.

- 7.18 Staff consider that the proposal would not be harmful to the character and appearance of the streetscene or the conservation area, as with the exception of building 'L' in plot 10, the buildings will remain the same height as existing. The proposed development would increase the volume of the existing buildings on the site by approximately 8%, which Staff consider to be minimal given the overall size of the site and building coverage. The proposed extensions to the plots are single storey, relatively modest in size and are deemed to be acceptable. The submitted details indicate that the proposed materials consist of yellow facing brick, black painted featheredge cladding and cement slate tiles reflecting a rural, Essex vernacular and these materials can be secured by condition if minded to grant planning permission.

Impact on residential amenity

- 7.19 Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity. The Residential Design SPD provides guidance in relation to the provision of adequate levels of amenity space for the future occupiers of new dwellings.
- 7.20 Notwithstanding the details shown on Drawing No. 33 Revision E (entitled Proposed boundary details layout) and in the event of an approval, it is recommended that a condition be imposed requiring the submission of details relating to the proposed boundary treatments to ensure an adequate amount of privacy would be provided both within the site, and between the site and the surrounding area. A further condition should remove permitted development rights to prevent the insertion of flank windows and the addition of extensions, alterations and outbuildings without planning permission, which may be harmful to neighbouring amenities and have further harmful urbanising effect.
- 7.21 In relation to the impact the proposal would have on existing, neighbouring occupiers, the proposed dwellings would be in excess of 100m from the nearest neighbouring properties. Given the siting of the proposed units, along with their design and the modest proportions of the proposed extensions, it is considered that there would be no significant adverse impacts on the amenities of existing occupiers in the surrounding area.
- 7.22 Officers consider that in terms of the amenity of existing neighbouring occupiers, that the proposal is acceptable and would be in accordance with Policy DC61 of the LDF and guidance contained in the Residential Design SPD.

Parking and Highway Implications

- 7.23 The application proposes the retention of the site's existing access onto Ockendon Road. Neighbouring occupiers have objected to the proposal stating that it would diminish highway safety.
- 7.24 The Council's Highway Authority has raised no objections to the proposal, subject to conditions regarding a vehicle visibility splay, vehicle access, vehicle

cleansing, placing give way markings at the junction of the access road and Ockendon Road and informatives, which can be imposed should planning permission be granted.

- 7.25 The dwellings in Plots 1, 4, 7, 11, 12, 13 and 14 have two car parking spaces. The dwellings in Plots 2, 3, 5, 6, 8, 9 and 10 have a garage and one car parking space. The level of on-site parking is considered to be acceptable. A condition will be placed to ensure that the garages are made available for the parking of private motor vehicles to maintain the level of car parking provision within the site and in particular the conversion of garages to habitable rooms under permitted development is withdrawn by condition. There are nine parking spaces for visitors.
- 7.26 It is considered that the proposal would have an acceptable highway impact, and be in accordance with Policy DC32 of the LDF.

Ecology

- 7.27 Policy DC58 of the LDF states that the biodiversity of sites will be protected and enhanced throughout the borough. Based on the 'Preliminary Ecological Appraisal Incorporating Bat Survey Inspection' dated October 2019, it is considered that the proposal would not result in any significant harm to nature conservation interests. The general ecology survey submitted identifies no protected species on site, but does make recommendations to avoid harm to nature conservation interests. The survey stated that following inspection, the buildings on site are considered to offer at the most, a negligible level of bat roosting potential. No evidence of roosting was found and no further surveys are considered necessary nor appropriate in respect of the buildings. The survey concluded that the proposal can proceed without adverse impacts upon legally protected/priority species and habitats provided the specific migratory guidance and enhancement recommendations are fully adhered to.
- 7.28 Two conditions are recommended in the event of an approval to ensure that the proposed development is implemented in accordance with the Preliminary Ecological Appraisal (including the recommendations) and the provision of details of the enhancement of the site to achieve biodiversity net gain over and above the existing condition of the site within a detailed, site specific Biodiversity Management Plan (BMP).

Trees

- 7.29 There are no Tree Preservation Orders on the site. An Arboricultural Impact Assessment was submitted with the application dated 17th July 2013, which concluded that the proposed project should not affect existing and/or retained trees on the site as long as protection measures set out in the report are followed. A condition is recommended in the event of an approval to ensure that further Arboricultural Impact Assessment (including tree protection measures and any recommendations) is undertaken prior to the commencement of the proposed development in the event that planning permission is granted. Details of landscaping would be secured by condition if minded to grant planning permission.

Flood Risk

- 7.30 The site is located in Flood Zone 1 but occupies an area in excess of 1 hectare. In order to comply with Policy DC48 of the LDF and the guidance contained in the NPPF, it is necessary for the applicant to submit a Flood Risk Assessment (FRA) demonstrating that the proposal would not increase surface water run-off and flood risk outside the site. An FRA was submitted, which concluded that the site is considered to have a low risk of significant fluvial and/or tidal flooding. The Council's Emergency Planning team was consulted and advised at the site shows no real surface water risk. A Sustainable Urban Drainage System (SUDS) strategy was submitted with the application. Surface water disposal from the new development will be via a combination of a retention basin with a minimum holding capacity of 400m³ and permeable paving for driveways and access roads. The flood risk assessment, drainage strategy for surface water management and SUDS techniques employed are acceptable. A condition will be placed to ensure that the proposed development is carried out in accordance with the SUDS strategy.

Financial and Other Mitigation

- 7.31 The proposal would attract the following Community Infrastructure Levy contributions to mitigate the impact of the development:
- £2,568 Mayoral CIL towards Crossrail
 - £16,050 Havering CIL

Affordable Housing

- 7.32 In terms of affordable housing, the proposal should be assessed against the Mayor's Homes for Londoners Affordable Housing and Viability Supplementary Planning Guidance. Additionally, Policy 6.2 of the Draft Local Plan states that all residential dwellings of 10 or more dwellings or residential developments with a site area of more than 1,000 square metres to provide at least 35% affordable housing contribution (based on habitable rooms). Applications which do not meet the 35% policy requirement or require public subsidy to do so, will be required to submit detailed viability information which will be scrutinised by the Council and treated transparently. In addition, a review mechanism will be applied to schemes that do not meet this threshold in order to ensure that maximum affordable housing contributions are increased and secured if viability improves over time. Developments will be required to deliver a tenure mix of affordable housing of 70% social/affordable rent and 30% shared ownership.
- 7.33 The London Borough of Havering Planning Guidance Note for Commuted Sum Payments for Affordable Housing sets out the Council's approach to the circumstances where it is not appropriate for the affordable housing to be provided either 'on-site' or on an agreed alternative site and, following from this, where the Council considers that a commuted sum payment to the Council in lieu of 'on-site' provision may be appropriate.
- 7.34 Paragraph 62 of the National Planning Policy Framework (NPPF) states that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly

justified; and the agreed approach contributes to the objective of creating mixed and balanced communities.

- 7.35 The Council accepts the applicant's justification for the commuted sum payment due to a lack of interest from twenty-four registered providers, due to the small number of affordable housing units in an isolated location. The applicant has advised that an off-site solution could not be considered as MDL is a new company and only has ownership of Ockendon Kennels. It does not control/own any other site and cannot offer an alternative site to re-locate the five affordable housing dwellings to. A commuted sum payment is all that can be achieved on this site. The Council appointed BPS Surveyors to act as their independent advisor and work with Marvin Developments and their consultant, KCL to identify an appropriate commuted sum. Following detailed discussions between the parties and a review of viability information, it has been agreed that a commuted sum payment of £462,280 should be paid in lieu of the on-site provision. The calculation is based upon the formula contained in the London Borough of Havering Planning Guidance Note for Commuted Sum Payments for Affordable Housing that was adopted by Cabinet in January 2017 for calculating a payment in lieu of the on-site affordable housing provision. On the adoption of the Local Plan, the Council's Planning Guidance Note for Commuted Sum Payments for Affordable Housing would fall away and revert back to the London Plan and Local Plan policy. The Council has been advised by BPS Surveyors that £462,280 is the maximum that we can accept as a commuted sum. On this basis, the Council has limited grounds to depart from this guidance and the advice that we have received that the commuted sum offered complies with this.
- 7.36 In accordance with independent advice from BPS Surveyors, the terms of the planning obligations have changed to include a late stage viability review mechanism relating to the provision of affordable housing. The late stage review is required to ensure that any profit is shared between the organisation providing the finance and the Local Planning Authority (for additional affordable housing provision in the event that viability has improved since the application stage). Subject to a late stage review, a commuted sum of £462,280 is deemed to be acceptable.

Conclusions

8. 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.