



Havering

LONDON BOROUGH

REGULATORY SERVICES COMMITTEE AGENDA

7.30 pm

**Thursday
2 June 2016**

**Havering Town Hall,
Main Road, Romford**

Members 11: Quorum 4

COUNCILLORS:

**Conservative
(5)**

Robby Misir (Chairman)
Melvin Wallace
Ray Best
Philippa Crowder
Steven Kelly
Michael White

**Residents'
(2)**

Stephanie Nunn
Reg Whitney

**East Havering Residents'
(2)**

Alex Donald (Vice-Chair)
Linda Hawthorn

**UKIP
(1)**

Vacancy

**Independent Residents
(1)**

Graham Williamson

**For information about the meeting please contact:
Richard Cursons 01708 432430
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Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

Would members of the public also note that they are not allowed to communicate with or pass messages to Councillors during the meeting.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the meeting of the Committee held on 28 April 2016 and to authorise the Chairman to sign them.

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 7 - 30)

- 6 **P1768.15 - HEXAGON HOUSE, ROMFORD** (Pages 31 - 44)

- 7 **P1601.15/P1605.15 - AHERN COMPOUND, GERPINS LANE, UPMINSTER/PINCH SITE, GERPINS LANE, UPMINSTER** (Pages 45 - 74)

- 8 **P1734.15 - 30 UPMINSTER ROAD SOUTH, RAINHAM** (Pages 75 - 94)

- 9 **P0136.16 - LAND OFF HARLOW GARDENS, ROMFORD** (Pages 95 - 108)

- 10 **P0459.16/P0323.15 - ST GEORGE'S HOSPITAL, SUTTONS LANE, HORNCHURCH**
(Pages 109 - 196)

- 11 **URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which will be specified in the minutes, that the item should be considered at the meeting as a matter of urgency

Andrew Beesley
Committee Administration
Manager

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
28 April 2016 (7.30 - 8.45 pm)**

Present:

COUNCILLORS: 11

Conservative Group Robby Misir (in the Chair) Melvin Wallace (Vice-Chair),
Ray Best, Steven Kelly and +Joshua Chapman

Residents' Group Stephanie Nunn and Reg Whitney

**East Havering
Residents' Group** Alex Donald and +Linda Van den Hende

UKIP Group Phil Martin

**Independent Residents
Group** Graham Williamson

Apologies were received for the absence of Councillors Philippa Crowder and Linda Hawthorn.

+Substitute members: Councillor Joshua Chapman (for Philippa Crowder) and Councillor Linda Van den Hende (for Linda Hawthorn).

Councillor Frederick Thompson was also present for part of the meeting.

20 members of the public were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

441 **MINUTES**

The minutes of the meetings held on 10 March and 31 March 2016 were agreed as correct records and signed by the Chairman.

442 **P0242.16 - ROMFORD BREWERY SHOPPING CENTRE, ROMFORD**

The report before Members was for the installation of a climbing play frame on the approved patio and installation of two customer order displays and associated canopies.

Members noted that the application had been called in by Councillor Frederick Thompson on the grounds that he considered the site to be unsuitable for the children's play equipment as it would be subject to much airborne pollution from vehicular traffic. The site was next to Waterloo Road which was heavily trafficked and which frequently had extended lines of traffic with idling engines as a result of queuing traffic around the Brewery entrance. Cars picking up food from the drive through facility would add to this. There were no objections to the two information boards.

In accordance with the public speaking arrangements the Committee was addressed by an objector without a response from the applicant.

The objector commented that exposure to harmful emissions would be dangerous to children using the proposed climbing play frame, the objector also commented that climbing frames were usually found in parks and not close to car parks.

With its agreement Councillor Frederick Thompson addressed the Committee.

Cllr Thompson commented that diesel engines contributed to releasing Nitrogen micro-particles that if humans were exposed to over a period of time could cause irreversible lung damage to children. Councillor Thompson also commented that children would be consuming food after playing on the climbing frame that would be exposed to the micro-particles and other airborne bacteria. Councillor Thompson concluded by asking that the Committee refuse the planning application.

During the debate Members discussed the possible pollution problems and the proposal's proximity to the main roads surrounding the site.

Members also sought and received clarification of the robustness and height of the fencing surrounding the site.

It was **RESOLVED** that the granting of planning permission be delegated to the Head of Regulatory Services subject to the applicants providing details of a minimum 1.5m high fencing to the curtilage of the play area. If this was not secured then the application was to come back to the Committee for determination.

- 443 **P0159.16 - HAVENDALE, 58 ORANGE TREE HILL, HAVERING-ATTE-BOWER, ROMFORD - LOFT CONVERSION, SINGLE STOREY REAR EXTENSION AND CONVERSION OF A FRONT BAY WINDOW**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 444 **P0208.16 - CITRUS GROVE, ORANGE TREE HILL, HAVERING-ATTE-BOWER, ROMFORD - PROPOSED DOUBLE STOREY REAR EXTENSION AND ALTERATIONS TO THE REAR ELEVATION, RECONFIGURATION OF THE ROOF TO INCLUDE A FRONT DORMER AND REAR FLAT ROOF WITH LANTERN AND RECONFIGURATION OF THE INTERNAL LAYOUT**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 445 **P0213.16 - CEME, MARSH WAY, RAINHAM - CHANGE OF USE OF 1,454 SQ.M. OF FLOOR SPACE IN THE WEST WING OF THE MAIN CEME TRAINING AND CONFERENCE CENTRE FROM A D1 USE TO A MIXED D1 AND B1 USE**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 446 **P1286.15 - BOWER HOUSE, ORANGE TREE HILL, HAVERING-ATTE-BOWER, ROMFORD - DEMOLITION OF THE EXISTING TWENTIETH CENTURY BUILDINGS AND ERECTION OF A REPLACEMENT TRAINING CENTRE FACILITY WITH ASSOCIATED LANDSCAPING TO THE WALLED GARDEN AREA ALONG WITH REFURBISHMENT WORKS TO THE STABLE BLOCK**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

- 447 **L0008.15 - BOWER HOUSE, ORANGE TREE HILL, HAVERING-ATTE-BOWER, ROMFORD - REFURBISHMENT WORKS TO THE STABLE BLOCK, INCLUDING; REMOVAL OF EXTERNAL FIRE ESCAPE STAIR, REMOVAL OF EXTERNALLY MOUNTED AIR CONDITIONING UNITS, REINSTATEMENT OF ORIGINAL WINDOW OPENINGS, REPLACEMENT OF NON-ORIGINAL WINDOWS WITH NEW TIMBER SASH WINDOWS AND INTERNAL MODIFICATIONS.**

The Committee considered the report and without debate **RESOLVED** that Listed Building Consent be granted subject to no contrary direction from the Secretary of State.

- 448 **P1910.15 - FAIRLAWNS, HAVERING-ATTE-BOWER, ROMFORD - THE ERECTION OF A NEW DWELLING HOUSE AND DETACHED CART SHED TO REPLACE THE EXISTING RESIDENTIAL UNIT INCLUDING THE REMOVAL OF A BARN, OUTBUILDINGS AND CARAVAN**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report with an additional condition preventing any mobile home(s) being stored or placed on the site for whatever purpose.

- 449 **P0109.16 - 24 ROSEBANK AVENUE, HORNCHURCH - ERECTION OF A GRANNY ANNEXE IN THE REAR GARDEN**

The Committee considered the report and without debate **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement to secure the following:

- That the residential annexe hereby approved shall be permanently retained as an annexe to the existing dwelling at 24 Rosebank Avenue and shall not be sub-divided or sold off separately from the main dwelling.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission subject to the completion of a legal agreement was carried by 10 votes to 0 with 1 abstention.

Councillor Nunn abstained from voting.

450 **P1390.15 - 1-3 STATION ROAD, HAROLD WOOD**

The report before Members detailed an application for the demolition of the existing building and the erection of a new block comprising of three retail units at the ground floor and six two bedroom flats above.

During the debate Members sought and received clarification of the parking arrangements and the access and egress arrangements for the proposed development.

Several Members raised concerns regarding the lack of parking provision that would be made available to the development both in retail and residential use.

Members also discussed the issue of resident parking permits not being issued to future occupiers of the residential units and the possibility of displaced parking taking place in the surrounding area.

The report recommended that planning permission be approved however following a motion to refuse the granting of planning permission which was carried by 9 votes to 2.

It was **RESOLVED** that planning permission be refused on the grounds:

- The proposal would by reason of its overdeveloped scale of development and complete absence of on-site car parking would fail to cater for the reasonable needs of future occupiers and would materially worsen parking conditions and congestion in the locality to the detriment of amenity. This could not be reasonably mitigated by denying parking permits as no CPZ existed.
- The proposal by reason of cramped overdevelopment of site failed to provide amenity space reasonably meeting needs of future residents.
- Failure to provide legal agreement to secure contribution to education.

The vote for the resolution to refuse the granting of planning permission was carried by 9 votes to 2.

Councillors Misir and Chapman voted against the resolution to refuse the granting of planning permission.

451 **P1020.15 - 57 ROCKINGHAM AVENUE, HORNCHURCH - GARAGE CONVERSION OF A DOUBLE GARAGE WITH AN EXTENSION TO FORM A GRANNY FLAT FOR A FAMILY ON SITE**

The Committee considered the report and without debate **RESOLVED** that the application was unacceptable as it stood but would be acceptable subject to applicant entering into a Section 106 Legal Agreement to secure the following:

- That the residential annexe hereby approved shall be permanently retained as an annexe to the existing dwelling at 57 Rockingham Avenue and shall not be sub-divided or sold off separately from the main dwelling.
- The Developer/Owner pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement was completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission subject to the completion of a legal agreement was carried by 10 votes to 0 with 1 abstention.

Councillor Nunn abstained from voting.

Chairman

Regulatory Services Committee

2 June 2016

| Application No. | Ward | Address |
|------------------------|---------------|--|
| M0007.16 | Hacton | St Georges Hospital(open space to the south), adjacent to Suttons Lane, Hornchurch |
| P0342.16 | Havering Park | Willow Mead, Broxhill Road, Havering- atte-Bower, Romford |
| P0438.16 | Upminster | Harwood Hall, Harwood Hall Lane, Upminster |
| P1553.15 | Mawneys | 231 Cross Road, Mawneys, Romford |

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 2nd June 2016

APPLICATION NO. M0007.16
WARD: Hacton **Date Received:** 23rd March 2016
Expiry Date: 17th June 2016
ADDRESS: St Georges Hospital(open space to the south)
Adjacent to Suttons Lane
Hornchurch
PROPOSAL: Proposed installation of a 14m high monopole, accommodating 6No antennas and 2No transmission dishes; 4No equipment cabinets and 1No meter cabinet and ancillary development within a compound surrounded by a 1.8m high palisade fence
DRAWING NO(S): 100 Issue D
200 Issue H
300 Issue D
RECOMMENDATION: it is recommended that Prior Approval is Refused

SITE DESCRIPTION

The application site is located within an area of open space to the south of St. Georges Hospital, approximately 45m east of the bus lay-by on Suttons Lane. The subject is located in the Metropolitan Green Belt and within a Site of Nature Conservation Importance.

DESCRIPTION OF PROPOSAL

This is an application made under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The Town and Country Planning (General Permitted Development) (England) Order 2015, requires applicants for communication proposals, which represent permitted development, to seek the prior approval of the local planning authority with regard to the proposed siting and appearance of any such development. The local planning authority's scope of consideration, with such an application, is limited. However, the application duly allows the local planning authority to exercise such control over siting and appearance.

The proposal to which this application relates is for the installation of a 14m bespoke streetpole on a 4m x 4m concrete base; three radio equipment cabinets; and one slim line meter cabinet.

The streetpole and cabinets would be located within a compound which would be enclosed by a 1.8m high green palisade fence. The streetpole would be of steel construction in grey or green with the cabinets proposed in green.

The applicant, as justification for the proposals has stated that the choice of design has been influenced by the new base station's siting and appearance and the need to provide long term replacement mobile coverage to O2 and Vodafone customers in the surrounding area, following the removal of the telecommunication equipment from St. Georges Hospital.

The proposed application would provide high quality 2G, 3G and 4G coverage and Capacity to O2 and Vodafone customers in the Hornchurch area. It has been detailed, as part of the supporting information submitted, that the above could not, in this instance, be achieved by upgrading existing

base stations; using existing telecommunication structures belonging to another operator; co-locating near existing telecommunications development; and/or installing the equipment on an existing building or tall structure.

RELEVANT HISTORY

None

CONSULTATIONS / REPRESENTATIONS

946 properties were directly notified of this application. 15 letters of representation have been received. The main areas of concern highlighted are: visual impact; devaluation of property prices; close to schools; situated in the Green Belt; excessive size and scale; health and safety concerns; noise increase and that the proposal would be too close to residential properties.

Highway Authority - No objection, however request a condition to be added for vehicle access in the event of an approval.

London Borough of Havering Environmental Health - No objection.

RELEVANT POLICIES

LDF

- CP17 - Design
- DC45 - Appropriate Development in the Green Belt
- DC58 - Biodiversity and Geodiversity
- DC61 - Urban Design
- DC64 - Telecommunications
- DC66 - Tall Buildings and Structures

OTHER

- LONDON PLAN - 7.4 - Local character
- NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

Given the proposed type of development, this application is exempt from CIL contributions.

PRINCIPLE OF DEVELOPMENT

The NPPF details that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental and these are all mutually dependant. At paragraph 42 it is detailed that advanced, high quality communications infrastructure is essential for sustainable economic growth. Paragraph 43 of the NPPF goes on stating that the number of radio and telecommunications masts and the sites for such installations should be kept to a minimum. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required, equipment should be sympathetically designed and camouflaged where appropriate.

At paragraph 45 it is detailed that applications for telecommunications development (including for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development. This should include:

- the outcome of consultations with organisations with an interest in the proposed development, in particular with the relevant body where a mast is to be installed near a school or college or within a statutory safeguarding zone surrounding an aerodrome or technical site; and
- for an addition to an existing mast or base station, a statement that self certifies that the cumulative exposure, when operational, will not exceed International Commission on non-ionising radiation protection guidelines; or
- for a new mast or base station, evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast or other structure and a statement that self-certifies that, when operational, International Commission guidelines will be met.

It is noted at paragraph 46 of the NPPF that local planning authorities must determine applications solely on planning grounds. Planning authorities should not seek to prevent competition between different operators, question the need for telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.

The proposed mast installation will be located within the Metropolitan Green Belt. The NPPF states a presumption against inappropriate development within the Metropolitan Green Belt. This is reiterated in Policy DC45 of the LDF.

The proposed development does not constitute one of the specific forms of development referred to in the NPPF or Policy DC45 as appropriate. Consequently, it must be considered as inappropriate development in principle within the Green Belt. It is for the applicant to demonstrate that very special circumstances exist to outweigh this in principle harm, as well as any other harm arising from the proposed development.

The proposal is also located within a Site of Nature Conservation Importance and Policy DC58 states that planning permission for development that adversely effect any of these sites will not be granted unless the economic or social benefits of the proposals clearly outweigh the nature conservation importance of the site and only then if adequate mitigation can be provided and no alternative site is available.

Officers do not consider the applicant to have sufficiently demonstrated that no other site is available. As part of the pre-application discussions officers have advised that a site in close proximity to the bus lay-by would be the preferred position as any impact would be partially mitigated by closer proximity the built environment, existing streetlights as well 2 directional floodlights on either side of the lay-by. No evidence was provided by the applicant to suggest that a site close to the lay-by would not be a viable option.

GREEN BELT IMPLICATIONS

Policy DC64 of the Core Strategy and Development Control Policies Development Plan Document states that planning permission for telecommunications development will only be granted where it does not have an unacceptable effect on the character and appearance of the surrounding area or

in other respects unacceptably harm the amenity of occupiers of neighbouring sites. The policy goes on detailing that proposals should be sufficiently screened, should not have an undue effect on the skyline and not cause an adverse effect on local conservation value. The applicant should furthermore demonstrate the significance of, and the need for the proposal as part of the national network; demonstrate that the proposal is the least environmentally intrusive option of all technically feasible alternatives; and compliant with the ICNIRP guidelines for public exposure. Expanding on the above, in respect of design, policy CP17 aims to ensure that new development maintains or improves the character and appearance of the local area.

This application is for a streetpole with a height of 14m combined with 6 no. antennas on a phase 4.5 head-load. The proposed mast would be significant wider and with the addition of the external antennas would represent a substantially larger development than that of the commonly used Elara streetpoles.

It is considered that an installation of this height and size would represent a significant visual intrusion within this part of the Metropolitan Green Belt. Whilst there are existing trees close to the southern boundary of the St. Georges Hospital site, (approximately 18m from the subject site) they are of a lesser height than the proposed mast and deciduous. This means that the tower has a prominent and exposed position against the skyline, particularly during the winter months, to an extent which is considered to result in a visually intrusive form of development, which harms the predominantly open character of the surrounding Green Belt.

It is therefore considered that the applicant must demonstrate very special circumstances exist to overcome the harm to the Green Belt arising from the proposed installation.

The proposal includes cabinets and a 1.8m high palisade compound fence. This has a lesser impact on the Green Belt due to its reduce height and the greater benefit of tree screening at ground level.

IMPACT ON AMENITY

The proposed location of the mast does not lie adjacent or encroach upon any residential property. Officers do not consider the mast to have an unacceptable impact on neighbouring amenity as the nearest residential dwelling is situated approximately 70m away.

With regard to the actual operation of the development, and potential noise impacts, the Council's Environmental Health department have been consulted and have raised no objection to the proposal. Such issues nevertheless fall outside the direct scope of consideration of this application. The Council is only permitted, with such an application, to determine if the siting and appearance of the development is satisfactory or not.

Other issues:

In respect of health issues a Certificate has been submitted with the application which confirms that the proposal complies with ICNIRP guidelines. Government advice within the NPPF states that local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International

Commission guidelines for public exposure.

In this case, an ICNIRP Certificate has been submitted. It is not therefore considered that there are any justifiable grounds to refuse the proposals on health grounds.

OTHER ISSUES

It falls to be considered whether there are any very special circumstances which would justify the harm caused by the proposed development to the Metropolitan Green Belt.

The applicant has indicated that there is a requirement for the proposed development to meet an identified need in the locality. The applicants states that this proposal would replace the coverage from the previous mast which was located within the grounds of St Georges Hospital. The St. Georges Hospital site is due for re-development and the operators were therefore served with a Notice to Quit. Supporting information indicates that a number of alternative sites were considered locally but were unsuitable for the proposal.

Staff have considered whether this amounts to the very special circumstances necessary to justify the development and have had regard to the guidance set out in NPPF.

However, in this case it is considered that the extent of harm to the character and appearance of the Green Belt would outweighed the very special circumstances case. Moreover, officers are not convinced that a site closer to the bus lay-be would not be a viable option as discussed earlier in this report.

KEY ISSUES / CONCLUSIONS

The proposed development is considered to be unacceptable in terms of siting and appearance and, in respect of this, it is recommended that the prior approval of the local planning authority, pursuant to Part 16 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015, therefore be refused.

1. Reason for refusal - Metropolitan Green Belt

The site is within the area identified in the Havering Unitary Development Plan as Metropolitan Green Belt. The Unitary Development Plan and Government Guidance as set out in Planning Policy Guidance Note 2 (Green Belt) is that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that the new development will only be permitted outside the existing built up areas in the most exceptional circumstances. No special circumstances have been submitted in this case and the proposal is therefore contrary to Policy DC45 of the Development Control Policies Development Plan Document Policy and the provisions of the NPPF.

2. REFUSAL - Non Standard

The proposal, by reason of its height and size and prominent location, would appear as an unacceptably dominant and visually intrusive feature, harmful to the rural character of the Green Belt, contrary to Policies DC45, DC61 and DC64 of the LDF Core Strategy and Development Control Policies Development Plan Document and the provisions of NPPF.

INFORMATIVES

1. Refusal - Amendments requested not made ENTER DETAILS

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with Ms Ginny Hall on 11/01/16. The revisions involved proposed a site closer to the bus lay-by. The applicant declined to make the suggested revisions.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 2nd June 2016

APPLICATION NO. P0342.16
WARD: Havering Park **Date Received:** 17th March 2016
Expiry Date: 8th June 2016

ADDRESS: Willow Mead
Broxhill Road
Havering-atte-Bower

PROPOSAL: Erection of a conservatory to side of dwelling

DRAWING NO(S): 3091.02
3091.01

RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site is a residential property, known as 'Willowmead', which is situated on the western side of Broxhill Road. The dwelling is set back from the main road frontage on to Broxhill Road, behind the properties known as 'Estralita', 'The Havering' and 'Hillside'. The site is within the Metropolitan Green Belt.

There is a vehicular access to the site from Broxhill Road, flanked on either side by brick walls, with access controlled by electronically operated gates. The dwelling is reached by a long access road, which runs broadly in an east to west direction across the site. The existing dwelling is a single storey structure, which is a converted and extended former stable block.

There is a fall in levels towards the west of the site, with open Green Belt land beyond the western boundary. To the south, the site is bounded by a dense tree screen, beyond which is West Park Lodge Farm and other buildings in commercial use. To the north is the residential curtilage of the dwelling known as 'Willows'.

DESCRIPTION OF PROPOSAL

The proposal involves the erection of a conservatory at the southernmost end of the house. The conservatory would have a width of 6.7 metres, a depth of 5 metres, a height of 2.5 metres at the eaves and a height of 3.7 metres at the roof ridge.

RELEVANT HISTORY

Application History:

L/HAV/774/84 Land east of 'Estralita'- double width vehicle crossover - approved

P1703.87 Replacement dwelling to 'Hillside' - refused

P0401.87 Replacement dwelling to 'Hillside' - refused

P1465.01 Single storey rear extension to Willowmead - refused

P1603.02 Use of former stable as dwelling and single storey extension to Willowmead - approved

P0715.07 Retention of single storey extension - refused

P1881.07 Demolition and rebuild of single storey side/front extension - Approved.

Appeal lodged against conditions 8 & 9 of approval (relating to requirement to close the existing entrance and remove existing entrance structures and to construct a new access in a more southerly location). Appeal allowed on the grounds that the conditions were not reasonably related to the proposed development and the conditions therefore deleted from the permission.

P1226.08 Erection of porch and car port, formation of vehicular crossover, retention of driveway and gates - approved.

Enforcement History:

In 2000, the Council became aware of the conversion of an existing stable block into residential accommodation. The converted stable block was also extended and in 2001 a planning application (P1465.01) was submitted for its retention. This application was refused and subsequent to this refusal enforcement notices were served. In summary, these required the cessation of the use of the building as a residential dwelling and reinstatement of the land, including the removal of all associated hard surfacing, as well as the removal of the extension to the stable building. A subsequent appeal upheld the enforcement notices and required the notices to be complied with by November 2002.

In September 2002, a further planning application was submitted (P1603.02) for the retention of the existing unauthorised dwelling (i.e. the former stable block) and a single storey extension to the building, which was essentially a reduction in the size of the existing extension. This application was approved by Regulatory Services Committee. This permission accepted residential use of the former stable block and a smaller extension to the building but was subject to a number of conditions, which included the removal of the existing access and entrance structures and construction of a new access further to the south. The existing unauthorised extension was also required to be removed.

The applicant failed to comply with the enforcement notices or implement the planning permission and a summons was issued for non-compliance with the enforcement notices. This was successfully prosecuted and a fine of £7000 was imposed for the breach of the enforcement notices.

A further planning application was submitted in April 2007 (P0715.07). This sought to retain the existing extension in its unauthorised form. This application was refused by Regulatory Services Committee.

Following this refusal, a subsequent application was submitted in September 2007 (P1881.07). This sought permission for an extension of a reduced size to replace the existing unauthorised

extension. Permission for this extension was granted by Regulatory Services Committee in November 2007. Permission was given subject to a number of conditions. This included conditions requiring the removal of the existing access and entrance structures and construction of a new access further to the south (i.e. the same conditions as for planning permission P1603.02). The applicant subsequently appealed against these conditions and was successful in having them removed from the permission.

CONSULTATIONS / REPRESENTATIONS

Consultation letters were sent to neighbouring properties, a site notice was displayed and an advertisement published in a local newspaper. No responses have been received.

RELEVANT POLICIES

National Planning Policy Framework

LONDON PLAN

Policy 7.6 - Architecture

Policy 7.16 - Green Belt

LDF

DC45 - Appropriate Development in the Green Belt

DC61 - Urban Design

SPD9 - Residential Extensions and Alterations SPD

MAYORAL CIL IMPLICATIONS

The proposal would involve the formation of less than 100 square metres of new floor area and is therefore not liable for Mayoral CIL.

STAFF COMMENTS

The issues arising from this application are the principle of development within the Green Belt, design and amenity considerations.

GREEN BELT IMPLICATIONS

The site is within the Green Belt and so the main issues are:

- Whether the proposal would be inappropriate development for the purposes of the National Planning Policy Framework (the Framework) and the development plan;
- The effect of the proposal on the openness of the Green Belt and the character and appearance of the surrounding area;

-If the proposal is inappropriate development, whether the harm caused by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

APPROPRIATENESS

Paragraph 89 of the National Planning Policy Framework states that extension or alteration of a building are not inappropriate in the Green Belt provided that they do not result in disproportionate additions over and above the size of the original building.

The proposal would constitute extensions to an existing house. The development is therefore considered to be appropriate to the Green Belt, provided that it is judged that the replacement has no greater impact on the openness of the Green Belt. This issue is addressed below.

OPENNESS

The original stable block, which now has authorised use as a dwelling, had a volume of 378 cubic metres. The extensions to the dwelling approved under applications P1881.07 (including previous extensions) and P1226.08 increased the original property by 222 cubic metres, representing a 58.7% increase over and above the original building.

The proposed conservatory has a volume of 116 cubic metres, which gives a cumulative volumetric increase of 89.4% over and above the original building which would be in excess of the limit of 50% imposed by Policy DC45 of the Local Development Framework.

This is a considerable overall increase in volume and, in view of the previous planning history of the site, Members may judge that the development results in a disproportionate addition to the original building, such that the proposal would be unacceptable. However, in judging the harm arising from the proposals, it is considered that the development is not an overly large addition to what was originally a relatively small stable building. It is noted that the development would not be readily visible from any public place as the conservatory would be obscured from view by the intervening houses. The conservatory is set well in from the southern boundary of the site and is a glazed structure which has far less visual impact when compared to a more substantial building.

On balance it is considered that the proposal would not be detrimental to the openness of the Green Belt and is therefore acceptable within the Green Belt.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The application site is on a part of Broxhill Road characterised by widely separated single and two storey residential properties. As described above, the extension would not be easily visible from any public place. The conservatory would be more than 40 metres from the garden of the nearest residential property and obscured from view by an existing 2 metre wooden fence. For these reasons it is not considered that the proposed conservatory would have a detrimental impact on the street/garden scene.

IMPACT ON AMENITY

There are no amenity issues. The proposal is set well away from the nearest property to the east

and would not result in any material loss of outlook, daylight or sunlight or loss of amenity due to overlooking.

HIGHWAY / PARKING

There is a generous hardstanding to the front of the house and there are no parking issues.

KEY ISSUES / CONCLUSIONS

The proposal is contrary to Policy DC45 of the Local Development Framework because when taken with other additions to the building which have been made over the past few years it would contribute to an increase in volume of the original building of 89.4%. However as it is not considered that the development would harm the character or openness of the Green Belt or harm the amenity of neighbouring occupiers the proposal is recommended for approval.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

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. SC32 (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 Development Control Policies Development Plan Document Policy DC61.

3. SC62 (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.

INFORMATIVES

1. Approval - No negotiation required

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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 2nd June 2016

APPLICATION NO. P0438.16
WARD: Upminster **Date Received:** 18th March 2016
Expiry Date: 6th June 2016

ADDRESS: Harwood Hall
Harwood Hall Lane
Upminster

PROPOSAL: Demolition of existing classroom buildings and stores and erection of a new classroom block

DRAWING NO(S): 07:16:LOC01
07:16:P04
07:16:P02

RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site is located in Corbets Tey Conservation Area on the southern side of Harwood Hall Lane in the south-west of the built up area of Upminster. The site is the home of the Oakfields Montessori School which occupies Harwood Hall, a Grade II Listed building, and several other buildings to the south of the hall and arranged around two courtyards. The northernmost of these courtyards is flanked to the north by the rear facade of the hall; to the south by a 2.5 metre wall and the flank of a two storey house; to the west by a shed, a pitched roof timber clad store room and two single storey pitched roof timber clad buildings in use as classrooms; and to the east by a single storey pitched roof stable block in use as offices.

The surrounding area is rural in nature, with one residential dwelling adjoining the school site to the west, and Corbets Tey School to the north opposite the application site.

DESCRIPTION OF PROPOSAL

The proposal involves the demolition of the shed, the store and the two single storey timber classroom buildings on the west side of the courtyard to the south of the hall and their replacement with a single storey flat roofed cedar clad building. The existing buildings have an eaves height of 2.6 metres, a ridge height of 4.2 metres and a footprint of 100 square metres. The proposed classroom block would be clad in vertical planks of cedar with timber windows and doors. The building would have a height of 3.15 metres and a footprint of 130 square metres.

RELEVANT HISTORY

P0088.15 - Demolition of existing swimming pool enclosure and replacement swimming pool enclosure.

Approved with conditions 6-03-2015.

L0001.13 - Listed Building Consent for internal alterations to form revised kitchen with external flue, new internal toilet provision, extension to existing conservatory to form new store to hall and surfacing of two external areas to form children's play space with low level lighting.

Approved with conditions 17-05-2013.

P0026.13 - External flue, new internal toilet provision, extension to existing conservatory to form new store to hall and surfacing of two external areas to form children's play space with low level lighting.

Apprv with cons 17-05-2013

P0693.97 - Retention of swimming pool swimming pool enclosure and lean-to conservatory and engineering works to create play area within walled garden.

Approved with conditions 24-10-1997

L0004.97 - Retention of swimming pool, swimming pool enclosure and lean-to conservatory.

Approved with conditions 24-10-1997.

P0093.93 - Change of use to School.

Approved with conditions 14-05-1993.

L0001.93 - Application for Listed Building consent for change of use to school and ancillary works.

Approved with conditions 14-05-1993

CONSULTATIONS / REPRESENTATIONS

Public Consultation -

The proposal was advertised by way of a site notice and in the local press as development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development Control Policies Development Plan Document, is within a conservation area, and affects the setting of a Listed Building. In addition 202 neighbouring occupiers were directly notified of the application via letter.

No representations were received as part of the public consultation process.

Internal Consultees -

Conservation Strategy Officer - No objection, recommends approval.

External Consultees -

Historic England - No objection.

London Fire Brigade - No objection.

RELEVANT POLICIES

LDF

CP14 - Green Belt
CP17 - Design
CP18 - Heritage
CP8 - Community Facilities
DC29 - Educational Premises
DC45 - Appropriate Development in the Green Belt
DC61 - Urban Design
DC67 - Buildings of Heritage Interest
DC68 - Conservation Areas
SPD2 - Heritage SPD

REGIONAL

LONDON PLAN - 3.18 - Education facilities
LONDON PLAN - 7.16 - Green Belt
LONDON PLAN - 7.4 - Local character

NATIONAL

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

The proposed building would be exempt from the Mayoral CIL as it is for educational purposes.

STAFF COMMENTS

The proposal is referred to the committee as it is development which is contrary to the Metropolitan Green Belt Policies of the LDF Core Strategy and Development Control Policies
Development Plan Document

PRINCIPLE OF DEVELOPMENT

The application site falls within the Metropolitan Green Belt.

The use associated with the proposal (i.e. school facilities) is considered to be acceptable despite not being within the list of activities deemed appropriate in the Green Belt set out in accordance with Development Control Policies DPD Policy DC45.

The purpose of the proposal is to enhance the existing use, which is to replace the existing classroom facilities. As previously discussed under the 'Relevant History' section of this report, the application site was granted planning permission for its current use as a school under P0093.93 and there is no need to reassess the impact associated with the use of the site as a school as this has already been deemed to be acceptable. The main issues to consider with regard to the subject application are those associated with the physical component, i.e. the replacement of the existing structures with the proposed classroom building.

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 NPPF advises that Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Due to the unique circumstances of the application site, the proposal should be judged on -

- (a) whether it has a detrimental impact on the openness of the Green Belt, or conflict with any of the purposes of including land within it;
- (b) whether the replacement building is materially larger than the existing building;
- (c) whether the proposal gives rise to any unacceptable detrimental impact on the residential amenity of adjoining occupiers;
- (d) whether there are significant detrimental impact on the efficient and safe operation of the local highway network; and
- (f) any other matters.

The physical component of the proposal is acceptable in principle when assessed against the criteria listed above. This will be expanded upon below.

GREEN BELT IMPLICATIONS

As indicated above, 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 an existing building provided the replacement building is not materially larger than the original building.

In this case, the proposal is considered to be proportionate compared to the existing structure it replaces.

They buildings are similar in footprint and have an identical location. The proposed building would be lower than the existing structures - it has a maximum height of 3.14 metres whereas the existing structure has a ridge height of 4.18 metres.

The proposed structure would have a volume of approximately 350 cubic metres, and the existing structures have a combined volume of 333 cubic metres. This represents an increase of 5% in volume over the existing structure which is considered to be acceptable.

The proposal would not have an adverse impact on the perception of openness in the area, as it is comparable in size to the existing buildings, and is not readily visible from anywhere on the site apart from the courtyard area.

It is considered that the proposal would not have an unacceptable impact on the open nature and character of the Green Belt in terms of its massing, or conflict with any of the purposes of including land within it. The proposed replacement structure would not result in disproportionate additions over and above the size of the existing buildings, and does not constitute inappropriate

development in the Green Belt when assessed against Chapter 9 of the NPPF.

LISTED BUILDING

The application site incorporates a Grade II listed structure, which is Harwood Hall. It is considered that the proposal would have a minor beneficial impact on the setting of this building: it would be positioned further away from the hall than the most proximate of the existing buildings which actually abuts the hall; it would replace wooden buildings which are in a state of visible deterioration and it is considered that the cedar cladding would have a more appropriate finish than the existing dark stained timber buildings.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC68 states that planning permission will only be granted for development which preserves or enhances the character and appearance of the Conservation Area and is well designed.

The design of the proposal is considered to be acceptable, as it is a simple unassuming structure which replaces structures which are in obvious disrepair. Whilst the proposal is not of a traditional design, neither are the existing buildings that it would replace and the proposal would be an improvement to the existing situation.

The proposal would not be visible when viewed from Harwood Hall Lane. It would therefore have no impact on the character or appearance of the streetscene.

IMPACT ON AMENITY

The proposed building is not close to any residential buildings and there is no potential for loss of amenity.

HIGHWAY / PARKING

The proposal would have no impact on car parking or have any implications for vehicular access.

KEY ISSUES / CONCLUSIONS

The proposal is considered to be acceptable as it would replace existing dilapidated structures and would improve the existing situation in terms of design and materials. The proposed building would be proportionate to the existing structures and would not have a detrimental impact on the character of the streetscene or the surrounding area. It would have no impact on the residential amenity of neighbouring residential occupiers.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

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. SC32 (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 Development Control Policies Development Plan Document Policy DC61.

3. SC09 (Materials) (Pre Commencement Condition)

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are 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.

INFORMATIVES

1. Fee Informative

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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.

2. Standard Green Belt Informative

The application property is within the Metropolitan Green Belt where there are restrictions over development. In view of those extensions which have already taken place and/or been granted permission, it should not be assumed that further extensions will be agreed.

3. Approval - No negotiation required

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.

OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 2nd June 2016

APPLICATION NO. P1553.15
WARD: Mawneys Date Received: 8th December 2015
Expiry Date: 2nd February 2016
ADDRESS: 231 Cross Road
Mawneys
Romford
PROPOSAL: Retrospective planning permission for loft conversion with rear dormer
DRAWING NO(S): 02 Rev A - Existing Plan (as amended)
RECOMMENDATION It is recommended that **planning permission be GRANTED**

CALL-IN

This application has been called in for determination at Committee by Cllr Patel on the grounds of potential invasion of privacy of neighbouring residents.

SITE DESCRIPTION

The application property is a mid terrace house which was originally the southern half of a pair of semi-detached houses. The attached property to the south has been built pursuant to P0381.15 which granted planning permission for a new 3 bedroom house.

DESCRIPTION OF PROPOSAL

The proposal is for the retention of a rear dormer to the rear roofslope of 231 Cross Road. The dormer is 4m wide and has been constructed up to the boundary with the newly built property to the south and set 4.3m away from the original neighbouring property to the north. The dormer extends up to the ridge line, is set back 0.4m from the eaves and intersects with the hipped roof of a two storey rear extension.

The dormer has been reduced in width from an original 7.5m wide dormer which had been constructed without planning permission and was the subject of enforcement complaints and investigation.

RELEVANT HISTORY

- ENF/565/1 Alleged breach of planning condition 2 of P0381.15- Not in accordance with
5/ - plans
Awaiting Decision
- Q0138.15 - Discharge of Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 14 from
P0381.15
Non standard dec 16-10-2015
- P1055.15 - ERECTION OF 1 X NEW 3 BEDROOM ATTACHED DWELLING ON SIDE
GARDEN AND CONSTRUCTION OF PART TWO/ SINGLE STOREY REAR
EXTENSION TO EXISTING HOUSE AT
231 CROSS ROAD. P0381.15 Conditions(s)
01,02,03,04,05,06,07,08,09,10,11,12,13 & 14
Withdrawn - Invalid 23-07-2015

P0381.15 - Erection of 1no. new three-bedroom attached dwelling on side garden and construction of part two/single storey rear extension to existing house at 231 Cross Road.

Apprv with Agreement 25-06-2015

CONSULTATIONS / REPRESENTATIONS

22 neighbouring properties were consulted and 5 letters of objection have been received.

Objections relate to the following:

- Invasion of privacy of surrounding gardens from the single window;
- Dormer window should be frosted;
- Dormer window is too large;
- Original plans for the new house and extensions were not implemented in accordance with the plans and the twin apex roof has been constructed with ridges higher than shown;
- Site is overdeveloped;
- A house in multiple occupancy will give rise to congestion and parking problems;
- Why should someone be able to apply for planning permission for something that they were not allowed to build in the first place.

Objections relating to the impact upon privacy and the design of the dormer are relevant planning considerations for this application and will be considered later in the report.

Objections related to the previous permission for the new house and extensions, whether or not it was constructed in accordance with the approved plans, parking problems and allegations that the property is being used as a HMO are not relevant to the consideration of the application.

RELEVANT POLICIES

LDF

- DC33 - Car Parking
- DC61 - Urban Design
- SPD04 - Residential Extensions & Alterations SPD

MAYORAL CIL IMPLICATIONS

There are no mayoral CIL implications

STAFF COMMENTS

The key issues in this case are the design and appearance of the proposal and the impact upon the amenity of neighbouring properties.

BACKGROUND

Planning permission P0381.15 was granted last year for the construction of a new house alongside 231 Cross Road with the permission also incorporating a twin hipped two storey rear projection to both the proposed new house and the donor property. During construction it became apparent that the applicant was building a dormer window to the rear roofslope of 231 Cross Road. Whilst rear dormers are commonly built as permitted development, the right to do so had been removed

in this instance by a condition relating to P0381.15. Furthermore, as the dormer was being constructed at the same time the other building work was going on it should have been shown on the plans for that development. As a result of complaints the matter was investigated by Planning Enforcement.

Following from this the applicant reduced the width of the fully constructed rear dormer, removing a 4.5m wide section which incorporated a three pane window closest to the boundary with 233 Cross Road. This application is submitted for the retention of that reduced width rear dormer.

DESIGN / IMPACT ON STREET / GARDEN SCENE

The advice relating to dormer windows contained in the Council's Residential Extensions and Alterations SPD is that they should normally be located facing the rear garden so that they are not visible from the street and that they should be set well within the body of the roof, setting the sides in from any gable or party walls, the front back from the eaves and ideally, the roof below the ridge line.

In this instance the dormer extends up to the party boundary with the new house 321A Cross Road and although set sufficiently back from the eaves, the roof is only slightly below the ridge. The dormer also intersects with the hipped roof of the two storey rear projection and is visible from the street.

The judgement to be made is whether these design features give rise to sufficient harm to refuse the proposal on design grounds.

It is important to bear in mind that the vast majority of rear dormers are constructed as permitted development and apart from generous volume restrictions, the only requirements are that they be set back from the eaves, do not project above the ridge and that they be constructed in similar materials. As a result the vast majority of rear dormers are usually of little architectural merit, instead they are a permissible means by which residents can increase the size of their properties with only limited restrictions.

Had the permitted development rights not have been removed from this property, the dormer in question would have been permitted development in its original form. The applicant has responded to the original complaints by removing over half of the dormer leaving a portion set symmetrically around the hipped roof sufficient to give headroom for the staircase and to gain unrestricted access to the main body of the bedroom.

The construction of a rear dormer that intersects with a hipped roof, although somewhat awkward visually, is not an unusual feature and Staff are satisfied that the dormer as constructed does not give rise to any significant harm from a visual amenity point of view irrespective of any limited view that is available from the street.

IMPACT ON AMENITY

In terms of impact upon amenity Policy DC61 advises that planning permission will not be granted where a proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy.

The dormer as constructed incorporates a single window located between the twin hipped roofs of the conjoined two storey rear extension. The arrangement of the property, with a rear garden that flanks onto the rear gardens of the adjacent road, is found at the majority of street junctions in urban areas. The distance from the dormer window to the rear of the closest house in Anson Close is 13.5m, which again is not considered to be uncharacteristically short. Furthermore, the window is located at the top of the stairs and outside of the bedroom which is considered to reduce the potential for loss of privacy. Accordingly staff are satisfied that there are no grounds for refusal from loss of privacy or overlooking, nor are there any amenity issues raised by the dormer.

HIGHWAY / PARKING

No highway or parking issues arise.

KEY ISSUES / CONCLUSIONS

The dormer as constructed in its reduced form compared to that originally built is considered to have addressed the concerns that have been raised by objectors. The design is considered to be acceptable with no significantly harmful or material issues of amenity loss occurring thereby satisfying Policy DC61. It is recommended that planning permission be granted.

RECOMMENDATION

It is recommended that **planning permission be GRANTED**

INFORMATIVES

1. Approval following revision ENTER DETAILS

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent via a-mail dated 13/5/16. The revisions involved removing a proposed second window and rooflight shown on the floorplan only. The amendments were subsequently submitted on 17/5/16.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

2 June 2016

Subject Heading:

P1768.15 - Hexagon House and Chaucer House, Mercury Gardens, Romford

Erection of 10 Flats on top of the Existing Building. (Received 30/11/15 and revisions received 22/12/15, 23/02/16, 04/03/16 and 12/05/16)

Ward:

Romford Town

Report Author and contact details:

Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800

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

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

SUMMARY

The proposal is for the erection of 10 flats on top of the existing Hexagon House building.

It raises considerations in relation to the impact on the character and appearance of the streetscene, the impact on the residential amenity of the future occupants and of neighbouring residents and the suitability of the parking arrangements.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 895m² and amounts to £17,900.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £60,000 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 pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- The Developer/Owner to pay the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time Limit

The development 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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

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.

3. Parking Provision

Before any of the flats hereby permitted are first occupied, the car parking provision shall be laid out to the satisfaction of the Local Planning Authority and be made available for 60 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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. External Materials

No works shall take place in relation to any of the development hereby approved until samples of the external finishing materials are 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 external finishing materials to be used. Submission of samples prior to commencement will safeguard the appearance of the premises and the character of the immediate area and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

5. Refuse and Recycling

The flats hereby permitted shall not be occupied or 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 flats hereby permitted 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. 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.

8. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;

- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

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

9. Energy Statement

No development shall take place until an Energy Statement has been submitted to and approved in writing by the Local Planning Authority. The statement is required to demonstrate that the development will meet the 'Minimum Improvement on 2013 Building Regulations of 35 per cent'

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the Core Strategy and Development Control Policies DPD and Policy 5.2 of the London Plan 2011

10. Accessible and Adaptable Dwellings

At least 3 of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

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

11. Water Efficiency

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

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

INFORMATIVES

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..

2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent via email at various stages through the application process. The revisions involved amendments the drawings to show 10 units. The amendments were subsequently submitted on 23 February 2016 and 12 May 2016.
3. 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 £17,900.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
4. 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.

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| REPORT DETAIL |
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1. Site Description

- 1.1 The application site is within Romford Town Centre and is located to the south side of Western Road, to the eastern side of its junction with Grimshaw Way. The site is generally flat, although there is a gentle slope towards the southern end of the site. The site has an area of 0.57 hectares. It comprises the existing 4/5 storey office buildings, known as Hexagon House and Chaucer House, together with an associated car park of around 112 spaces to the rear of the buildings.
- 1.2 To the north of the site lies Western Road, with a multi-storey car park on the opposite side of the road and beyond that the Liberty shopping centre. There are bus stops directly in front of the application site. To the immediate east of the site is Mercury Gardens, which forms part of the ring road around Romford Town Centre. West of the site is the location for the new Romford

Leisure Development and Grimshaw Way, which is bordered on the other side by the 5 storey Sovereign House and 4 storey Scimitar House beyond. A narrow private access road lies to the south with the 4 storey St James House and 2 storey Romford & District Synagogue beyond.

- 1.3 The wider area is characterised by town centre activities and includes a number of shopping centres, including the Liberty and Brewery, reflective of the status of Romford as a Metropolitan Town Centre (as identified in the London Plan). The site also lies within the Romford Office Quarter as identified in the Romford Area Action Plan.

2. Description of Proposal

- 2.1 The proposed development involves the erection of 10 flats on top of the existing building at Hexagon House and Chaucer House. The flats would be arranged in an informal layout on the roof accessed from within the existing building and would consist of 9 no. 3-bed units and 1 no. 2-bed unit.
- 2.2 Amenity space in the form of balconies would be provided to the proposed flats.
- 2.3 The Technical Note Transport Statement provided as part of the application advises that the resultant building at Hexagon and Chaucer House would have 60 parking spaces for the 125 flats (current proposal for 10 units plus the previously approved 115 units under J0026.15) in the building at a ratio of just under 0.5 parking spaces per flat. No changes are proposed to the existing access arrangements for vehicles off Grimshaw Way. The main access points for pedestrians would remain off Mercury Gardens and Western Road.
- 2.4 The applicant has stated that 125 secure cycle spaces would be provided which would amount to 1 per flat when considering the existing units as well as the proposed units. A condition will be added to request details of the cycle storage to be submitted prior to commencement on site, in the event of an approval.
- 2.5 No details of refuse storage have been submitted and this will be requested as part of a condition in the event of an approval.

3. Relevant History

- 3.1 P0177.16 - Raised Wall to Parapet & New Windows - Under consideration
- 3.2 P0071.16 - Erection of 20 Flats on top of Existing Building - Under consideration
- 3.3 J0026.15 - Change of Use from (Class B1 (a)) to residential use (Class C3) for 115 proposed new flats - Prior approval given

3.4 F0003.13 - Application for prior notification of demolition of electricity substation - Planning permission not required

3.5 P1537.12 - Part demolition and installation of Chaucer House and Hexagon House, construction of 2 new fire escapes, relocation of air handling plant, re-configuration of existing car parking - Approved with conditions

3.6 The following applications affecting the adjacent surface car park are also relevant:

Z0008.12 - Screening opinion for current car park to be developed for Leisure Centre to include swimming pool and ice rink - EIA not required.

P1492.12 - Construction of a new leisure centre comprising an ice rink, 25m swimming pool, training pool, multi-purpose dance studio, fitness suite and ancillary café with associated disabled car parking and cycle parking - Approved with conditions

4. Consultations/Representations

4.1 The application has been advertised on site and in the local press. Neighbour notification letters have also been sent to 16 local addresses. No letters of objection were received.

4.2 The following consultation responses have been received:

- Highways - no objection
- Waste and recycling team - requested clarity on bin storage and access
- Thames Water - no objection.
- London Fire Department - no objection.
- Environmental Health - no objection.

5. Relevant Policies

5.1 The National Planning Policy Framework, specifically Sections 2 (ensuring the vitality of town centres), 4 (promoting sustainable transport), 7 (requiring good design) and 8 (promoting healthy communities) are material to this application.

5.2 Policies 2.6 - 2.8 (Outer London: Vision and strategy, economy and transport), 2.15 (town centres), 4.2 (offices), 4.7 (retail and town centre development), 5.18 (development waste management), 6.1 (transport), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.2 (an inclusive environment), 7.4 (local character), 7.5 (public realm) and 7.6 (architecture) of the London Plan are material planning considerations.

5.3 Policies CP4 (town centres), CP5 (culture), CP9 (reducing the need to travel), CP10 (sustainable transport), CP17 (design), DC15 (town centres), DC32 - 36 (transport), DC40 (waste recycling), DC55 (noise), DC61 (urban design), DC62 (access), DC72 (planning obligations) of the Core Strategy

and Development Control Policies Development Plan Document are material considerations.

- 5.4 Policies ROM13 (Romford Office Quarter), ROM19 (tall buildings) and ROM20 (urban design) of the Romford Area Action Plan are material to this application, alongside the Romford Development Framework which has been adopted for development management purposes.

6. Staff Comments

- 6.1 The main considerations relate to the principle of the development within the designated Romford Office Quarter, the impact on the vitality and viability of the town centre, the visual impact of the proposed works, amenity issues and parking and highway considerations.

6.2 Principle of Development

- 6.2.1 The site lies within the Romford Office Quarter, designated in the Romford Area Action Plan (AAP). Policy ROM13 of the AAP states that to increase the vitality and viability of the Romford Office Quarter higher densities will be allowed and residential and A3 uses encouraged provided that:

- There is no net loss of office space in any redevelopment of existing sites;
- New developments include a significant element of new office space within the scheme; and
- In line with ROM17 and ROM21, new developments incorporate tree planting and green amenity space, and new hard landscaped public spaces.

- 6.2.3 The current buildings benefit from a prior approval giving consent for a change of use from office space to residential; therefore there will no longer be an office use of the buildings. The current proposal would add two additional floors of residential accommodation on top of the existing building.

- 6.2.3 Officers do not consider the lack of any new office space within the development would justify a refusal of the application given that evidence suggests a steady decline in the Romford office market over recent years and a consequent over-provision of available office floorspace. It should also be noted that the subject building had a high level of vacancy prior to the change of use from office to residential. The Romford Development Framework identifies this site and the office quarter area as suitable for development height of around 8-10 storeys with a potential for mixed use development in close proximity to Crossrail.

- 6.2.4 The proposal for two additional storeys to create a 6-storey building would comply with ROM19 which allow buildings of 6-storeys and over to be located in the Romford Office Quarter.

6.3 *Density/Layout*

6.3.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.

6.3.2 The proposal would provide 10 no. residential apartments at a density, when adding the 115 units approved under prior approval, equivalent to approximately 240 dwellings per hectare. This is in line with the aims of Policy DC2 which states that a dwelling density of between 240 to 435 dwellings per hectare would be appropriate in this location.

6.3.3 In terms of housing mix, this is for two and three-bed properties which would meet the needs of the Borough as identified by LDF Policy DC2 and the Council's Housing Needs Assessment.

6.3.4 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. The technical housing standards require that new residential development conforms to nationally described minimum internal space standards.

6.3.5 The proposal would provide residential units with varying floor space sizes all of which would meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve.

7.3.6 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.

7.3.7 Each flat would have amenity space in the form of either a balcony or terrace. With the provision of the balconies and terrace areas it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space.

7.3.9 It is considered that the proposed amenity space would be of a suitable form and size and would therefore result in acceptable living conditions for future occupants the flats. All of the proposed flats would have adequate access to sunlight and daylight. Therefore the general site layout is considered to be in accordance with Policy DC61 and the Residential Design SPD.

7.4 *Design/Impact on Streetscene*

7.4.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.

7.4.2 The proposal has been carefully considered to reduce any perceived mass or bulk. Given their recessed siting at the top of the existing buildings, Officers consider the additional floors to be in keeping with the context of the streetscene and the character of the area. The surrounding area has buildings of a variety of sizes, bulk and height such that the resultant building at Hexagon House and Chaucer House would complement the streetscene. It is considered that the modern appearance of the proposed development would improve the quality of the area as the proposal would represent a visual enhancement over and above the existing built form on the site. The proposal is considered to be in keeping with Policy DC61 as it would complement or improve the amenity and character of the area through its appearance and materials used.

7.5 *Impact on Amenity*

7.5.1 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overlooking or loss of privacy to existing properties.

7.5.2 The nearest residential dwellings are situated in Eastern Road with separation distance of approximately 94m between the proposed development and these neighbouring dwellings. The site is bordered to the west and south by office buildings, to the north by a multi-storey car park and to the east by the Liberty Bell hotel and restaurant.

7.5.3 The proposal is not considered to have an unacceptable impact on the proposed flats within the existing floors of Hexagon and Chaucer House.

7.5.5 It is considered that the proposed development would not harm the amenities of neighbouring properties and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61, the Residential Design SPD and the intentions of the NPPF.

7.6 *Parking and Highway Issues*

7.6.1 Policy DC33 seeks to ensure all new developments make adequate provision for car parking. Under Policy DC2 the Public Transport Accessibility Level (PTAL) is set at 6b meaning that the site is classified as having the best access to public transport. Therefore flattened development in this location is required to provide parking provision of less than 1 space per unit.

7.6.2 The Technical Note Transport Statement provided as part of the application advises that the resultant building at Hexagon and Chaucer House would have 60 parking spaces for the 125 flats (current proposal for 10 units plus the previously approved 115 units under J0026.15) in the building at a ratio

of just under 0.5 parking spaces per flat. Officers consider this provision acceptable given the high PTAL rating for the site and the town centre location. The Highways Authority has not raised an objection to the application.

- 7.6.3 Secure cycle storage providing space for up to 125 cycles would be provided. A condition will be added requesting details to be submitted prior to commencement of development in the event of an approval.

7.7 *Affordable Housing*

- 7.7.1 In terms of affordable housing the aim is to achieve 50% across the borough in accordance with LDF policies CP2 and DC6. The requirement on site would therefore be 5 units. LDF Policy DC6 seeks the maximum reasonable amount of contribution taking account of viability amongst a range of factors. This is supported by Policy 3.12 of the London Plan which states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual schemes; however, negotiations should also take into account individual site circumstances, including viability. The applicant has submitted a viability appraisal with the application that seeks to demonstrate that the development would be unviable for affordable housing. The valuation has been independently appraised and that appraisal has agreed that the scheme cannot any support affordable housing.

7.8 *Mayoral Community Infrastructure Levy*

- 7.8.1 The proposed development will create 10 no. new residential units with 895m² square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £17,900 subject to indexation based on the calculation of £20.00 per square metre.

7.9 *Infrastructure Impact of Development*

- 7.9.1 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.
- 7.9.2 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.

- 7.9.3 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.
- 7.9.4 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.
- 7.9.5 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.
- 7.9.6 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.
- 7.9.7 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 per dwelling 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.
- 7.9.8 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. It is considered that a contribution equating to £60,000. for educational purposes would be appropriate.
- 7.10 Other
- 7.10.1 The applicant has stated that refuse storage and recycling capacity would be provided in accordance with the required standards. A condition will be

added requesting details to be submitted prior to commencement of development in the event of an approval.

7.10.2 The proposal will be in compliance with policy 7.2 of the London Plan in that it would achieve a high standard of accessible and inclusive design so that it can be used safely, easily and with dignity by all residents of disability. The flats would be accessed by means of lifts as well as ramped access at ground floor level. More than 10% of the flats would be accessible by and easily convertible to accommodation for disabled people in accordance with the London Plan requirements

8. Conclusion

8.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal is acceptable.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity. The development includes a mix of unit types, including accessible and adaptable units and wheelchair adaptable.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 30/11/15 and revisions received 22/12/15, 23/02/16, 04/03/16 and 12/05/16.

REGULATORY SERVICES COMMITTEE

02 June 2016

REPORT

Subject Heading:

P1601.15 Ahern Compound, Gerpins Lane,
Upminster

Application for the temporary use of the existing Ahern Compound area including ancillary plant, buildings, overnight security and roadways to receive and treat suitable inert soil materials for the restoration of the adjoining Pinch Site

P1605.15 Pinch Site, Gerpins Lane,
Upminster

Application for the restoration of damaged land to provide a managed woodland and grassland area with a recreational and amenity after use by the importation and spreading of suitable inert soil materials via the adjoining Ahern Compound

Ward:

Upminster

Report Author and contact details:

Simon Thelwell
Planning Manager, Projects and Regulation
simon.thelwell@havering.gov.uk
01708 432685

Policy context:

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

Financial summary:

Not relevant

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

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

SUMMARY

The Local Planning Authority has received two planning applications which are intrinsically linked and as such have been jointly assessed. The first of these applications is the proposed temporary use of the existing Ahern Compound area, off Gerpins Lane, to treat suitable inert materials for use within the restoration of the adjoining Pinch site (application ref: P1601.15). The second application is the proposed restoration of the Pinch site to a managed woodland and grassland area, with recreational and amenity after use, achieved through the importation and spreading of suitable inert materials (application ref: P1605.15).

It has been suggested that the Pinch site, which was previously worked for minerals, is poorly restored and the works proposed are necessary to bring the site up to standards adopted by the Forestry Commission and into a beneficial after use. It is proposed that up to 396,000m³ of material would be imported over a 24 month period with the site being fully restored within a further 6 months (so a 30 month period in total). The land levels across the entire site would be raised, with the overall height of the landform increasing by 2m (from 27m to 29m AOD).

In terms of justification, the applicant has, in addition to putting forward an argument about the existing condition of the site, suggested that this site forms an important link in the All London Green Grid and the works would accordingly support the realisation of this network of public open green spaces.

The applications have been assessed on their individual merits, but in context of potential accumulation. In this instance, it is considered that there is an adequate justification for the proposed works and that the development could effectively occur without significant impacts to the environment or locality. Whilst elements of the proposal would constitute inappropriate development in the Green Belt it is not considered that the new landform would significantly impact on the openness and/or conflict with the reason/purpose the land is included in the Green Belt. Accordingly it is recommended that planning permission be granted, subject to conditions and accompanying legal agreement.

RECOMMENDATION

That the proposal is unacceptable as it stands but would be acceptable subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Adherence to a lorry routeing agreement and management plan, which shall first be submitted and approved in writing by the Local Planning Authority;
- A highway maintenance contribution based upon the length of carriageway between the site and the A13 junction and a cost per m² of road agreed with the Local Planning Authority; and
- A scheme for public access to the site, which shall first be submitted and approved in writing by the Local Planning Authority, and implemented in perpetuity.

- The Council's reasonable legal fees for completion of the agreement shall be paid prior to the completion of the agreement irrespective of whether or not it is completed.

It is therefore recommended that the Head of Regulatory Services be authorised to negotiate and agree a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

Application Reference: P1601.15

1. Time Limit/Commencement – The development to which this permission relates must be commenced no later than three years from the date of this permission. In this regard:
 - a) Written notification of the date commencement shall be sent to the Local Planning Authority within seven days of such commencement.

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. Compliance with Submitted Details – The development hereby permitted shall be carried out in complete accordance with plans, particulars and specifications submitted and hereby approved (as per page one of the 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 policy DC61 of the LDF Development Control Policies Development Plan Document.

3. Duration and Cessation – The use hereby permitted shall be limited to a period of 30 months, from the notified date of commencement, after which the use shall cease and the site restored in accordance with drawing titled ‘Restored Landform’, drawing no. 0912/P/R/1 v3, dated 20-10-2015, to the satisfaction of the Local Planning Authority.

Reason: To ensure that the site is used for the purpose in which it has been assessed, to minimise the duration of disturbance, ensure restoration within a timely manner and to comply with policies CP14, CP15, CP16, CP17, DC22, DC41, DC42, DC43, DC45, DC47, DC52, DC55, DC56, DC58, DC60 and DC61 of the LDF Development Control Policies Development Plan Document and policies 5.18, 7.4, 7.14, 7.15, 7.16, 7.18, 7.19, and 7.21 of the London Plan.

4. Importation Restriction – No materials shall be imported, treated or stored on the area to which this application unless the materials have been imported with the primary purpose of restoration of the adjacent Pinch site, in compliance with the development permitted, and conditions imposed, on planning application reference: P1605.15.

Reason: To ensure that the site use is intrinsically linked to the proposed works at the Pinch site and to prevent the site operating as a stand-alone facility to which the impacts of such have not been assessed. To furthermore comply with policies CP10, CP14, CP15, CP16, CP17, DC32, DC39, DC41, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC60 and DC61 of the LDF Development Control Policies Development Plan Document and policies 2.8, 5.18, 6.1, 6.3, 6.11, 6.12, 6.14, 7.4, 7.14, 7.15, 7.16, 7.18, 7.19, and 7.21 of the London Plan.

Informative

1. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

2. The proposed treatment of material will require an Environmental Permit under the Environmental Permitting Regulations 2010 (as amended) from the Environment Agency. The applicant is advised to contact the Environment Agency to discuss the permitting requirements and any issues that are likely to be raised during this process.
3. Due to the presence of National Grid apparatus in proximity to the application site, the applicant is advised to contact National Grid before any works are carried out to ensure that the aforementioned apparatus is not affected by the development.
4. 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.
5. 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.

Application Reference: P1605.15

1. Time Limit/Commencement – The development to which this permission relates must be commenced no later than three years from the date of this permission. In this regard:
 - a) Written notification of the date commencement shall be sent to the Local Planning Authority within seven days of such commencement.

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. Compliance with Submitted Details – The development hereby permitted shall be carried out in complete accordance with plans, particulars and specifications submitted and hereby approved (as per page one of the 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 policy DC61 of the LDF Development Control Policies Development Plan Document.

3. Duration and Restoration – The importation of material shall cease within 24 months of the notified date of commencement. The whole of the application site shall be fully restored to a managed woodland and grassland area within 30 months of the aforementioned commencement date, in accordance with drawing titled 'Restored Landform', drawing no. 0912/P/R/1 v3, dated 20-10-2015, to the satisfaction of the Local Planning Authority.

Reason: In the interests of ensuring the site is restored as soon as possible, to minimise the potential longevity of amenity impacts and in accordance with policies DC22 and DC61 of the LDF Development Control Policies Development Plan Document.

4. Removal of Ancillary Development – Any buildings, plant, machinery, foundation, hard standing, roadway, structure or erection in the nature of plant or machinery used in connection with the development hereby permitted shall be removed from the site when no longer required for the purpose for which built, erected or installed and in any case not later than 30 months from the date of notified commencement.

Reason: To enable the Local Planning Authority to adequately control the development, to ensure that the land is restored to a condition capable of beneficial use and to comply with policies CP14, CP15, CP16, CP17, DC22, DC45, DC47, DC58, DC60 and DC61 of the LDF Development Control Policies Development Plan Document and policies 2.18, 7.4, 7.16, 7.19 and 7.21 of the London Plan.

5. Hours of Operation – With the exception of water pumping and office-based activities, no activities authorised by this permission shall take place, except between the following times:
 - 0700 – 1800 hours Monday to Friday, and
 - 0700 – 1300 hours on SaturdaysNo operations shall take place on Sundays, Bank and public holidays.

Reason: In the interests of residential amenity and in accordance with policy DC61 of the LDF Development Control Policies Development Plan Document.

6. Import/Export Throughput Restriction – No more than 396,000 cubic metres of material shall be imported to, and no more than 36,000 cubic metres of this imported material shall be exported from, the site in total.

Reason: The development has been assessed on the basis that a given amount of material will be transported to and from the site per annum.

7. Vehicle Movements - Heavy goods vehicle movements into the approved site access, and Ahern Compound area, shall not exceed 130 movements in and 130 movements out per day, unless otherwise agreed in writing by the Local Planning Authority. Written records detailing the daily vehicle movements to and from the site over the duration of the development, including the quantities of material imported and exported, shall be retained at the site at all times, and

shall be made available for inspection by the Local Planning Authority on request within seven working days.

Reason: The development has been assessed on the basis that a given amount of material will be transported to and from the site per annum.

8. Importation Restriction – Only inert waste material, which has been detailed and defined within of the approved application details, shall be imported to the site for the purposes of land raising, recycling/treatment and restoration.

Reason: To ensure that material with no beneficial use to the site is not processed on site, that the site use does not develop beyond that assessed, that waste materials outside of the aforementioned would raise alternate and additional environmental concerns and to comply with policies CP14, CP15, DC41, DC42, DC43, DC45, DC47, DC48, DC51, DC53, DC58 and DC61 of the LDF Development Control Policies Development Plan Document; policies W1, W4 and W5 of the Joint Waste Development Plan and policies 5.12, 5.13, 5.14, 5.16, 5.18, 5.20, 5.21, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

9. Stockpile Heights – No materials shall be temporarily stockpiled or stored at a height greater than 3 metres when measured from the existing adjacent ground level.

Reason: To limit the visual impact of the operational phase of the development and to comply with policies CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC58, DC60 and DC61 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 7.4, 7.16, 7.19, and 7.21 of the London Plan.

10. Retention of Soils – No existing topsoil or subsoils shall be removed from the site.

Reason: To ensure any soils stripped from the site are used in the site's restoration, to reduce the amount of material needing to be imported for the site's restoration and in accordance with policy DC61 of the LDF Development Control Policies Development Plan Document Policy and policies W4 and W5 of the LDF Joint Waste Development Plan Document.

11. Phased Development – The development shall be undertaken on a phased basis, as indicated on the submitted drawing titled 'Illustrative Composite Operations Plan', drawing number: 0912/P/O/A v2. Operations shall commence in phase A and progress in alphabetical order.

Reason: In the interests of ensuring a phased restoration, local amenity and in accordance with and in accordance with policies DC22, DC58, DC60 and DC61 of the LDF Development Control Policies Development Plan Document and policies W4 and W5 of the LDF Joint Waste Development Plan Document.

12. Final Landform – Final landform and surface restoration levels shall accord with the landform, and contours shown on drawing titled ‘Restored Landform’, drawing no. 0912/P/R/1 v3, dated 20-10-2015, to the satisfaction of the Local Planning Authority.

Reason: To ensure proper restoration of the site and to comply with policies CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC60 and DC63 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

13. Final Soil Coverage – The uppermost 0.5m of the restored landform shall be free from rubble and stones greater than 150mm in diameter and shall be both graded and ripped using appropriate machinery.

Reason: To ensure that the site is properly restored, can effectively be brought into a beneficial restoration use and to comply with policies CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC60 and DC63 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

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

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

15. Aftercare Scheme – No development shall take place until an aftercare scheme detailing the steps that are necessary to bring the land to the required standards for managed woodland and public amenity use shall be submitted to and approved in writing by the Local Planning Authority. The submitted Scheme shall:

- a) Provide an outline strategy in accordance with paragraph 57 the Planning Practice Guidance for the five year aftercare period. This shall broadly outline the steps to be carried out in the aftercare period and their timing within the overall programme.

- b) Provide for a detailed annual programme, in accordance with paragraph 58 to the Planning Practice Guidance to be submitted to the planning authority not later than two months prior to the annual Aftercare meeting.
- c) Unless the Local Planning Authority approve in writing with the person or persons responsible for undertaking the Aftercare steps that there shall be lesser steps or a different timing between steps, the Aftercare shall be carried out in accordance with the submitted Scheme.

The development shall be implemented in accordance with the approved aftercare scheme.

Reason: To ensure the satisfactory restoration of the site for agriculture and to comply with policies CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC60 and DC63 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

16. Early Restoration in the Event of Suspension of Operations – In the event that operations are terminated or suspended for a period in excess of six months, the land shall be restored in accordance with an interim restoration scheme, submitted to and approved in writing by the Local Planning Authority, within six months of the expiry of the six month period.

Reason: To enable the Local Planning Authority to adequately control the development, to ensure that the land is restored to a condition capable of beneficial use in the event of suspension and to comply with policies CP14, CP15, CP16, CP17, DC42, DC45, DC47, DC48, DC51, DC58, DC60 and DC63 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.12, 5.14, 5.20, 5.21, 7.4, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

17. Wheel Washing – Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during operations 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 shall 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; and
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements or evidence that approved practices are failing.

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 and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

18. Freight Management Plan – No development shall take place until a Freight Management Plan covering construction logistics, servicing, and operations has been submitted to and approved in writing by the Local Planning Authority. The plan should cover all phases and aspects of the development up to and including restoration. The plan should aim to mitigate and reduce the number of unique trips in and out of the site; seek the safest vehicles and driver behaviour; require operators of vehicles accessing the site to follow the work-related road risk standards; and for the operator to become members of the Fleet Operator Recognition Scheme or equivalent (achieving at least a Bronze accreditation).

Reason: In the interests of highway safety and to comply with policies CP10, CP15, DC32, DC39, DC42, DC43 and DC61 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 2.8, 5.18, 5.20, 6.1, 6.3, 6.11, 6.12, 6.14 and 7.4 of the London Plan.

19. Dust Management - The development shall be undertaken in accordance with the dust management/mitigation measures detailed within the submitted 'Air Quality Assessment', reference: 34304R2, dated March 2015. Dust shall not be observed crossing the boundaries of the site. The aforementioned measures shall be maintained throughout the period of development.

Reason: In the interests of air quality, to ensure that minimum harm is caused to the amenity and in accordance with policies DC52 and DC61 of the LDF Development Control Policies Development Plan Document.

20. Construction Management/Monitoring Plan - No development shall take place until a Construction Management/Monitoring Plan to control the adverse impact of the development on the amenity of the public and nearby occupiers and adjacent Ingrebourne Marshes SSSI has been submitted to and approved in writing by the Local Planning Authority. The Construction Management/Monitoring Plan shall provide:

- a) details of the working area for the reception and treatment of materials; and
- b) a scheme for monitoring surface water run-off, noise, dust and, if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities.

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 management. Submission of details prior to commencement will ensure that appropriate monitoring occurs to ensure proposed mitigation measures are suitably protecting residential amenity and reducing/minimising dust and surface water run-off to the Ingrebourne Marshes SSSI. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

21. External Lighting – No development shall take place until a scheme for the lighting of external areas of the development, including the internal access roads and working areas, has been submitted to and approved in writing by the Local Planning Authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights together with proposed hours of operation. The installation of any external lighting shall be undertaken in accordance with the approved scheme.

Reason: In the interests of public amenity, ensuring that the development does not result in significant environmental impacts and to comply with policies CP14, CP15, CP16, CP17, DC42, DC43, DC45, DC52, DC55, DC56, DC58, DC59, DC60 and DC61 of the LDF Development Control Policies Development Plan Document; policy W5 of the Joint Waste Development Plan and policies 5.18, 5.20, 7.4, 7.14, 7.15, 7.16, 7.19 and 7.21 of the London Plan.

22. Contamination/Risk Assessment – No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority:

- a) A preliminary risk assessment which has identified:
 - i. all previous uses;
 - ii. potential contaminants associated with those uses;
 - iii. a conceptual model of the site indicating sources, pathways and receptors;
 - iv. potentially unacceptable risks arising from contamination at the site.
- b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c) The results of the site investigation and detailed risk assessment referred to in (b) shall inform an options appraisal and remediation strategy giving full details of the remediation measures required and how

they are to be undertaken. The strategy must seek to demonstrate/ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990.

- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be undertaken in accordance with the approved details, including any required contingency actions.

Reason: To ensure that the development does not pose a significant risk to those engaged in construction and occupation of the development; controlled waters; and/or the Ingrebourne Marshes SSSI. To furthermore comply with policy DC53 of LDF Development Control Policies Development Plan Document.

23. Contamination Verification Report – A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority within three months of the completion of the approved remediation. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that any remedial works required to protect those engaged in construction and occupation of the development; controlled waters; and/or the Ingrebourne Marshes SSSI are completed within a reasonable timescale. To furthermore comply with policy DC53 of LDF Development Control Policies Development Plan Document.

24. Long Term Contamination Management Plan – No development shall take place until a long-term monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports, has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports before the end of the first year of aftercare. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority within three months.

Reason: To ensure that long-term monitoring and maintenance plans are produced and remedial works are suitably managed and maintained. To furthermore comply with policy DC53 of LDF Development Control Policies Development Plan Document.

25. Unidentified 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 the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect those engaged in the construction and occupation of the development; controlled waters; and/or the Ingrebourne Marshes SSSI and to ensure that any previously unidentified contamination encountered during development is appropriately remediated. To furthermore comply with policy DC53 of LDF Development Control Policies Development Plan Document.

26. Infiltration Drainage Restriction – No infiltration of surface water drainage into the ground at this site shall take place other than with the express written consent of the Local Planning Authority. The development shall be carried out in accordance with any such approved details.

Reason: Infiltrations SuDs, such as soakaways, through contaminated soils are unacceptable as contaminants can remobilise and cause groundwater pollution.

27. Permitted Development Restriction – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no building, structure, fixed plant or machinery, except as detailed in the development details hereby approved or otherwise approved pursuant to conditions, shall be erected, extended, installed or replaced on the site without the prior approval or express planning permission of the Local Planning Authority.

Reason: To enable the planning authority to adequately control any future development on-site, assess potential accumulation and minimise potential impacts on the local area and landscape.

Informative

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must

contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

3. The proposed inert landfilling activity will require an Environmental Permit under the Environmental Permitting Regulations 2010 (as amended) from the Environment Agency. The applicant is advised to contact the Environment Agency to discuss the permitting requirements and any issues that are likely to be raised during this process.
4. Due to the presence of National Grid apparatus in proximity to the application site, the applicant is advised to contact National Grid before any works are carried out to ensure that the aforementioned apparatus is not affected by the development.
5. 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.
6. 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.

REPORT DETAIL

1.0 Background

- 1.1 The Local Planning Authority has received two planning applications which are intrinsically linked (application refs: P1601.15 and P1605.15). Given the link between the two applications, discussed in the body of this, the applications

have been assessed jointly although two separate sets of conditions are recommended.

- 1.2 For reference, the reason why two applications have been submitted is due to the fact that the area covered by application ref: P1601.15 already benefits from an Environmental Permit. Had the use of this area not therefore been separated from the importation proposed by application ref: P1605.15 the existing Environmental Permit would have had to have been varied. In the interests of keeping the development separate from that which had gone before it was decided that submitting two applications was the best way forward. An over-arching red-line plan has nevertheless been submitted with application reference: P1605.15 which, in the event of planning permission being granted, would prevent the need to replicate conditions across both applications.

2.0 The Site

- 2.1 The application site is located in the south of the Borough, to the north-east of Rainham and to the south of Upminster. The area to which these applications specifically relate is to the east of Gerpins Lane and combined the two applications form a rough square shaped area, approximately 19 hectares in size. For reference, the Pinch site (the area which is proposed to be raised) is 17 hectares and the Ahern compound area is 2 hectares.
- 2.2 In terms of current appearance, the Pinch site is largely overgrown and although representative of countryside, is not in a beneficial agricultural use. It has been suggested by the applicant that the Pinch site closed in the mid-1980s, following mineral extraction but without the approved restoration completed. Indeed an Enforcement Notice was issued by the Local Planning Authority in 1985 requiring the importation of a metre (depth) of material over the surface capping. However, it understood that this Notice was never complied with. The enforcement notice is therefore still extant.
- 2.3 The Ahern compound similarly has never been restored in accordance with plans previously approved. As existing this site is occupied by a few structures and buildings and an area of hard-standing. With regard to this, landfilling at the Ahern site was completed some 12 years ago but the site is continuing to produce small quantities of leachate. Investigations are on-going in respect of this and it is expected that an application will be submitted in the future to the Local Planning Authority to facilitate the necessary works on this site to resolve this issue, which is currently preventing final restoration.
- 2.4 The nearest residential properties to the site is Dun Graftin which is approximately 200m to the north. Given the rural nature of the area, there are not however any significant areas of residential development in the immediate vicinity. The outskirts of suburban Rainham is circa 1km south-west of the site. Due to existing vegetation along Gerpins Lane and the existing land topography, views of the site are limited from public vantage points and there are no public rights of way across the site.

2.5 In terms of designations, the site forms part of the Metropolitan Green Belt and also forms part of the Thames Chase Community Forest. The site is also noted by the Council as being potentially contaminated. In terms of the locality, and nearby designations, to the west of the site, on the opposite side of Gerpins Lane, is Ingrebourne Marshes SSSI.

3.0 Description of Proposal

3.1 The driving development behind these two applications is the proposed importation of inert materials which it has been suggested is necessary to provide a managed woodland and grassland with recreational and amenity use at the Pinch site. With regard to this it has been suggested that to create a soil depth of 2m across the site (the depth required for woodland planting) approximately 360,000m³ of materials need to be imported.

3.2 It is proposed that soil materials would be delivered to the site by lorry, where incoming materials would either be taken directly to the Pinch site or tipped in the Ahern compound for treatment. The treatment proposed by this application is dry screening which by way of a screening machine, a number of sieves and conveyors, would separate the material imported by particle size. This process would be necessary given the likely waste stream of the inert material. With regard to this, it is considered likely that the majority of material would be coming from building, excavation and construction sites. Whilst the majority of this material would therefore be soils, the processing proposed would allow any bricks or aspects of concrete to be removed. This would ensure that only soil is being used within the restoration and also allows the mixed-in brick and concrete fractions to be realised and re-used as secondary aggregate.

3.3 The applicant is unsure as to the percentage of imported material which may contain such fractions but based on previous experience has suggested that up to 10% of material imported may contain such material. In context of this, to realise the 360,000m³ of soil necessary for the restoration, the applicant has indicated that up to 396,000m³ of material may need to be imported. For clarity, only material which is proposed to be used with the restoration of the site would be imported and it is not proposed that loads of aggregate would be imported for the sole purpose of processing.

3.4 In terms of the delivery of material, it is proposed that vehicles would access the site from the A13 via New Road (A1306), Launder's Lane, Warwick Lane and Gerpins Lane. It is estimated that the development would on average generate 104 daily deliveries (208 movements overall) – 11 in and 11 out per hour. In determining the aforementioned average, a maximum number of 130 daily deliveries (260 movements overall) has been suggested – 13 movements in and 13 movements out per hour.

3.5 It is proposed that the proposals would take 30 months to complete and it is proposed that the site be operational during the following hours:

07:00-18:00 Monday to Friday; and
07:00-13:00 Saturday

With no working on Sundays or Public holidays.

4.0 Relevant History

Application Ref: P0929.94 – Walkers Pit, Gerpins Lane

Description: Install plant for restoration of site involving the removal of material

Decision: Approved with conditions 15/05/1996

Application Ref: P2060.06 – Ayletts Farm Landfill, off Gerpins Lane

Description: Development of gas management system, including treatment wetland, maintenance building, revised landscape proposals, revision of existing planning condition

Decision: Approved with conditions 20/12/2006

5.0 Consultations/Representations

5.1 On receipt of these planning applications, the Council directly notified 28 properties. The applications were also advertised by way of site notice and press advert. No letters of public representation were received in respect of either application.

5.2 Consultation was also undertaken with the following:

Anglian Water – No comments received.

Environment Agency – No objection subject to conditions in respect of land contamination, a long term monitoring and maintenance plan in respect of contamination and a restriction on infiltration surface water drainage.

Essex and Suffolk Water – No comments received.

Essex Wildlife Trust – No comments received.

Greater London Authority – These applications do not raise any new strategic planning issues and the works are to remediate damaged land created by previous mineral extraction. The site will return to its Green Belt status, once complete, and in respect of this it is understood that the Forestry Commission is involved - all of which is supported. Under Article 5(2) of the Mayor of London Order, the Mayor does not need to be consulted further on these applications.

Havering Friends of the Earth – No comments received.

Historic England – No objection.

Highway Authority – Whilst it is accepted that the development is unlikely to create any capacity issues, concerns are raised about the increase in HGV traffic putting further strain on the structural condition of Gerpins Lane, Warwick Lane and Launderers Lane.

London Borough of Havering Environmental Protection – No objection in terms of air quality provided the mitigation measures proposed are implemented. With regard to land contamination it is recommended that prior to commencement of the development, the applicant be required to submitted a Phase III (Remediation Strategy) and Verification Report to ensure that the site is restored to a suitable condition for the intended use.

London Borough of Havering Lead Local Flood Authority – No objection.

Metropolitan Police – No objection.

National Grid – Due to the presence of National Grid apparatus in proximity to the specified area, the applicant should contact National Grid before any works are carried out to ensure that apparatus are not affected by the proposed works.

National Planning Casework Unit – Confirmation of receipt received but no formal comments provided.

Natural England – No objection subject to conditions. This application is located in close proximity to Ingrebourne Marshes SSSI however, Natural England are satisfied that there is not likely to be an adverse impact on the designation subject to the development being carried in accordance with the details submitted. Conditions nevertheless recommended include the submission of a construction management plan to reduce/minimise the risk of dust and contaminated surface water reaching the SSSI.

Thames Chase – No comments received.

Thames Water – No comments to make.

Thurrock Council – No comments received.

Transport for London – Whilst it is accepted that the proposed development is unlikely to have a significant adverse impact on the TLRN, it is noted that parking provision is not covered in the Transport Statement and it appears that assumptions made about the likely arrival and departure of vehicles without specialist input. Due to the nature of the development, the submission of a construction logistics plan is recommended as a condition should planning permission be granted.

Woodland Trust – No comments received.

6.0 Policy Context

- 6.1 The National Planning Policy Framework (NPPF) was published on 27 March 2013 and set out the Government's planning policies for England and how these are expected to be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state there are three dimensions to sustainable

development: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 11, states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 6.2 For decision-taking the NPPF states that this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.
- 6.3 In respect of the above, paragraph 215 of the NPPF, which is considered applicable to the London Borough Of Havering LDF, states due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given). The opinion of the London Borough of Havering is that the LDF is broadly compliant with the NPPF and therefore full weight can be given to policies in the determination of applications.
- 6.4 With regard to waste policy and guidance, the NPPF does not contain specific policies, since national waste planning policy will be published as part of the National Waste Management Plan for England (NWMP). The NWMP was adopted in December 2013 and sets out where we are now in terms of waste generation and how we manage such waste. It sets out where we are and the policies we currently have in place to support the economy, protect our environment and prevent and manage waste streams. In October 2014 the National Planning Policy for Waste was published, replacing Planning Policy Statement 10: Planning for Sustainable Waste Management.
- 6.5 The following policies of the LDF Core Strategy and Development Control Policies Development Plan Document are considered relevant to this development: CP7 (Recreation and Leisure), CP9 (Reducing the Need to Travel), CP10 (Sustainable Transport), CP14 (Green Belt), CP15 (Environmental Management), CP16 (Biodiversity and Geodiversity), CP17 (Design), CP18 (Heritage), DC22 (Countryside Recreation), DC32 (The Road Network), DC33 (Car Parking), DC39 (Freight), DC41 (Re-use and Recycling of Aggregates), DC42 (Mineral Extraction), DC43 (Ready Mixed and Processing Plant), DC45 (Appropriate Development In The Green Belt), DC47 (Agriculture), DC48 (Flood Risk), DC51 (Water Supply, Drainage and Quality), DC52 (Air Quality), DC53 (Contaminated Land), DC55 (Noise), DC56 (Light), DC58 (Biodiversity and Geodiversity), DC60 (Trees and Woodlands), DC61 (Urban Design), DC70 (Archaeology and Ancient Monuments) and DC72 (Planning Obligations).

- 6.6 In addition to the above, the following policies of the Joint Waste Development Plan for the East London Waste Authority Boroughs are considered relevant: W1 (Sustainable Waste Management), W4 (Disposal of Inert Waste by Landfill) and W5 (General Consideration with regard to Waste Proposals).
- 6.7 The following policies of the London Plan are considered relevant to this development: 1.1 (Delivering The Strategic Vision And Objectives For London), 2.1 (London In Its Global, European and United Kingdom Context), 2.2 (London And The Wider Metropolitan Area), 2.8 (Outer London: Transport), 2.18 (Green Infrastructure: The Multi-Functional Network of Green and Open Spaces), 4.1 (Developing London's Economy), 5.12 (Flood Risk Management), 5.13 (Sustainable Drainage), 5.14 (Water Quality and Wastewater Infrastructure), 5.16 (Waste Net Self-Sufficiency), 5.18 (Construction, Excavation and Demolition Waste), 5.20 (Aggregates), 5.21 (Contaminated Land), 6.1 (Strategic Transport Approach), 6.3 (Assessing Effects of Development on Transport Capacity), 6.9 (Cycling), 6.10 (Walking), 6.11 (Smoothing Traffic Flow And Tackling Congestion), 6.12 (Road Network Capacity), 6.13 (Parking), 6.14 (Freight), 7.2 (An Inclusive Environment), 7.4 (Local Character), 7.8 (Heritage Assets and Archaeology), 7.14 (Improving Air Quality), 7.15 (Reducing And Managing Noise, Improving And Enhancing The Acoustic Environment And Promoting Appropriate Soundscapes), 7.16 (Green Belt), 7.18 (Protecting Open Space and Addressing Deficiency), 7.19 (Biodiversity And Access To Nature), 7.20 (Geological Conservation), 7.21 (Trees And Woodlands), 8.2 (Planning Obligations) and 8.3 (Community Infrastructure Levy).

7.0 Appraisal

Principle of Development

- 7.1 The justification for the development to which these applications relate stems from improving a poorly restored former quarry. It will be noted that a number of similar types of development have recently been determined by the Local Planning Authority – some approved and some refused. In respect of this the applicant has established a relationship with the Forestry Commission and are exploring opportunities to regenerate poorly restored sites identified within the All London Green Grid Area 3 Framework. The document titled 'Little Gerpins – Brownfield Land Regeneration in the Thames Chase Community Forest', produced by the Forestry Commission, identifies four brownfield opportunity areas for improvement subject to commercial opportunities, due diligence and planning. The four sites identified are:
- Little Gerpins 2;
 - Pinch & Ahern;
 - Ingrebourne Hill (Phase 3); and
 - Baldwins Farm
- 7.2 These four sites it is suggested by the Forestry Commission would increase the Public Forest Estate within the Thames Chase Community Forest by over 40% and the regeneration of these sites would strengthen links across the Community Forest and create a continuous east-west link – important for both people and wildlife.

- 7.3 As alluded to above, planning permission has already been granted for the importation of inert material to improve the quality of the land and allow woodland planting at Little Gerpins 2 (application ref: P1637.14). Planning permission was however refused for a similar scheme at Ingrebourne Hill (application ref: P1066.14). The reasons cited for this refusal was that it was considered that the proposal would give rise to noise, dust and other disturbances that would result in a significant adverse impact on wildlife and the adjacent Ingrebourne Marshes SSSI; would, during the construction phase and following the completion of the development, result in significant harm to the openness of the Green Belt; would be harmful to the amenities of local residents owing to dust nuisance, noise, visual impact and reduced air quality during the construction phase of the development; and would by reason of the high number of HGV movements result in congestion on the local road network, causing inconvenience to road users and pedestrians. This application is currently subject to appeal, with a public inquiry due to be heard in August.
- 7.4 In context of the above, whilst the principle of the All London Green Grid and the regeneration programme of the Thames Chase Community Forest are noted, it is considered that this alone does not provide a sufficient reason or justification for all types of development (or regeneration). It is considered that the development/scheme has to be considered on its individual merits in context of the potential impacts.
- 7.5 From a waste policy perspective, policy W4 of the Joint Waste DPD states that planning permission for waste disposal by landfill will only be granted when the water to be disposed of cannot practicably and reasonably be reused; and the proposed development is both essential for and involved the minimum quantity of waste necessary for:
- a) the purposes of restoring current or former mineral workings sites;
 - b) facilitating a substantial improvement in the quality of the land;
 - c) facilitating the establishment of an appropriate after-use; or
 - d) improving land damaged or degraded as a result of existing uses and where no other satisfactory means exist to secure the necessary improvement; and
- where the above criteria are met, all proposals should:
- i) incorporate finished levels that are compatible with the surrounding landscape. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed after-use; and
 - ii) include proposals for high quality restoration and aftercare of the site, taking account of the opportunities for enhancing the overall quality of the environment and the wider benefits that the site may offer, including nature and geological conservation and increased public accessibility.
- 7.6 With regard to this, if the justification for the development is accepted, the development is considered to comply with this policy as the minimum quantity of material is proposed to be imported (360,000m³) to achieve the specifications required by the Forestry Commission. The development would furthermore increase public accessibility, as per criteria ii). In respect of the processing proposed, which would remove any contained aggregate from that

imported, it is considered that this complies with policy DC41 of the LDF and principles further encouraged in the London Plan. The processing proposed by this application it is considered to be secondary to the primary regeneration of the site and has only been proposed to ensure that the material used is of the highest standard. It is not considered that this and the development, in general, would have any significant repercussions for the restoration of other active sites in the Borough, in terms of material availability, and it is not considered likely that the applicant would struggle to find suitable material, in context of the recent upturn in the economy and construction industry.

Green Belt

- 7.7 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristic of Green Belts are their openness and their permanence. At paragraph 80 of the NPPF it is detailed that the Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 7.8 Paragraph 87 of the NPPF states that, as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on detailing that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.9 Paragraph 80 of the NPPF identifies certain forms of development which are not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do no conflict with the purposes of including land in Green Belt. These are:
- mineral extraction;
 - engineering operations;
 - local transport infrastructure that can demonstrate a requirement for a Green Belt location;
 - the re-use of buildings provided that the buildings are of permanent and substantial construction; and
 - development brought forward under a Community Right to Build Order.
- 7.10 With regard to the above exclusions, the topic of when an engineering operation involving the importation of material effectively becomes waste disposal is a bit of grey area in planning. Government guidance on this topic is

limited but in 2009 DCLG released a letter which suggested that projects involving the importation of more than 100,000 tonnes of waste are less likely to be undertaken if the material being used was not waste. In such circumstances development is likely to constitute a waste disposal operation (land raising) rather than that of recovery. It is nevertheless considered that each application has been considered individually, in context of the justification and site history.

- 7.11 In this instance, in context that this is a former quarry that was never restored in accordance with the approved scheme, it is considered that there is an argument that the land raising proposed could be defined as engineering. That being said, it is noted that the proposed restoration landform is higher than that approved previously (as part of application ref: P0929.94) - involving the importation of 120,000m³ more material. Furthermore it is noted that primary processing of the material imported is proposed and this, in any respect, is not an appropriate use of the Green Belt. An assessment of the increased land level, to that approved previously, and the impacts associated with the processing is therefore considered necessary to determine if the very special circumstances or justification for the development outweighs the potential harm by reason of inappropriateness.

Landscape and Visual Impact

- 7.12 A Landscape and Visual Impact Assessment has been submitted in support of the application. This suggests that visual intrusion would be limited to a few roads and private properties surrounding the site. The identified receptors nevertheless are considered only to have a moderate to low sensitivity of impact, with the exception of those living at Stonebridge Farm and Dun Graftin. Due to the nature of the views and the time scale proposed for the works, whilst the impact is considered moderate to high during the short term for these two properties, in the long term it is suggested that the development would be beneficial in improving the landscape quality.
- 7.13 Policy DC61 of the LDF states that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. Of note in respect of this development, it is detailed that proposals should harness the topographical and ecological character of the site and complement or improve the amenity and character of the area through its appearance, materials used, layout and integration with surrounding land and buildings.
- 7.14 In terms of visual impact, as alluded previously, it is noted that views of this site are largely limited from public vantage points. With regard to this, it is not considered that the increased land level would appear excessive in the landscape and it is not considered that the re-profiled landform would be uncharacteristic and appear dominant or intrusive. It is considered that during the operational phase of the development, the lorry movements together with the use of the Ahern compound as a treatment/processing area for imported soils would change the nature of use of the site. In respect of this it is however noted that this is, as existing, an active compound area of limited visual appeal.

7.15 With regard to openness, it is accepted that the proposed use of the Ahern compound area would have an impact on the perceived openness of the Green Belt. However, in context of the current appearance of this area it is not considered that the temporary use of this site for the treatment and processing of material proposed to be utilised on the Pinch site would significantly impact on the existing openness of the Green Belt. Application reference: P2060.06 which relates to the Ahern site, and the compound area, includes a restoration scheme for this area and it is noted that conditions pursuant to this permission require the existing on-site management office to be removed by December 2016. Whilst it could be argued that this development is therefore prolonging an inappropriate site/use in the Green Belt, in context of the leachate issues at the Ahern site and that this site has yet to be completed, it is not considered that the restoration would be prejudiced by this development.

Ecology

- 7.16 Policy CP16 of the LDF states that Council will seek to protect and enhance the Borough's rich biodiversity and geodiversity, in particular priority habitats, species and sites. This is a position supported by policy DC42 and DC58.
- 7.17 The submitted Phase 1 Ecological Assessment suggests that the site is only of low botanical value overall. A number of habitats were nevertheless noted, some of which would be suitable for a range of protected species. With regard to the proposals it is noted that during the operational phase of the development, approximately 13.5ha of low quality habitat would be lost and this in turn could have an impact on ground water flows and hydrology.
- 7.18 A specific assessment of potential hydrological impact can be found below. However, in respect of ecological impact and the integrity of the SSSI, Natural England has, subject to the imposition of conditions, not raised an objection to the proposal. Accordingly, it is considered that the development would not result in ecological impacts sufficient to warrant refusal and be deemed contrary to policy DC58 of the LDF.

Hydrology and Flood Risk

- 7.19 Policy CP15 of the LDF, in-part, details that new development should reduce and manage fluvial, tidal and surface water and all other forms of flood risk through spatial planning, implementation of emergency and other strategic plans and development control policies; have a sustainable water supply and drainage infrastructure; and avoid an adverse impact on water quality. Expanding on this policy DC48 states that development must be located, designed and laid out to ensure that the risk of death or injury to the public and damage from flooding is minimised whilst not increasing the risk of flooding elsewhere and ensuring that residual risks are safely managed. Policy DC51 goes on detailing that planning permission will only be granted for development which has no adverse impact on water quality, water courses, groundwater, surface water or drainage systems unless suitable mitigation measures can be secured through conditions attached to the planning permission or a legal agreement.

- 7.20 This site is not located within a flood zone and the Hydrological Assessment submitted with the application notes that there are no historical records of flooding. The main drainage feature on the site is an unnamed watercourse that flows adjacent to the north western boundary. Other drainage ditches drain the surrounding fields to the south-west and east of the site. It is acknowledged within the submitted Hydrological Assessment that there is a moderate groundwater flood risk across part of this site, but this risk is considered low in context of the proposed development.
- 7.21 The proposed land raising and new landform would have steeper slope gradients which would increase run-off rates. On the basis of a 1 in 100 year storm/flood event the run-off from the site would increase from 7,691m³ (356 l/s) to 10,176m³ (454 l/s). Whilst it is not suggested that this would likely result in any impacts or increased flood risk elsewhere, in context of the nearby SSSI, and habitats supported, outflow from the site is proposed to controlled to pre-development rates with attenuation storage for 2,485m³ proposed in new drainage channels and basins across the site. Accordingly, with the drainage scheme implemented it is not considered that the development would give rise to any increase in flood risk. Accordingly it is considered that the development complies with policies CP15, DC48 and DC51 of the LDF

Heritage and Archaeology

- 7.22 This site is located in area identified as having high archaeological potential for the preservation of prehistoric, Roman and Medieval settlement and also some Anglo-Saxon burials. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account when determining an application. Continuing it details that a balanced judgement will be required in respect of the scale of any harm or loss and the significance of the asset.
- 7.23 Consultation has been undertaken with Historic England and it has been confirmed that the development would not likely have a significant effect on heritage assets of archaeological interest, given the former site use and restoration.

Highway Impact and Lorry Routeing

- 7.24 Access to the site is proposed primarily from the A13 and then via New Road (A1306), Launders Lane, Warwick Lane and Gerpins Lane. It is estimated that the development would on average generate 104 daily deliveries (208 movements overall) – 11 in and 11 out per hour. In determining the aforementioned average, a maximum number of 130 daily deliveries (260 movements overall) has been suggested – 13 movements in and 13 movements out per hour. To confirm the above figures work on the basis of 396,000m³ of material being imported to the site – the maximum figure which has been suggested is necessary to realise the required 360,000m³ of restoration material.

- 7.25 A review of the existing road use and capacity has been undertaken as part of the Transport Statement submitted in support of the applications and the conclusion of this is that Launders Lane, Warwick Lane and Gerpins Lane currently at are 17.2%, 42.9% and 11.9% capacity, respectively. With the maximum number of vehicle movements forecast in to this assessment, these roads would be operating at 20%, 45.4% and 15% capacity. It is therefore suggested that the development would not give rise to any significant impacts on highway efficiency.
- 7.26 Policy DC32 of the LDF details that new development which has an adverse impact on the functioning of the road hierarchy will not be allowed. The Highway Authority has assessed the information submitted within the submitted Transport Statement and has accepted that the development would not likely create capacity issues. In respect of this, the Highway Authority has however raised concerns about the impact the additional vehicle movements could have on the structural condition of the roads proposed to be utilised. In context of this, it is suggested that should planning permission the applicant be required to make a financial contribution towards highway maintenance. This contribution, it is considered, would allow the Highway Authority to assess the affected roads on a more frequent basis, with a sufficient budget to undertake any remediation works required. It is acknowledged that Launders Lane, Warwick Lane and Gerpins Lane were not constructed to handle large numbers of HGV movements. However, the carriageway is at least 5m wide along the stretch of road that would be used, with the exception of the bridge crossing on Warwick Lane which narrows to 3.7m. Whilst ideally a local distributor road, a road likely to be used by HGV on a regularly basis, would have a minimum width of 6m, in context of the temporary period of use and that two vehicles could pass simultaneous it is not considered that this is a reason to refuse planning permission in isolation. Indeed similar types of developments have been granted planning permission with HGV routeing plans utilising these roads.
- 7.27 In addition to the financial contributed, it is considered that details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway could also be required by way of condition together with the Freight Management Plan, as suggested by TfL. This Plan it is noted would aim to mitigate and reduce the number of unique trips in and out of the site; seek the safest vehicles and driver behaviour; require operators of vehicles accessing the site to follow the work-related road risk standards; and for the operator to become members of the Fleet Operator Recognition Scheme or equivalent (achieving at least a Bronze accreditation).
- 7.28 Overall, it is considered that the vehicle movements associated with this development, when assessed collectively with other approved development in the locality and the existing levels of usage of local infrastructure, would not significantly impact on highway safety or efficiency. It is considered that potential highway impacts associated with the development could suitably be controlled via planning condition and legal agreement and accordingly it is considered that the development complies with policy DC32 of the LDF.

Amenity Impacts

- 7.29 Policy DC61 of the LDF, in addition to that detailed previously in this report, states that planning permission will not be granted where the development has unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and with developments. This position is furthermore supported by policy DC42. The nearest residential properties to the site are Dun Graftin and Gerpins Farm to the north and Stonebridge Farm and Epsticks to the south. There are also a few residential properties along Berwick Pond Lane to the west and along Aveley Road to the east, although these are circa 500m from the site as the crow flies. It is considered that in terms of amenity that an assessment in regards of noise and air quality is required.

Noise

- 7.30 The Technical Guidance to the NPPF, at paragraph 30, states that subject to a maximum of 55dB(A)LAeq, 1h (free field), Local Planning Authorities should aim to establish a noise limit at noise sensitive properties that does not exceed background level by more than 10dB(A). A Noise Impact Assessment has been submitted with these applications. This demonstrates that, with the exception of working in Phase C, the noise levels from the site would not exceed the background noise level by more than 10dB(A) at the nearest residential properties. With regard to Phase C, a 12dB (A) increase above background noise levels is predicted. However, as the noise level predicted (50dB(A)LAeq, 1h (free field)) is below the maximum level potentially suggested as acceptable in the NPPF Technical Guidance (55dB(A)LAeq, 1h (free field)), it is not considered that such impacts would be sufficient to warrant refusal.

Air Quality and Dust

- 7.31 Policy DC52 of the LDF details that planning permission will only be granted where new development, both singularly and cumulatively, does not cause significant harm to air quality and does not cause a breach of the targets set in Havering's Air Quality Management Area Action Plan. An air quality assessment has been submitted with the application and this suggests a number of mitigation measures to ensure that emissions are suitably controlled. With such measures secured by way of planning condition it is suggested that any such impact would be negligible. This opinion has been supported by the Council's Environmental Protection department who subject to the above have raised no objection to the development coming forward. As such, it is considered that the development would comply with the stipulations of policy DC52 of the LDF.

Restoration and Public Access

- 7.32 As alluded previously in this report, this is a former mineral working which has not been restored in accordance with the details previously approved, when extraction was granted. The land profile and restoration proposed as part of this application is in attempt to realise the aspirations of the All London Green

Grid and specifications required by the Forestry Commission to manage the land post completion.

- 7.33 The NPPF and policies of the LDF both seek to ensure that restoration of former mineral sites is to a high environmental standard. In this case, whilst the Pinch site has been restored, it is not considered that the restoration is of a particularly high standard. The Pinch site forms an important link in the Green Grid network, forming an east-west connection from Ingrebourne Hill (Hornchurch Country Park) to Belhus Woods Country Park, and it is considered that the engineering works would help achieve these aspirations. As existing, the site is of no public benefit and whilst the operational phase of the importation works would likely give rise to some impacts, in the long term it is considered the proposals could realise a number of significant environmental and social benefits. With regard to this, an important benefit which could be secured is public access to the site. As considered previously (in the determination of application reference: P0929.14), one of the benefits of allowing this development is that public access can be secured by way of legal agreement. For reference, should Members refuse this application and request be made to pursue the Enforcement Notice, referred in paragraph 2.2, public access to the site could not be secured.

Green Belt and Very Special Circumstances

- 7.34 As concluded earlier in this report, whilst engineering operations are representative of appropriate development in the Green Belt, waste disposal and/or the processing of such material is not. Inappropriate development is by definition harmful to the Green Belt and should not be approved unless very special circumstances to outweigh any harms is clearly outweighed. As demonstrated above it is not considered that this development would likely give rise to any significant environmental or amenity impacts at a level to warrant refusal in their own right. The justification for the development (the very special circumstances) it is considered also includes a number of benefits which are supported by guidance in the NPPF and policies in the London Plan and LDF.
- 7.35 With regard to this and the perceived impact on the openness of the Green Belt, the Ahern compound is well screened from public vantage points and it is not considered that the machinery proposed would appear particularly out of character. It is accepted that that this site is supposed to be in its final stages of restoration however, it is considered that the existing issues with the Ahern site are going to delay this. Although this application does propose an additional, temporary, use of the compound area, it is not considered that this would nevertheless delay the restoration of the Ahern site. Furthermore any planning permission granted would only allow material to be processed in association with the restoration of the Pinch site and the use would be required to cease after 30 months (the proposed length of the project).
- 7.36 The activities proposed on this site would represent inappropriate development in the Green Belt. It is however considered that these activities are intrinsically linked to the proposed restoration of the Pinch site. The restoration of the Pinch site would realise a number of social and environmental benefits and it is

considered that any increased harm on the openness of the Green Belt, during the short term, would, in this instance, be suitably outweighed by other material planning considerations.

7.37 In respect of the landform itself, whilst this would be higher than the profile as existing, and that previously approved pursuant to the historical mineral extraction, the landform proposed is considered in keeping with the area. As noted by the GLA, the works proposed by these applications are seeking to remediate damaged land and return the site to its former Green Belt status and value. Accordingly, although there would be a temporary impact on the openness of the Green Belt during construction, as discussed above, in the long term it is considered that new landform would not significantly impact on the openness and/or conflict with the reason/purpose the land is included in the Green Belt.

8.0 Conclusion

8.1 The proposed development has been assessed in relation to the following matters:

- The principle of development, in particular, whether the proposal would constitute appropriate development in the Green Belt, and whether the proposal would be in accordance with policies relating to the disposal of inert waste by landfilling;
- The visual impact of the proposal;
- Whether the proposal can be operated in a manner that is not significantly harmful to local amenity, or the amenities of neighbouring occupiers;
- Whether the proposed access arrangements and generation of traffic would be significantly harmful to highway efficiency and safety;
- Whether the proposal would have an acceptable impact in relation to a range of environmental considerations, including air quality, flood risk and drainage and ecology;
- Whether the proposal can be restored to an acceptable standard;
- Whether very special circumstances exist that clearly outweigh the harm, by reason of inappropriateness and any other harm.

8.2 On balance, staff conclude that there are very special circumstances in this case, which outweigh the harm to the openness of the Green Belt, and any associated visual harm, in particular the improvements to recreation, open space and nature conservation compared to the existing situation. In all other respects, the proposal is considered to be acceptable.

8.3 This conclusion is the opinion of staff based on a balancing exercise on planning considerations.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: Legal resources would be required for the completion of the legal agreement. The legal agreement is nevertheless required to mitigate/offset potential harms and impacts associated with the development. Staff are satisfied that the contribution required is compliant with the statutory tests set out in the Community Infrastructure Levy Regulations and NPPF in respect to planning obligations.

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application forms, plans and associated documents including Environmental Statement submitted with planning application references: P1601.15 and P1605.15, validated by the Local Planning Authority 01/12/2015.

REGULATORY SERVICES COMMITTEE

2 June 2016

REPORT

Subject Heading:

P1734.15 - 30 Upminster Road South,
Rainham.

Demolition of the former social club and
redevelopment of the site to provide 6 no.
one bed flats and 1 no. retail unit with
ancillary car parking. (Received 23/12/15)

Ward:

Rainham and Wennington

Report Author and contact details:

Helen Oakerbee
Planning Manager
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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

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

SUMMARY

This application was originally presented to the Regulatory Services Committee meeting of 31st March 2016 with a recommendation for approval. It was deferred in order to clarify the following:

- The extent of notification and verification that it had been undertaken correctly.
- The extent of statutory consultation in relation to requirements.
- To seek the views of Economic Development & Housing and in the case of the latter whether they may have been currently reviewing local parking conditions behind the application site.
- To ascertain further details on why the loss of the community asset was judged not to contravene planning conditions.

A full response to the request for clarity is covered later in this report under the 'Background' section.

The proposal is for the demolition of the former social club and redevelopment of the site to provide 6 no. one-bed flats and 1 no. retail unit with ancillary car parking.

The proposal raises considerations in relation to the principle of development, the density, layout, scale, design and the impact of the development in the street scene, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

The application is recommended for approval subject to conditions and the applicant entering into a Section 106 Agreement.

RECOMMENDATIONS

That the Committee notes that the development proposed is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 430m² and amounts to £8,600. The existing floor space to be demolished cannot be deducted as the property has not been in lawful use for the last 3 years.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- A financial contribution of £36,000 to be paid prior to commencement of development and to be used towards infrastructure costs.
- 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.
- To pay the Council's reasonable legal costs in association with the preparation of a legal agreement, prior to completion of the agreement, irrespective of whether the legal agreement is completed.
- Payment of the appropriate planning obligation/s monitoring fee prior to completion of the agreement.

That the Head of Regulatory Services be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1. Time Limit

The development 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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

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.

3. Parking Provision

Before any of the houses hereby permitted are first occupied, 6 no. car parking spaces shall be laid out to the full satisfaction of the Local Planning Authority. Thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that car parking 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. External Materials

No works shall take place in relation to any of the development hereby approved until details of the external finishing materials are 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 external finishing materials to be used. Submission of samples prior to commencement will safeguard the appearance of the premises and the character of the immediate area and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

5. 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 the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

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

6. Refuse and Recycling

The development hereby permitted shall not be carried out otherwise than in complete accordance with the refuse and recycling storage details as shown on drawing no. 236/009C.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle Storage

The development hereby permitted shall not be carried out otherwise than in complete accordance with the cycle storage details as shown on drawing no. 14270_PL003 Revision E.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

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. Construction Methodology

Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

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

Reason: 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.

10. Wheel washing

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.

11. Standard flank window condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening

(other than those shown on the submitted and approved plan) shall be formed in the north western wall(s) of the building(s) hereby permitted on the southern boundary of the site, 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.

12. Permitted development rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no extensions, roof extensions, roof alterations or outbuildings, aside from outbuildings less than 10 cubic metres, shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

13. Balcony condition

The flat roof areas created shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific planning permission from the Local Planning Authority.

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

14. Accessibility

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

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

15. Contaminated Land (1)

(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.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the 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.

c) 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.

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

16. 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development

hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

17. Obscure with fanlight opening only

The proposed windows at first and second floor in the northeastern elevation of the flats abutting Upminster Road South serving shared hallways and the windows at first floor in the northeast elevations of the units to the rear of the property serving bathrooms, shall be permanently glazed with obscure glass and with the exception of top hung fanlight(s) shall remain permanently fixed shut and thereafter be maintained.

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

18. 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.

INFORMATIVES

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. 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.
3. 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 £8,600.00 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the

Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

4. 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.
5. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
6. Please note that by virtue of Condition 14, you are required to notify the relevant Building Control body of these conditions as part of any application.

REPORT DETAIL

1. Background

- 1.1 At the Regulatory Services committee meeting on the 31st March 2016, it was recommended to Members that determination of this application be deferred in order to clarify the following:
 - The extent of notification and verification that it had been undertaken correctly.
 - The extent of statutory consultation in relation to requirements.
 - To seek the views of Economic Development & Housing and in the case of the latter whether they may have been currently reviewing local parking conditions behind the application site.
 - To ascertain further details on why the loss of the community asset was judged not to contravene planning conditions.
- 1.2 In context of the above Staff can confirm that neighbours as well as internal and external consultees have been notified as part of the application process and in accordance with the statutory requirements. A second round of re-notifications was sent out to 93 neighbouring occupiers on 18

April 2016 and 1 additional objection was received raising concerns regarding parking and loss of privacy. A separate email notification was also sent to the Housing Partnerships and Development Manager (Homes & Housing) on 27 April 2016.

- 1.3 The site is not located within Rainham Conservation Area and on this basis, there is not a statutory requirement to consult with Heritage groups. It is not considered that the proposals would adversely impact upon the character of the Conservation Area, the boundary of which is located approximately 50m away from the application site.
- 1.4 It is open to the applicant to submit a proposal to redevelop the site. The applicant needs to satisfy himself that there are no restrictive covenants on the land that was attached when the site was sold to him. This however is not a planning consideration
- 1.5 Housing has confirmed that there has been a number of initiatives to address the residents' concerns and comments regarding the lack of parking facilities and commuter congestion on the St Helen's Court estate, however these initiatives have since been superseded by a Council wide review of parking which is being led by Steve Moore (Head of Streetcare) which will cover highways and Housing land. The outcome of that review is unknown currently, however it should be noted that Housing has not raised an objection to the current proposal. Economic Development has been consulted; however no response has been received to date. Any comments received from Economic Development will be reported to Members on the night of the Regulatory Services Committee.
- 1.6 In relation to the existing and proposed parking situation on the subject site the applicant has provided some additional information to clarify some of the comments made and issues raised at the Regulatory Services Committee meeting of 31 March 2016.

Adjacent car parking - The proposal includes car parking for all the proposed residential units within the site therefore the proposals will not affect existing adjacent car parking provision.

Loss of community asset - Previous Planning Inspectorate decisions for applications on this site have concluded that a change of use from a community asset to another usage is acceptable in principle.

Site boundaries - It has come to light that the extent of the site as recorded by the Land Registry does not include the existing 4 car parking spaces to the front of the site. The applicant has however provided the following reasons for the inclusion of 3 spaces to the front of 30 Upminster Road South which are to be used for the retail unit and flats.

- Documentary photographic evidence shows signage indicating that the four forecourt car parking spaces were for the sole use of the former social club.

- Land Registry plans include the front forecourts of adjacent buildings as part of their overall site boundaries and therefore it is suggested that the exclusion of the front forecourt of 30 Upminster Road South as part of the Land Registry plans for this site is a historical anomaly and therefore, for the purposes of this application should be treated as part of the car provision for the proposal.
- The main entrance to the former social club included for a clearly delineated path from the public highway across the middle of the existing front forecourt and this therefore suggests that the front forecourt was for the effective use of 30 Upminster Road South.
- The existing front forecourt has a series of existing bollards demarcating the extent of the front forecourt in relation to the public highway and this therefore suggests that the front forecourt was for the effective use of 30 Upminster Road South.
- The existing front forecourt is landscaped with a different material from the highway and this therefore suggests historically, that the front forecourt has not been under the remit of the Highways Authority and has been maintained by the former Social Club and its former owners and therefore.

1.7 Officers are satisfied that the parking spaces is situated directly in front of the Social Club, is not on highways land and have historically been associated with the Social Club.

1.8 The report set out below is the same as that presented to committee on 31st March 2016, with the exception of the consultation section which has been updated to reflect the additional representations received.

1. Site Description

1.1 The site is sited on the southern side of Upminster Road South within the Rainham Minor District Centre although it is not located in the retail core or fringe area of the centre. It comprises of a vacant, detached single storey building that is presently boarded up and was previously in use as a social club. The built form has an L shaped footprint with a brick exterior and it has a tiled pitched roof. The building has previously been extended and altered.

1.2 To the south of the site there is a garage court and immediately to the west of the site, there are approximately 11 car parking spaces and beyond that is an access road to St Helens Court estate.

1.3 Immediately on the eastern boundary of the site is a residential dwelling house and on both sides of the road to the east of the site, there are two storey high residential dwelling houses. To the south of the site, there is a

residential flatted development, St Helens Court, which contains flatted blocks some 4 no. storeys in height.

2. Description of Proposal

- 2.1 The application seeks permission for the demolition of the existing single storey social club and the construction of 1 no. new three-storey building to house retail accommodation at ground floor and 1 no. flat at first and second floors respectively. The proposal is also for 4 no. two-storey buildings to house 4 no. 1-bed townhouses.
- 2.2 The three storey building will be situated to the front of the site abutting Upminster Road South and will measure 8.2m in depth, 10.8m in width and 9.6m in height to the top of the flat roof. The two storey buildings are situated to the rear of the site and to the rear of the properties at No. 32-36 Upminster Road South and will measure 8.3m in depth, 4.6m in width and 5.1m in height to the top of the flat roofs.
- 2.3 Amenity space in the form of integral balconies would be provided to the flats abutting Upminster Road South. Garden areas of approximately 36m² will be provided to the townhouse units.
- 2.4 The proposal would provide 2 no. car parking spaces to the front of the retail unit and 5 no. spaces to the rear.

3. History

- 3.1 P1716.14 - External alterations, roof lights, side and rear dormer windows, conversion of Rainham Social Club to (1) Bed & Breakfast Guest House, and (2) Loft conversion with additional bedrooms and facilities for hotel guests - Refused
- 3.2 P0158.14 - External alterations, roof lights, side and rear dormer windows, conversion of Rainham Social Club to 1) Bed & Breakfast 2) Loft Conversion with additional bedrooms - Refused and dismissed on Appeal
- 3.3 P1191.13 - Conversion of Rainham Social Club into 1) part pub/part bed & breakfast & 2) addition of second (loft) floor for additional bedrooms for bed and breakfast - Not determined and dismissed on Appeal
- 3.4 P0394.91 - Single storey rear extension - Approved with conditions

4. Consultation/Representations

- 4.1 Notification letters have been sent to 91 neighbouring addresses and 4 comments were received. The comments ask clarification on security, overlooking, parking loss and the potential impact on demolition works on the neighbouring properties.

- 4.2 Issues relating to security are not material to this application. The impact of demolition works are also not material planning considerations, as there are other controls over this work, although a construction method condition has also been suggested. Issues relating to overlooking and loss of privacy and parking matters are dealt with in the report below. It should be noted that the existing sheds and parking areas to the southern boundary of the site are outside of the development site and would not therefore be affected as part of the proposals.
- 4.3 The Highway Authority has raised no objection to the proposal however has requested vehicle access, visibility splay and vehicle cleansing conditions.
- 4.4 Environmental Health has raised no objection to the proposal however has requested a contaminated land condition.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC27 (Provision of Community Facilities), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, and Planning Obligations SPD (Technical Appendices)
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff comments

- 6.1 The main considerations in this case are the principle of development, the density, layout, scale, design and the impact of the development in the street scene, the impact on the amenities of adjoining residential occupiers and highways, access and parking issues.

6.2 *Principle of Development*

- 6.2.1 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.2.2 The proposal is for the redevelopment of the existing social club site. The site is not designated as Green Belt land, an employment area, or within Romford town centre in the Development Plan.
- 6.2.3 Staff consider the loss of the community facility acceptable given that it has not been in use for the past 3 years. It should also be noted that the loss of the community facility was not raised as a reason for refusal on the previous refused schemes, nor was it raised by the Planning Inspector as a reason for refusal on two previous appeals.
- 6.2.4 On this basis the proposal is considered to be policy compliant in land use terms and its use for residential purposes is therefore regarded as being acceptable in principle.

6.3 *Density/ Layout*

- 6.3.1 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.3.2 The proposal would provide 6 no. residential dwellings at a density equivalent to approximately 93 dwellings per hectare. This is in keeping with the range anticipated by Policy DC2 which states that a dwelling density of between 50-110 dwellings per hectare would be appropriate in this location. The number of units per hectare is in keeping with the recommended range and considered acceptable.
- 6.3.3 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. The technical housing standards require that new residential development conforms to nationally described minimum internal space standards.
- 6.3.4 The proposal would provide residential units with a floor area of 63m² and 53m² respectively which would meet the minimum standard as per the proposed number of rooms and number of occupants they are intended to serve.
- 6.3.5 The Residential Design SPD states that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading.

6.3.6 Staff do acknowledge that the location of the amenity areas between the townhouse units would limit the amount of natural sunlight available within them, however this is not considered to be unacceptable given their orientation to the southwest. Staff are of the opinion that the amenity spaces would be sufficient to serve the needs of future occupants. Amenity space to the flats fronting Upminster Road South would be provided in the form of balconies which is considered to be acceptable given the town centre location.

6.4 *Design/Impact on Streetscene*

6.4.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.

6.4.2 The proposed commercial and flatted block would consist of 3-storeys and is situated on the corner of Upminster Road South and St. Helen's Court. This 3-storey block is not considered to be out of keeping in the streetscene as it is similar in height and design to the terraced blocks on the western side of St. Helen's Court and on the northern side of Upminster Road South.

6.4.3 The proposed townhouses to the rear of the site would be two-storey and similar in height to the existing building which is to be demolished. These buildings would relate satisfactorily to the surrounding area and are not considered to result in harm to the streetscene of St. Helen's Court.

6.5 *Impact on Amenity*

6.5.1 Policy DC61 considers that new developments should not materially reduce the degree of privacy enjoyed by the occupants of adjoining properties or have an unreasonably adverse effect on sunlight and daylight to adjoining properties.

6.5.2 The proposed commercial and flatted block abutting Upminster Road South is not considered to result in an unacceptable impact on neighbouring amenity as it would not project beyond the rear building line of the residential properties situated to the northeast. A gap of 2m would also remain between the proposed building and the nearest property to the northeast. Flank windows are proposed to the northeast elevation at first and second floor, serving shared hallways. A condition will be imposed to have these windows obscure glazed and fixed shut to limit any potential for overlooking the rear gardens of the neighbouring residential properties.

6.5.3 The 4 no. proposed townhouse units to the rear of the properties No. 32-36 Upminster Road South are not considered to result in any impact on the amenity of these properties. A 2m separation distance would remain between the new dwellings and the back fence of these residential gardens. No windows are proposed to the north-western elevation which would prevent any overlooking to the rear gardens of these neighbouring

properties. A condition will be imposed to have the first floor windows in the north-eastern elevation serving bathrooms obscure glazed and fixed shut with the exception of the top hung fanlight(s) to mitigate any potential oblique views in to the neighbouring gardens. The proposed dwellings would be 2-storey in height (5.2m) and lower than the existing building to be demolished (which is 6.5m in height).

6.5.4 Staff acknowledge that the outlook of the townhouse units would be limited due to the design solution which has employed to prevent overlooking of the properties to the north west. However, full height glazing is proposed to the north eastern elevation of each townhouse and this would ensure that the future occupants have sufficient daylight and sunlight. This specific window arrangement would be known to future occupants before purchase or rental.

6.5.4 It is therefore considered that the layout, siting and design of the proposed development would be acceptable with no material harmful impact on the amenities of neighbouring properties. The development is therefore considered to comply with the aims and objectives of Policies CP17 and DC61 of the LDF Development Control Policies DPD in respect of its impact on neighbouring amenity.

6.6 *Highways / Parking Issues*

6.6.1 Policy DC2 of the LDF indicates that in this part of the Borough parking provision for residential development should be 1 to 1.5 spaces per unit. The proposal provides a minimum of one car parking space per dwelling which is in line with policy guidelines. For the retail unit the parking requirement is 1 space for every 50-35m². The proposal does allow 1 space for the 22m² retail space proposed.

6.6.2 Secure cycle storage providing space for up to 6 no. cycles would be provided in the ground floor of the building with access from Upminster Road South and at ground floor to the front part of the townhouse units. A condition is recommended to ensure that the proposals are implemented in accordance with the submitted details in the event of an approval.

6.7 *The Mayor's Community Infrastructure Levy*

6.7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and that the applicable fee is based on an internal gross floor area of 430m² and amounts to £8,600. The existing floor space to be demolished cannot be deducted as the property has not been in lawful use for the last 3 years.

6.8 *Planning Obligations*

6.8.1 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.

6.8.2 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.

6.8.3 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.

6.8.4 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.

6.8.5 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.

6.8.6 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.

6.8.7 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 per dwelling 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.

6.8.8 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. It is considered that a contribution equating to £24,000 for educational purposes would be appropriate.

6.9 *Other issues*

6.9.1 Refuse storage would be provided in the ground floor of the building fronting onto Upminster Road South for all units with access from Upminster Road South. A condition is recommended to ensure that the proposals are implemented in accordance with the submitted details in the event of an approval.

7. Conclusion

7.1 Staff do not consider that the proposed development raises concerns in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the neighbouring residents. The proposal is considered to be acceptable in all material respects.

IMPLICATIONS AND RISKS

Financial Implications and risks:

Financial contributions are required through a legal agreement.

Legal Implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

1. Application forms and plans received 23/12/15.

**REGULATORY
SERVICES
COMMITTEE**

REPORT

2 June 2016

Subject Heading:

P0136.16 - Harlow Gardens (Land rear of), Romford

Variation of condition 2 of P1053.13 in order to add three new roof lights to each of the 2 no. bungalows (Received 02/02/16 and amended plans received on 16/02/16)

Ward:

Havering Park

Report Author and contact details:

Helen Oakerbee
Planning Manager
helen.oakerbee@havering.gov.uk
01708 432800

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

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

SUMMARY

This application was originally approved by the Regulatory Services Committee meeting of 17 July 2014 for the erection of 5 No. two-bed chalet style bungalows. The current proposal relates to the variation of condition 2 of P1053.13 in order to allow 3 no. new rooflights to each of the 2 no. bungalows.

The application is recommended for approval subject to conditions and the applicant entering into Deed of Variation.

RECOMMENDATIONS

That the Committee notes that the proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 448.2m² which equates to a Mayoral CIL payment of £8,964.

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed on 13 October 2014 in respect of planning permission P1053.13 by varying the definition of Planning Permission which shall mean either planning permission P1053.13 as originally granted or planning permission P0136.16.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 13 October 2014, all recitals, terms, covenants and obligations in the said Section 106 agreement dated 13 October 2014 will remain unchanged.

The applicant would also be required to pay the Council's reasonable legal costs in association with the preparation of a Deed of Variation, prior to completion of the deed, irrespective of whether the deed is completed.

That Staff be authorised that upon the completion of the Deed of Variation that planning permission be granted subject to the following conditions:

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 Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans detailed on page 1 of the decision notice approved by the Local Planning Authority.

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.

3. Parking Provision

Before any of the dwellings hereby permitted are first occupied, the car parking provision shall be laid out to the satisfaction of the Local Planning Authority and be made available for 10 no. car parking spaces and thereafter this car parking provision shall remain permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

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. External Materials

The development hereby permitted shall be constructed with external materials as previously approved under application Q0029.15.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

5. Landscaping

The development hereby permitted shall be landscaped in accordance with the details as previously approved under Q0029.15. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: To enhance the visual amenities of the development and in order that the proposal complies with Policies DC61 and the SPD on Landscaping.

6. Standard flank wall

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, 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.

7. Obscure glazing

Notwithstanding the details shown on the approved plans, the proposed front and rear facing loft windows (roof lights and dormer windows) serving en-suite bathrooms, store rooms and cupboards as well as the ground floor flank windows to plot 3 and plot 5 serving a lounge and kitchen shall be permanently glazed with obscure glass and with the exception of top hung fanlights shall remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority, in order that the development accords with Policy DC61 of the LDF.

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

8. Rooflights

Notwithstanding the details shown on the approved plans, the rooflights hereby approved shall be obscure glazed and remain permanently fixed shut and thereafter be maintained to the satisfaction of the Local Planning Authority, in order that the development accords with Policy DC61 of the LDF.

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

9. Cycle Storage

Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

10. 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.

11. Construction Methodology

The development hereby permitted shall be implemented in accordance with the construction method statement as previously approved under application Q0029.15.

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

12. Highway Agreements

The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into prior to the commencement of the development.

Reason: To ensure the interests of the travelling public and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

13. Secure by Design

Secured by Design/Crime Prevention: Within 1 month of this decision a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers (DOCOs), the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF.

14. Refuse and Recycling

Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to

details which shall previously have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

15. 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: In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

16. Screen fencing

The development hereby permitted shall be implemented in accordance with the screen fencing details as previously approved under application Q0029.15.

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.

17. External Lighting Scheme

No building shall be occupied or use commenced until external lighting is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. 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.

18. Wheel Washing

The development hereby permitted shall be implemented in accordance with the wheel washing details as previously approved under application Q0029.15. The

approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to 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.

19. Ground levels

The development hereby permitted shall be implemented in accordance with details of the ground levels as previously approved under application Q0029.15.

Reason: In the interests of neighbouring amenity and to accord with Policy DC61 of the Core Strategy and Development Control Policies Development Plan Document.

20. Tree protection

The development hereby permitted shall be implemented in accordance with the tree protection details as previously approved under application Q0029.15.

Reason: To protect the trees on the site and to accord with Policy DC60 of the Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVES

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. 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.
3. 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.

4. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
5. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.
7. With regards to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
8. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.
9. 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 £8,964 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

REPORT DETAIL

1. Site Description

- 1.1 The application site is a piece of land which is located to rear of the properties along Harlow Gardens, Romford. The site is surrounded by residential dwellings. The ground has a severe slope down from northeast to southwest. The site has an overall area of approximately 2496m²
- 1.2 Development in the vicinity is characterised by 2-storey and 3-storey residential dwellings with various different external finishing.
- 1.3 The site is currently in an advanced stage of development.

2. Description of Proposal

- 2.1 The Section 73 application is for a minor material amendment to consent P1053.13 dated 23rd October 2014 to allow 3 no. new rooflights to each of the 2 no. bungalows.
- 2.2 The proposed rooflights would be situated in the southeastern, southwestern and northwestern roofslopes will measure measure 0.8m x 0.8m.
- 2.4 The additional space proposed would be used for storage. A condition will be imposed to ensure the new windows to would be obscure glazed and fixed shut.

3. Relevant History

- 3.1 P1809.15 - Variation of condition 2 of P1053.13 in order to increase the size of the rear dormers to the row of terraces - Approved by Regulatory Services Committee on 12th May and awaiting the completion of a legal agreement
- 3.2 P1053.13 - The erection of 5 No 2 bed chalet style bungalows - Approved with agreement

4. Consultations/Representations

- 4.1 Neighbour notification letters were initially sent to 49 properties and 1 letter of comments and 4 letters of objection were received. The objections raised can be summarised as follows:
 - Overlooking
 - Loss of privacy
 - Dwellings being built on raised ground

- 4.3 In order to address any overlooking and loss of privacy concerns, a condition will be added in the event of an approval to obscure glaze and fix shut the proposed rooflights. The issue relating to the raising of the ground is not relevant to the current application.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC32 (The Road Network) DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Residential Design SPD, the Sustainable Design and Construction SPD and the Planning Obligation SPD (Technical Appendices)
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.3 (sustainable design and construction), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design) and 8 (Promoting healthy communities) are relevant to these proposals.

6. Staff Comments

- 6.1 The only change to the previously approved scheme under P1053.13 would be the addition of rooflights. Staff do not consider the proposal to result in an unacceptable visual impact on the surrounding area.
- 6.2 The proposal will not result in an unacceptable impact on neighbouring occupiers to the rear as the proposed windows will be conditioned to be obscure glazed and fixed shut.
- 6.3 All other aspects have has been previously determined as acceptable and would not be impacted by the proposed revisions.

6.4 *Mayoral Community Infrastructure Levy*

- 6.4.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on an internal gross floor area of 448.2m² which equates to a Mayoral CIL payment of £8,964.

6.5 *Infrastructure Impact of Development*

- 6.5.1 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.

- 6.5.2 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.

- 6.5.3 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.

- 6.5.4 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.

- 6.5.5 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.

- 6.5.6 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.

6.5.7 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 per dwelling 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.

6.5.8 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. It is considered that a contribution equating to £6000 per dwelling for educational purposes would be appropriate.

7. Conclusion

7.1 In conclusion, the proposed changes to condition 2, as stated earlier in this report, is considered to be acceptable. It is recommended that planning permission be granted, subject to the completion of the Deed of Variation.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions are required through a legal agreement.

Legal implications and risks:

Legal resources will be required to prepare and complete the legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

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

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 02/02/16 and amended plans received on 16/02/16.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

2 June 2016

Subject Heading:

St George's Hospital, Suttons Lane, Hornchurch

P0459.16 The redevelopment of the St George's Hospital site inclusive of partial demolition and conversion of existing buildings to provide up to 279 dwellings on 10.1 ha of the wider site, together with associated car parking, landscape and infrastructure works (received 24/03/16)

P0323.15 The redevelopment of the St Georges Hospital site inclusive of partial demolition of existing buildings to provide up to 3,000m² of new healthcare facilities on 1.74 ha of the wider site, together with the construction of a new vehicular access from Suttons Lane, associated car parking, landscape and infrastructure works. (received 09/03/15, revisions and additions received 22/07/15 and 24/03/16)

Ward

Hacton

Report Author and contact details:

Martin Knowles
Planning Team Leader
Martin.knowles@havering.gov.uk
01708 432802

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

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

SUMMARY

This report considers two outline planning applications that have been received for the redevelopment of St. George's Hospital, Suttons Lane, Hornchurch. The site has been vacant since 2012 and is now surplus to requirements. Both applications are submitted with all matters reserved except for access although the proposals set development parameters and a scale threshold for development. An illustrative masterplan for the overall development of the site has also been submitted.

P0459.16 is a resubmitted and revised application for the partial demolition and redevelopment of 10.11 hectares of the St George's Hospital site to provide up to 279 dwellings including the retention and conversion of some of the existing buildings, new build residential housing and apartments, together with the creation and retention of areas of open space, a linear park and swale gardens and play space areas.

P0323.15 is for the redevelopment of 1.64 ha of the St. Georges Hospital site located to the north west of the site for the purposes of providing up to 3,000 sq m of new healthcare development together with a new vehicular access, plus car parking, infrastructure and landscaping.

The principal planning considerations arising from the proposals are the acceptability of the redevelopment of this Green Belt site in principle and the impact upon the Green Belt of the developments proposed including consideration of how the previous reasons for refusal have been addressed, the impact of the proposals in terms of design, layout, scale and appearance, landscaping proposals, environmental implications, affordable housing, mix and tenure, parking and highway issues, the impact on local amenity and on community infrastructure.

Staff consider the proposals to be acceptable, subject to no contrary direction from the Mayor for London, the completion of Section 106 legal agreements and conditions.

RECOMMENDATIONS

P0459.15 – Residential Redevelopment

That the proposal is unacceptable as it stands but would be acceptable subject to

A: No direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008); and

B: The Head of Regulatory Services being authorised to negotiate and agree a planning obligation under S106 of the Town and Country Planning Act 1990 (as amended), to secure the following:

- The provision on site of 15% of the units within the development as affordable housing (with a tenure split of 50% social rent to 50% intermediate housing) or alternatively 15% affordable provision on site (with a tenure split of 50% social rent to 50% intermediate housing) or greater than 15% overall affordable provision by providing suitable commuted sum for off-site provision of social rented housing. Alternatively affordable housing provision to be determined should it be concluded that Vacant Building Credit is applicable.
- Payment of £1,504,000 to the Council to be used for educational purposes
- Payment of £150,000 to the Council for improvements to Hornchurch Country Park
- Payment of £20,000 to Transport for London for improvements to cycle storage facilities at Hornchurch Station.
- To provide training and recruitment scheme for the local workforce during construction period.
- Landscaping and management of all public open space within the development in perpetuity in accordance with an agreed management scheme and the final delivery of public open space with unfettered access to the public prior to first occupation of no more than 250 dwellings.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums shall 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 shall pay the Council's reasonable legal costs in association with the preparation of the legal agreement, prior to the completion of the agreement, irrespective of whether the legal agreement is completed.

- The Developer/Owner shall pay the appropriate planning obligations monitoring fee prior to completion of the agreement.

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.

Mayoral CIL

That the Committee notes that as an outline planning application the development proposed would be liable for the Mayor's Community Infrastructure Levy (CIL) which would be calculated and levied at Reserved Matters stage

Subject to recommendations A) and B) above that planning permission be granted subject to the following conditions, full details of which are included as Appendix 1:

Summary of Conditions

1. Outline - Reserved Matters to be Submitted
2. Outline - Time limit for submission of details
3. Complete Accordance with plans
4. Phasing
5. Reserved Matters for Each Phase
6. Reserved Matters Details for Each Phase
7. Accordance with Development parameters
8. Number of residential units
9. Footprint
10. Space Standards
11. Housing Mix
12. Details of materials
13. Boundary treatment
14. Lighting
15. Landscaping
16. Landscape Management Plan
17. Public Open Space Design
18. Protection of Preserved Trees
19. Obscure Glazing
20. Design Statement
21. Access Statement
22. Wheelchair Accessibility and Adaptable Homes
23. Sustainability and Energy Statement
24. Car Parking
25. Car Parking Reservation
26. Visibility Splays

27. Cycle storage
28. Highway Improvement Works
29. Electric Vehicle Charging Points
30. Fire Brigade Access
31. Detail of Fire Hydrants
32. Freight Strategy
33. Travel Plan
34. Surface Water Drainage
35. Foul and Surface Water Strategy
36. Surface Water Pollution Prevention
37. Water Efficiency
38. Internal Noise
39. Designing for Community Safety – Secured By Design
40. Air Quality Assessment
41. Refuse Storage and Segregation for Recycling
42. Historic Building Recording
43. Archaeological Investigation
44. Species Surveys and Mitigation
45. Biodiversity Enhancement
46. Construction Environmental Management Plan
47. Hours of Construction
48. Wheel Washing
49. Contamination Assessment (1)
50. Contamination Assessment (2)
51. Gas Protection Measures
52. Inclusive Access and Wayfinding Strategy
53. Removal of Permitted Development Rights.

P0323.15 – Healthcare Facility

That the proposal is unacceptable as it stands but would be acceptable subject to

A: No direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008); and that the proposal be approved subject to the following conditions.

Mayoral CIL

That the Committee notes that as a planning application for a healthcare use the development proposed is not liable for the Mayor's Community Infrastructure Levy (CIL).

Subject to recommendations A) above that planning permission be granted subject to the following conditions, full details of which are included as Appendix 2:

Summary of Conditions

1. Outline - Reserved Matters to be Submitted

2. Outline - Time limit for submission of details
3. Complete Accordance with plans
4. Accordance with Development parameters
5. Footprint
6. Details of materials
7. Boundary treatment
8. Lighting
9. Landscaping
10. Landscape Management Plan
11. Protection of Preserved Trees
12. Design Statement
13. Access Statement
14. Sustainability and Energy Statement
15. Car Parking
16. Visibility Splays
17. Cycle storage
18. Highway Improvement Works
19. Electric Vehicle Charging Points
20. Fire Brigade Access
21. Detail of Fire Hydrants
22. Freight Strategy
23. Travel Plan
24. Surface Water Drainage
25. Foul and Surface Water Strategy
26. Surface Water Pollution Prevention
27. New Plant Noise
28. Designing for Community Safety – Secured By Design
29. Air Quality Assessment
30. Refuse Storage and Segregation for Recycling
31. Historic Building Recording
32. Archaeological Investigation
33. Species Surveys and Mitigation
34. Biodiversity Enhancement
35. Construction Environmental Management Plan
36. Hours of Construction
37. Wheel Washing
38. Contamination Assessment (1)
39. Contamination Assessment (2)
40. Gas Protection Measures
41. Inclusive Access and Wayfinding Strategy
42. Restriction of Use

REPORT DETAIL

1. Background

- 1.1 Members will recall that the Committee resolved to refuse the previous application for residential development of the St. Georges Hospital site ref P0321.15 when it was reported to Committee on 12/11/2015. At the same time the application for healthcare development P0323.15 was deferred to allow staff to seek amendments to increase the amount of car parking. At the stage 2 referral of P0321.15 the Mayor for London decided not to recover the application for his own determination and following which that application was refused planning permission on 11th January 2016.
- 1.2 Staff subsequently engaged with the applicants to seek revisions to the schemes to address the reasons for the refusal and deferral. A fresh planning application for the residential redevelopment of the site has now been received together with revisions to the healthcare proposal.
- 1.3 These outline planning applications have been submitted by NHS Property Services and are an important part of the lengthy procedure involved in the development of new health care facilities and the disposal of surplus NHS land and property. The case for the redevelopment of the St George's site has been in process since 2012/13 and was finally approved by NHS England in 2014.
- 1.4 Havering Clinical Commissioning Group (CCG) now needs to develop a detailed business case for the development of a new health facility and securing an outline planning permission is an intrinsic and important part of that process. In developing the business case the CCG has looked at the overall size of the plot required to develop a health centre and the site area identified is the maximum required.
- 1.5 The remaining majority of the St George's Hospital site has been declared surplus to NHS requirements. Outline planning permission is therefore being sought for residential redevelopment of the surplus land and buildings prior to marketing the site. By developing a set of parameters and guidelines for the site's future development an outline planning permission would help ensure that the sale of the surplus site and buildings achieves "best value". The receipt from any sale would be recycled indirectly back into health service facilities so could be viewed generically as contributing towards the development of healthcare services in the Borough and on this site.

2. Site Description

- 2.1 The site is located on the eastern side of Suttons Lane some 800m south of Hornchurch underground station with Hornchurch town centre a similar distance again north of the station.
- 2.2 The site is bound to the north by residential properties in Hacton Drive which back onto the site and to the west by Suttons Lane with houses facing the site across the road. To the east and south are open areas comprising the Ingrebourne River Valley and Hornchurch Country Park. The site is broadly rectangular with an overall area of 11.74 ha (29 acres). The site is relatively flat but does fall from west to east and north to south.
- 2.3 The site lies within the Green Belt and is identified as Major Developed Site within the Green Belt in the LDF. The Ingrebourne Valley to the east and Hornchurch Country Park to the south are identified as Metropolitan and Borough Sites of Importance for Nature Conservation (SINC) respectively. 800m to the south of the site the Ingrebourne Valley is identified as a Site of Special Scientific Interest (SSSI).
- 2.4 There are two existing vehicular access points to the site, both from the west via Suttons Lane. The main access is broadly located in the centre of the western boundary with the second access point located towards the south-west corner.
- 2.5 The site is characterised by large red brick institutional blocks set within their own or shared landscape comprising of lawns, parking, hard standing roads and paths, and groups of trees. The blocks are predominantly two storey but with high ceilings and steeply pitched roofs and are typical of the inter war institutional style. A group of buildings towards the north east of the site are more utilitarian plant related including plant and power rooms, laundry, workshops, garages and fuel tanks. A long single storey corridor links many of the former ward buildings on the site. .

3. Description of Proposals

3.1 Form of Applications

- 3.1.1 The planning applications are both submitted in outline with all matters reserved save for access. The documentation is common to both applications and includes the following:

- Planning Statement
- Design and Access Statement
- Archaeological Desk Based Assessment
- Heritage Assessment and Historical Background
- Arboricultural report
- Baseline and Phase 2 Ecological Surveys and Assessment
- Transport Assessment

- Flood Risk Assessment
 - Energy Strategy
 - Sustainability Strategy
 - Geoenvironmental and Geotechnical Investigation and Risk Assessment
 - Statement of Community Involvement
- 3.1.2 Separate drawings and parameter plans accompany each application with a common illustrative masterplan which shows one way in which the site could be developed and upon which the various assessments have been based.
- 3.2 **P0459.16 – Residential Redevelopment**
- 3.2.1 The proposal is a new revised outline application for the redevelopment of 10.11 ha of the St. Georges hospital site for residential purposes including the retention and conversion of some of the existing buildings, new build residential housing and apartments, together with the creation and retention of areas of open space, a linear park and swale gardens and play space areas.
- 3.2.2 The site has a frontage of 335m to Suttons Lane, a depth of 242m at its southern end and a maximum of 280m towards the northern end. The site also has a 123m boundary with the rear of No's 40 to 66 Hacton Drive where the site extends behind the area identified for healthcare development.
- 3.2.3 The physical development parameters of the proposal are linked to a number of plans. These identify, development parcels and their function, a construction and phasing strategy, a demolition plan, strategic open space cycle/pedestrian/vehicular movement, building heights and density. An illustrative Masterplan demonstrates one way in which the site might be developed in line with the parameter plans.
- 3.2.4 The quantum of development is also defined and in land use terms the scheme will provide for:
- Not more than 279 residential units;
 - The retention, refurbishment and conversion of 6 key buildings along the frontage of the site (119/121 Suttons Lane, the Willows building, Gatehouse, Admin and Ingrebourne buildings and the northern ward block) to provide 75 apartments and houses.
 - New build development of 204 dwellings.
 - A predominant height of two to three storeys with 2 locations identified for 4 storey development.
 - New housing laid out on a predominantly perimeter block arrangement except where adjacent to or backing onto the healthcare site or properties in Hacton Drive.
 - An indicative masterplan mix of housing which would deliver:

- 15% 1 bed apartments
 - 28.7% 2 bed apartments
 - 2% 3 bed apartments
 - 15% 2 bed houses
 - 22% 3 bed houses
 - 13.6% 4 bed houses
 - 3.7% 5 bed houses
 - 15% of units offered as affordable housing.
 - Car parking at a rate of 1.7 per unit overall.
- 3.2.5 A landscape strategy is defined in the Design and Access Statement which has been formulated in response to the existing features of the site and would aim to protect key views, mitigate the impact of the development, retain and protect key tree groups, individual specimens and boundary vegetation, enhance the ecology of the site through the creation of new habitats including SuDs (Sustainable Urban Drainage Systems), attractive high quality open spaces and play opportunities. A hierarchy of strategic open space is identified in plan TP110.
- 3.2.6 The development of the site would accord with the general principles set in plan TP104 - Zone Uses and Access, together with TP1067 – Cycle/Pedestrian Vehicular Movement which demonstrate how the site would be linked and accessed via primary and secondary roads, pedestrian and cycle routes. The intention remains that the redevelopment of the site would be based around the retention of the original well spaced pattern of healthcare development along Suttons Lane and the enhancement of the long vistas through the site to the Ingrebourne Valley beyond. Much of the new development would be set behind the retained buildings framing the long vistas and open spaces.
- 3.2.7 The proposals include Sustainable Urban Drainage measures incorporated into the open spaces and comprise a combination of source control SuDS, swales and attenuation basins.
- 3.3. **P0323.15 – Healthcare Facility**
- 3.3.1 The proposal is an outline application for the redevelopment of 1.63 ha of the St. Georges Hospital site (site area reduced by revision from 1.74 ha) located to the north west of the site for the purposes of providing up to 3,000 sq m of new healthcare development together with a new vehicular access, plus car parking, infrastructure and landscaping. The site has frontage of 89m to Suttons Lane and an overall depth of 177m. The northern boundary of the site is contiguous with the flank boundary of 111 Suttons Lane and the rear boundary of No's 2 to 44 Hacton Drive
- 3.3.2 The illustrative layout for the healthcare development provides a design that embodies the principles that would be adhered to at reserved matters stage. The elements comprise:
- 2 to 3 storeys in height

- Building to be located in the south western portion of the site with a building line no closer to Suttons Lane than any of the existing larger hospital buildings.
- Incorporates provision for the location of a portable MRI unit.
- Provision of 110 dedicated parking spaces.
- Existing and enhanced buffer landscaping to the northern and eastern boundaries.
- Linear landscaped area along Suttons Lane.

3.3.3 The services that would be provided in the healthcare development cannot as yet be confirmed. However, it is indicated that it would include facilities for an extended primary care centre, a centre for a local integrated care team and for secondary care community services, day assessment and diagnostics including imaging and phlebotomy, flexible space for education and a location for voluntary and community sector providers.

4. **History**

4.1 St. George's Hospital was opened in 1939 as Suttons Institution and was brought into use during World War II to house airmen at RAF Hornchurch. In 1948 it was renamed St. George's when it became part of the NHS.

4.2 The site has an extensive planning history which in recent years have related mainly to changing access arrangements, telecommunications masts etc. Of direct relevance to these applications:

P0321.15 - The redevelopment of the St George's Hospital site inclusive of partial demolition and conversion of existing buildings to provide up to 290 dwellings on 10 ha of the wider site, together with associated car parking, landscape and infrastructure works - Refused

5. **Consultation/Representations**

5.1 The proposals have been advertised as a major development by the display of site notices and by an advertisement in the local press. A total of 420 individual properties were notified directly of the proposals and revisions to them. Both applications are referable to the Mayor of London as they are located in the Green Belt and involve the construction of a building/s with a floorspace of more than 1,000 square metres or the change of use of such building, and because the development includes the provision of more than 150 dwellings.

Representations

5.2 A total of 24 letters of representation have been received, 20 of which raise objections and make comments in relation to the residential proposals with 4 raising some concerns about the healthcare proposals.

Several of the objectors did not realise that the healthcare proposals were still under consideration. The following matters are raised in summary:

P0459.16 – Residential

- Increased pressure on local services, nurseries, sewerage, schools, Dr's, fire service etc;
- Increased traffic on a road that is already busy, which will make right turn out of Hacton Drive more difficult;
- Increased noise and pollution from traffic plus noise and dust from construction;
- Increased use of Hornchurch and Elm Park Station;
- Increased crime risk;
- Additional parking problems;
- Too many houses are proposed and reduction in number of dwellings by 11 no. is insufficient to overcome previous refusal.
- Height and density of development should be no greater than that which exists, so there should be nothing higher than 3 storey and 2 storeys where adjacent to existing development.;
- Detrimental impact upon the visual amenities of the Green Belt;
- Impact upon wildlife and proximity to the new Wildlife Trust building:
Very important site for nesting House Martins
- BREEAM target of very good is inadequate.;
- No sustainable development target;
- Energy Statement does not demonstrate how the energy target is to be met, communal/district heating will not be viable at low density, over reliance upon Air Source Heat Pumps and photovoltaic panels.- should be secured via passive measures (increased insulation, reduced air permeability and heat recovery)
- No target set for renewable energy;;
- Headlights of cars exiting the site will shine into properties opposite.
- Retention of the gate lodge is unnecessary as it is an unremarkable building;
- Existing pedestrian crossings are not shown on the masterplan;
- Railings along Suttons Lane should not be removed;
- Routes to the country park and boundary treatment should be clarified:
- Extension to Block 3 should be removed:
- Ambulance Station site should be incorporated into the site.

P0323.15 – Healthcare

- Privacy and amenity of neighbours in Hacton Drive should be protected:
- No details of the facilities to be provided or the hours or days of operation have been provided;
- Additional traffic will result.

General

- Pre-application consultation was inadequate and poorly carried out;
- A request has been made for the inclusion of a pre-school nursery.

Consultations

Environment Agency – Advise on the use of appropriate conditions to deal with any former contamination of the site and the risks to controlled waters that might arise together with the relevant British Standards that should be followed when investigating contamination. An informative is requested.

Essex and Suffolk Water – No objections subject to compliance with their requirements.

Essex Wildlife Trust – The Trust are building a visitor centre adjacent to the site. The new housing will benefit from the proximity of Hornchurch Country Park. The visitor centre will provide improved facilities for park users and visitors but car parking will be insufficient in the future. EWT are seeking a developer contribution for car parking improvements.

The importance of the existing buildings as a nesting site for House Martins is noted with upwards of 40 pairs nesting making it potentially the largest nesting colony in Essex. The need to ensure that nesting opportunity is maintained and that demolition of buildings avoids the nesting season is emphasised.

Concerns are also voiced about the drainage from the site and that the proposals should not affect an existing outfall which feeds into the local watercourses.

Greater London Authority – The Mayor is not due to consider P0459.16 until 25th May so no detailed response had been received at the time of report writing. The case officer has informally advised that the officer comments are likely to be similar to those received on the last application. However, the views of the new Mayor could differ from those of his predecessor. Members will be updated orally at the meeting.

The comments of TfL that are likely to feed into the Mayor's report are given below.

Historic England – The submitted Archaeological Assessment identifies the existence of prehistoric settlement features across the application site. The surviving buildings and structures are themselves of historic and in some parts of architectural significance. Conditions are suggested to ensure that the archaeological significance of the site is properly investigated and recorded together with an appropriate recording of historic buildings on the site prior to any alterations or demolition taking place.

LBH Education – All Local Authorities including Havering have a statutory duty to ensure that there are enough school places available in the borough to accommodate all children who live in the borough and might require one. The increase in demand for school places has meant that in some areas of Havering the demand for places is higher than the number of places available.

The expected child yield generated from the 279 proposed units will be as follows:

Total expected primary child yield is 90 primary children

Total expected secondary child yield is 60 secondary children

Total expected early years child yield is 32 children (age 0 to 5)

The latest authority's school roll projections for primary pupils show that currently and for the immediate future there is a great demand for school places. Therefore any additional children will put more pressure on the demand for schools places in the local area. Despite creating additional school places in recent years there is very little surplus operating capacity and the expected 90 primary children generated by this development, will create additional pressure on school places in the near future.

The secondary school roll is projected to increase and by 2019/20 there will be a deficit of secondary school places. Therefore any additional secondary school children generated from this development will put a greater pressure on the demand for secondary school places.

LBH Energy – Recommends a condition that the final scheme must demonstrate how the CO2 target reduction and the requirements of the London Plan would be achieved. On sustainability a BREEAM pre-assessment estimator should be provided together with the provision of the final post construction stage BREEAM certificate . These should be required by condition.

LBH Environmental Health – Conditions requested in respect of air quality assessment, contamination, gas protection, demolition method statement, construction method statement and levels of noise insulation

LBH Highways – No objections subject to the imposition of conditions and informatives related to pedestrian visibility splays, vehicle access, highway improvement works, wheel cleaning and matters related to changes to the public highway and temporary use of the highway.

LBH Property Services – Express concern that if access points are or could be created from the application site to adjacent land that additional pressure for development of areas to the north and east of the development site will occur. Particular concern is raised about indicative

points of access onto 3rd party land which will encourage unauthorised access and place greater pressure for development and unauthorised use of the Green Belt.

LBH Regeneration – Express some concern about the potential additional pressure on the adjacent Local Nature Reserve and Hornchurch Country Park. Issues concerning the presence of bat roosts and nesting sites for House Martins are also raised as matters that need to be sensitively addressed.

LBH – Flooding and Drainage – Flood Risk Assessment and drainage strategy are acceptable..

London Fire Brigade – Advise that it will be necessary to install 14 new hydrants to cover the development area. A drawing showing indicative locations was supplied.

LFEPA – Advice given that the development needs to comply with the relevant sections of Approved Document B of the Building Regulations

Met Police SBD – General comments related to the principles and practices of Secured by Design which should be incorporated into future reserved matters applications. Recommends that a condition and informative be attached to any permission.

Natural England – No response to date. However, objections to the previous scheme were withdrawn with Natural England on the basis that they were satisfied that the development would not result in any adverse impact upon the Ingrebourne Marshes SSSI. It is suggested that further advice should be sought to ensure that the application is compliant with the relevant national policies.

Thames Water – No objection with regard to sewerage infrastructure capacity. Advise that it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. The applicant should also ensure that storm flows are properly attenuated or regulated. Advice is also given about the proximity of public sewers to the site.

Transport For London – The level of car parking proposed is considered to be very high given the proximity to Hornchurch Station and bus services. Blue badge and electric vehicle charging points need to be provided in accordance with London Plan standards.

No unacceptable impact on public transport or highways capacity is anticipated.

The need or otherwise for improved walking and cycling facilities and routes in the area should be investigated and if necessary funded by the applicant. Cycle parking both short term and long term should be in

accordance with the current London Plan for both the residential and healthcare proposals

6. Relevant Policy

- 6.1 Policies CP1 (Housing Supply); CP2 (Sustainable Communities); CP7 (Recreation and Leisure); CP8 (Community Facilities); CP9 (Reducing the need to travel); CP10 (Sustainable Transport); CP14 (Green Belt); CP15 (Environmental Management); CP16 (Biodiversity and Geodiversity); CP17 (Design); CP18 (Heritage); DC2 (Housing Mix and Density); DC3 (Housing Design and Layout); DC4 (Conversions to Residential and Subdivision of Residential Uses); DC6 (Affordable Housing); DC7 (Lifetime Homes and Mobility Housing); DC20 (Access to Recreation and Leisure Including Open Space); DC21 (Major Developments and Open Space, Recreation and Leisure Activities); DC26 (Location of Community Facilities); DC27 (Provision of Community Facilities); DC32 (The Road Network); DC33 (Car Parking); DC34 (Walking); DC35 (Cycling); DC36 (Servicing); DC40 (Waste Recycling); DC45 (Appropriate Development in the Green Belt); DC46 (Major Developed Sites); DC48 (Flood Risk); DC49 (Sustainable Design and Construction); DC50 (Renewable Energy); DC51 (Water Supply, Drainage and Quality); DC52 (Air Quality); DC53 (Contaminated Land); DC55 (Noise); DC59 (Biodiversity in New Developments); DC60 (Trees and Woodland); DC61 (Urban Design); DC62 (Access); DC63 (Delivering Safer Places); DC67 (Buildings of Heritage Interest); DC70 Archaeology and Ancient Monuments); DC72 (Planning Obligations) of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.
- 6.2 In addition, the Planning Obligations SPD, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD and Sustainable Design and Construction SPD are also material considerations.
- 6.3 Policies 3.1 (Ensuring equal life chances for all); 3.2 (Improving health and addressing health inequalities); 3.3 (Increasing housing supply), 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments), 3.6 (Children's play facilities), 3.7 (Large residential developments); 3.8 (Housing choice), 3.9 (Mixed and balanced communities), 3.10 (Definition of affordable housing), 3.11 (Affordable housing targets), 3.12 (Negotiating affordable housing), 3.13 (Affordable housing thresholds); 3.16 (Protection and enhancement of social infrastructure); 3.17 (Health and social care facilities); 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.6 (Decentralised energy in development proposals); 5.7 (Renewable energy); 5.10 (Urban greening); 5.11 (Green roofs and development site environs); 5.12 (Flood risk management); 5.13 (sustainable drainage), 5.21 (Contaminated land); 6.2 (Providing public transport capacity and safeguarding land for transport); 6.3 (Assessing effects of development on

transport capacity); 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.1 (Lifetime neighbourhoods); 7.2 (An inclusive environment); 7.3 (designing out crime), 7.4 (local character), 7.5 (Public realm); 7.6 (architecture), 7.8 (Heritage assets and archaeology); 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), 7.16 (Green Belts); 7.19 (biodiversity and access to nature); 7.21 (Trees and woodlands) and 8.2 (planning obligations) of the London Plan (LP) and the provisions of the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) are also material considerations.

7. Staff Comments

7.0 Introduction

7.0.1 These applications are seeking Outline planning permission for the redevelopment of the St. George's Hospital site in Hornchurch. With the exception of the points of access from Suttons Lane, the scope of the applications seek to establish the principle of the developments proposed and the broad parameters to be followed by subsequent submissions of reserved matters applications. Matters of detail are therefore not being determined at this stage, but rather the broad principles including the maximum number of dwellings, which existing buildings are to be retained, the maximum height of development, housing mix, build and no build zones, design ethos, playspace quantum, parking regime, sustainability and Sustainable Urban Drainage (SuDS) features to be incorporated.

7.0.2 P0459.16 is an amended scheme for residential redevelopment compared to that considered by Committee in November 2015 when Members resolved to refuse planning permission for the residential development. The reasons for refusal as issued were as follows:

- 1 Owing to the proposed built form of the development, the intensity of the proposal's layout, and the extent of development compared to the existing built development, it is considered that the proposal would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. The proposal is considered to constitute inappropriate development in the Green Belt, and would also be harmful to the visual amenities of the Green Belt. Very special circumstances that overcome the harm to the Green Belt, by reason of inappropriateness and visual impact, have not been demonstrated in this case. The proposal is therefore considered to be contrary to the policy contained in the National Planning Policy Framework and Policy 3.17 of the London Plan.
- 2 The indicative internal layouts of the retained buildings demonstrate that four units would fail to achieve the minimum Nationally Described Space Standard for 1 bedroom flats and would as a result fail to provide a satisfactory amount of internal space for future occupants contrary to the intentions of Policy 3.5 of the London Plan.

- 3 In the absence of a legal agreement to secure an agreed level of affordable housing the proposal is considered to be contrary to Policy DC6 (Affordable Housing) of the Havering Core Strategy and Development Control Policies Development Plan Document.
- 4 In the absence of a legal agreement to secure contributions towards local infrastructure projects, namely education, sustainable transport/cycling improvements and mitigation of the impact of the development upon the Country Park, necessary as a result of the impact of the development, the proposal is considered to be contrary to Policy DC72 of the Development Control Policies DPD.

7.0.3 Reasons 3 and 4 were added as is the case for any refusal where a S106 agreement would have been required. These would be addressed by the completion of a S106 agreement agreeing the Heads of Terms as set out in the recommendation.

7.0.4 The revised scheme is intended to address the first reason for refusal through the following amendments to the scheme considered under ref P0321.15.

- An increase in the amount of open space by 0.71 ha increasing the total amount of open space across the entire site to 4.71 ha, 4 ha of which would be publicly accessible. This is particularly evident along the eastern and southern boundaries of the site where units have been removed and the proposed development envelopes have been pulled away from the boundary and by the increase in size of public open spaces in the north east of the site.
- A decrease in the extent of the development area by 1,500 sqm compared to the refused scheme, representing a 3,600 sqm decrease from the existing situation.
- A decrease in the building footprint across the site from the refused scheme of 2,571 sqm representing a 24% decrease from the existing.
- There are also similar scale reductions in built form and hardstanding and the total volume of development proposed..
- Green corridors through the site have been softened and widened by introducing green space to the front of terraces and by moving some parking areas.
- The proposed 4 storey block on the eastern side of the site has been reduced to 3 storeys.
- A reduction in the overall number of units by 11 whilst the site area for the residential development has increased by 1,100 sqm.

- The parking ratio has been maintained achieving an average of 1.7 spaces per unit.

7.0.5 The second reason for refusal has been addressed by amending the illustrative floorplans to demonstrate that the minimum unit sizes required by the Nationally Described Space Standards and the London Plan can be achieved through out.

7.0.6 The reason for deferring the healthcare development P0323.15 has been addressed by doubling the proposed quantity of car parking available to 110 spaces.

7.1 Principle of Development

7.1.1 LDF Policy DC46 is specific to the application site, identifying the St. George's Hospital site as a Major Developed Site in the Green Belt where Green Belt assessment criteria should be used and where "in the event of complete or partial redevelopment the Council will seek proposals for residential or community use, subject to relevant policies in the Plan." The concept of designated major development sites promoted by PPG2 (Green Belts) has been removed by the NPPF. However, para 89 of the NPPF identifies that one of the exceptions to the general presumption against inappropriate development in the Green Belt is in relation to "partial or complete redevelopment of previously developed sites....which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development." LDF Policy DC46 can therefore be upheld as remaining in line with National Policy on the Green Belt.

7.1.2 LP Policy 3.16 (B) indicates support for high quality social infrastructure proposals and that the suitability of redundant social infrastructure premises for other forms of social infrastructure provision should be assessed before alternative developments are considered. Similarly LP Policy 3.17 indicates support for high quality health and social care facilities in areas of identified need. The site has been declared surplus to requirements by NHS England and a strategic outline case has been made for the redevelopment of part of the site for a new health facility. The availability of the site for partial redevelopment to provide a health care facility is therefore in line with London Plan policies 3.16 (B) and 3.17 and furthermore such use is consistent with the existing lawful use of the site.

7.1.3 Policies DC26 of the LDF relates to the provision of new community facilities setting a number of criteria (accessibility, impact upon character and amenity, parking availability and highway impact and flexibility of the building) which need to be satisfied before planning permission should be granted.

- 7.1.4 Policy DC27 relates to the redevelopment of community facilities and requires that it should be demonstrated that there is no longer a need for the facility and that suitable alternative provision should be made.
- 7.1.5 As outlined earlier in this report, St. George's Hospital is now vacant and redundant as a healthcare facility with the facilities it previously provided absorbed into the wider NHS. The larger part of the site (86%) has been declared surplus to requirements by the NHS whilst the other 14% is to be reused for healthcare purposes. The case for the redevelopment of the St George's site was approved by NHS England in 2014. The case for the development of a new health facility is on-going and the determining of the current planning applications is an important and intrinsic part of that process. Staff are satisfied that the location of the proposed healthcare facility satisfies all of the necessary criteria of DC26 and the principle of the renewed healthcare provision on the site is supported.
- 7.1.6 Accordingly, subject to meeting the criteria for suitable Green Belt development set out in the NPPF/NPPG and the relevant policies of the LDF where these have not been effectively superseded, and overcoming the previous Green Belt related reason for refusal, the principle of the redevelopment of the site for residential and health care purposes is supported.

7.2 **Green Belt Considerations**

7.2.1 The application site is located within the Metropolitan Green Belt where great importance is attached at local, regional and national level to the original aims of preventing urban sprawl by keeping land permanently open and protecting the essential characteristics of openness and permanence.

7.2.2 The NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraphs 87 and 88 state:

“as with previous Green Belt policy, inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”

7.2.3 However, as set out in the previous section, the partial or complete redevelopment of previously developed sites could be considered appropriate development in the Green Belt if it would not have a greater impact upon the openness of the Green Belt and does not undermine the purpose of the site's inclusion in the Green Belt. On the other hand, if as was the case with the previous refused scheme, it were to be concluded

that the proposals would have a greater impact on openness or result in some other harm to the purpose of including the site in the Green Belt, then very special circumstances would have to be demonstrated which clearly outweighed such harm. The impact upon the openness of the site, implicitly intertwined with the visual impact of the proposals, is therefore a key consideration to determining the acceptability of the proposals in Green Belt terms.

7.2.4 The applicant has undertaken an assessment of the impact of the development on openness based upon the built form within the Green Belt – the quantum (footprint and volume) and spread of development (development envelope), comparing the development proposals against the existing hospital layout, its buildings and hard surfaces and that of the previously refused scheme (See following table).

| | Existing | Proposed 2015 Scheme (Healthcare and Residential) | Proposed 2016 Scheme (Healthcare and Residential) | Difference (2016 Scheme from Existing) |
|--|--------------|--|--|--|
| Total Footprint Buildings (sqm) | 17,614 | 15,927 | 13,356 | -4,258 (-24%) |
| Total Floorspace (sqm) | 22,050 | 27,443 | 24,970 | +2,920 (+13%) |
| Development Envelope (ha) | 9.60ha (82%) | 9.39ha (80%) | 9.24ha (78%) | -0.36 ha (-4%) |
| Volume (m3) | 130,579 | 128,293 | 124,141 | -6,438 (-5%) |

7.2.5 The masterplan approach with parameter plans defining matters such as development envelopes, building heights, retained buildings, open space and movement is considered to lend itself to analysis of this nature. However, members should be aware that there is no definition of “openness” contained within the NPPF or NPPG, nor are there any criteria within policy or guidance relating to the assessment of a development upon it. A degree of subjective judgement therefore remains however well quantified the comparisons are.

Impact on Openness

7.2.6 The application site is characterised predominantly by large institutional style buildings with extensive areas of hard surface, set within a generally grassed and landscaped setting. The redevelopment proposals are contained wholly within the site boundaries and do not propose any significant material spread of development beyond the existing development envelope. There are some marginal relocations of development, but overall by removing and greening areas of existing hard surface, and by reducing the extent of new development located towards the boundary of the site with the open green belt, the edge of the developed site would be softened and to a greater extent than that previously proposed. This is consistent with the Green Belt objective of checking the unrestricted sprawl of the built up area.

7.2.7 In terms of objective measurement the test within the NPPF is to compare the impact of the proposed development with existing development. The

proposals demonstrate that the existing and proposed forms of development would provide a similar spread, plan form and layout, but that the proposed amount of built footprint would be reduced by approximately 24%. This is a further 8% reduction compared to that achieved through the refused scheme. The proposed scheme would retain the buildings on the frontage of the site but remove a number of the large institutional buildings, re-providing their volume over a number of smaller buildings whilst maintaining the historic block layout of the site. Notably the long corridor run which traverses much of the site and a significant proportion of the extensive parking area along the Suttons Lane frontage of the site would be removed. These features currently impact negatively on the visual impression of the extent of development on the site and their removal/reduction would contribute positively to the openness of the site.

- 7.2.8 In terms of height the existing buildings are predominantly two storeys high with a number of single storey structures and some notable taller structures, chimneys to the boiler house, which are significantly taller. However, as is often found with inter war institutional buildings, many of the existing two storey healthcare buildings have eaves and ridge heights which are equivalent to modern 3-4 storey residential dwellings.
- 7.2.9 The proposed redevelopment would be of predominantly 2-3 storey heights which both reflects the characteristic scale of domestic architecture in the surrounding area and the heights of existing buildings on the site.
- 7.2.10 The potential locations for four storey buildings identified on the residential site has been reduced from three to two. The reduction in the height of the potential block in the location of the existing boiler house which is currently dominated by the tall chimney structures would serve to lessen the visual impact of the development towards the eastern boundary.. The remaining two are suggested towards the southern end of the site either side of the wide swale garden where a building of this scale would serve as a waymarking feature as well as framing views along the swale gardens. Staff are satisfied that the revised approach to residential heights proposed would have no greater impact upon the openness of the green Belt than the existing buildings on the site.
- 7.2.11 The healthcare facility is identified as being up to 3 storeys high. Staff are satisfied that in the frontage location indicated, on the same building alignment as the existing 2 storey healthcare buildings it is proposed to retain, and well separated from the northern boundary, that the impact on openness would be neutral.
- 7.2.12 The test within the NPPF in relation to openness is that any redevelopment should not have a greater impact on the openness of the Green Belt. However, this does not mean that new development has to be re-provided in exactly the same location. In this respect there is a judgement to be made about the comparative impacts of the existing and

proposed developments upon the openness of the Green Belt and whether the revisions made overcome Members previous concerns. All matters considered, staff are satisfied in the case of both proposals that the indicative masterplan and the parameter plans demonstrate that the impact on openness would be neutral and therefore have no greater or lesser impact. Cumulatively, the revisions that have been made to the spread, nature and quantum of development are also considered by staff to have reduced the perceived impact of the residential development to an extent that adequately addresses previous concerns about the impact of the scheme upon the openness of the Green Belt. It should be stressed that the NPPF does not require that the impact on openness should be less so as a matter of judgement, it is concluded that the development is not inappropriate development in the Green Belt. Such judgement is, however, dependent upon strict controls on the retention of buildings, the extent of the development envelope, heights and footprints, for which appropriate conditions are suggested.

Character of Development and Visual Impact

- 7.2.13 Staff are satisfied that the proposals will both increase the impression of openness between buildings and replace clusters of large institutional buildings with residential development of a more domestic scale. The average height across the site will be reduced and east/west vistas towards the Ingrebourne Valley will be opened up by the removal of the transverse corridor structure and a perimeter block layout which respects this ambition.
- 7.2.14 In terms of Green Belt policy the conversion of the existing hospital buildings that it is intended to retain is considered acceptable as it involves the re-use of existing buildings. The indicative plan suggest that the open side of the Willows and Northern Ward blocks could be infilled to complete the quadrangle and create a private inner courtyard/amenity space which would also be in accordance with Green Belt policy. The conversion is considered to be appropriate development in accordance with the Green Belt policy of the NPPF and LDF Policy DC45.
- 7.2.15 The proposed siting and scale of the healthcare facility follows the same principles within the master plan, increasing separation from the residential boundary with Hacton Drive compared to the existing institutional buildings on that part of the site, and softening and enhancing boundary treatments.
- 7.2.16 Overall staff are satisfied that the revisions to the residential scheme are sufficient to overcome previous concerns and that the proposed developments satisfy the necessary tests to be considered an exception to inappropriate development. However, the scale of the development proposed in both instances is considered to be the maximum that could be accepted with the context of current policy and guidance. Suitable conditions are suggested to set maxima for unit numbers and footprint. A floorspace limit is not considered necessary as the other maxima and

parameters are considered sufficient to ensure that the visual impact upon the Green Belt remains acceptable .

7.3 Design, Layout and Density

- 7.3.1 Policies CP17, DC3 and DC61 of the LDF stress the importance of achieving good design and it is central to all objectives of the London Plan.
- 7.3.2 Policy DC2 provides guidance in relation to the dwelling mix within residential developments, whilst Policy DC3 provides that in considering applications for new housing development design and access statements should address the number of other policies that impact on the design and layout of new developments.
- 7.3.3 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 and that development must respond to distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding context.

Layout

- 7.3.4 The layout of the site is a reserved matter. However, the application is accompanied by an illustrative masterplan and Design and Access Statement (DAS) indicating how development of the site to achieve 279 dwellings and a new healthcare facility may be achieved.
- 7.3.5 For the residential development the masterplan and parameter plans are based on utilising and expanding the existing hospital road layout and creating a series of urban blocks, the majority based upon a perimeter form of development, whilst retaining a frontage to Suttons Lane of retained, converted hospital buildings of heritage value. The layout also seeks to retain and enhance the visual and physical permeability of the site by creating additional east/west long distance views from Suttons Lane to the open Green Belt of the Ingrebourne Valley, together with new north/south views which will enable views from inside the site to Hornchurch Country Park to the south.
- 7.3.6 For the healthcare development the location and layout has been developed by testing different options. The location on the northern side of the site has been chosen as sites further to the south or east presented issues with integration with the local community and access, or with the need to access the facility through the proposed residential development. Staff are satisfied that the location identified with independent access from Suttons Lane offers the most beneficial and suitable location.
- 7.3.7 The development of the urban design strategy and these concepts are identified within the DAS which also identifies a number of landscape character areas, including swale gardens, informal buffers and transition

space, a linear park along the Suttons Lane frontage of the site and a central open space.

- 7.3.8 The masterplan approach and parameter plans submitted with this application are the means by which the design concepts that they contain have been translated into a framework for the future submission of reserved matters for both applications. Parameter plans are submitted for approval including ones which show the density of development, a framework showing where residential areas, the healthcare development, open space and access points, would be located, development heights and a play strategy. The illustrative masterplan demonstrates one way in which this could be translated and given the degree to which the parameter plans can be conditioned should the applications be approved, forms the basis on which it is reasonable to anticipate that future reserved matters applications would be submitted. Staff consider that this approach provides an appropriate strategy for determining the layout for any redevelopment of the site.

Density and Residential Mix

- 7.3.9 The density proposed, based upon the entire site area, is 27.5 dwellings per hectare, largely as a product of the policy requirement that there should be no greater impact arising from the development on the openness of the Green Belt. This is marginally below the general range for suburban areas of the Borough set out in Policy DC2 of 30 – 50 units per hectare arising from the retention of buildings, street pattern and open spaces. Nevertheless, staff are satisfied that this fits with the Green Belt location and the need to maintain openness and also ensures the heritage legacy of the site is retained and the quality of the character for the redevelopment and no objections are raised.
- 7.3.10 In terms of residential mix the scheme would offer a broad range from 1 bed/2 person apartments to 3 bed/5-6 person apartments and 2 bed / 4 person houses to 5 bed / 7 person houses. In proportion the mix would be slightly biased towards apartments largely as a result of the retention of existing buildings. However, with 151 no. units (54%) proposed as housing the scheme would maintain a mixture which would offer opportunity for all and fit well with the established residential character of the area as well as contributing positively to the Council's goals for new housing. A condition is suggested to ensure that the density and mix set out in the parameter plans is maintained in any reserved matters applications.

Design and Scale

- 7.3.11 The detailed design of the scheme is a reserved matter in both instances. The parameter plans and illustrative plans and material within the supporting documents are considered sufficient to indicate that a relatively spacious development will result; that the setting of the buildings will ensure adequate levels of sunlight and daylight to residential units; and

that the buildings are sufficiently separated to ensure adequate outlook and maintain privacy for future occupiers. Appropriate conditions are suggested to safeguard such matters in future reserved matters applications.

Residential Proposal

- 7.3.12 Policy 3.5 of the London Plan advises that housing development should be of the highest quality internally, externally and in relation to their context and to the wider environment. Nationally Described Space Standards have recently been introduced which prescribe standards for a greater range of unit sizes and it is these that developments now need to meet. Recent modifications to the London Plan have brought this into line with the National Standards.
- 7.3.13 The schedule of accommodation within the DAS indicates that these standards would be satisfied or exceeded in all cases with those apartments which would have been marginally under sized amended to conform. Accordingly, it is considered that all of the proposed dwellings would be of an acceptable size for day to day living. .Notwithstanding this it is suggested that a condition be attached to any permission requiring that all units meet the Nationally Described Space Standards.
- 7.3.14 The DAS indicates that all of the new accommodation would be designed to Lifetime Homes standards which would be in accordance with Policy DC7 which also requires that 10% of all dwellings should be wheelchair adaptable. However, Lifetime Homes standards have recently been superseded by a combination of the nationally described space standards and additional “optional” Building Regulations to be applied through planning policy. Suitable conditions are therefore suggested to ensure that the relevant standards are maintained.
- 7.3.15 At this outline stage the following characteristics and features for the proposed residential redevelopment are highlighted.
- Retention of the original healthcare buildings and pattern of development along Suttons Lane.
 - Away from Suttons Lane the development pattern changes to a more domestic scale with 2/3 storey housing and 2 no. blocks of apartments of no more than 4 storeys height.
 - A road network based upon existing and enhanced vistas through the site from Suttons Lane with development predominantly on the inner side of the road where close to the southern or eastern boundaries of the site to create a more natural softer edge to the open Green Belt beyond.
 - Active frontages to open spaces.
 - An open, useable and accessible linear park along the Suttons Lane frontage a minimum of 15m deep and three longer open west to east vistas through the site from Suttons Lane.

- The retention of substantial areas as public open space (3.8 Ha on residential site), including a central open space which would function as a Village Green and landscaped corridors/ linear swale gardens.
- A play space strategy based upon compliance with London Plan policies and SPG on Providing for Children and Young People providing a range of play areas from a Local Equipped Area of Play (LEAP), 3 no. Local Areas of Play (LAP) and 5 no. Door Step LAP's.

Healthcare Proposal

7.3.16 The CCG has looked again at the overall size of the plot required to develop a new health centre and the site area as revised is the maximum required. . The DAS sets design guidelines for the healthcare proposal which suggest a building of maximum 3 storeys providing up to 3000sqm of floorspace, set in well landscaped grounds. The following characteristics and features for the proposed healthcare redevelopment are highlighted.

- Location to the north of the site limits the impact upon buildings of heritage importance and assists with integration into the local community.
- Independent access from Suttons Lane.
- The provision of a minimum 15m deep landscape buffer to Suttons Lane as part of the linear park.
- A secure perimeter to the site (the linear park would be outside this) softened by perimeter hedges and the retention of existing trees, hedges and buffer landscaping.
- A maximum 3 storey development with active facades facing south towards the proposed residential development and to Suttons Lane.

Overall

7.3.17 The DAS section on Design Guidelines establishes and emphasises a number of key principles which are reflected in the illustrative masterplan and the nature of the public realm to be created, rather than dictating matters of detail and building design. Taken together with the parameter plans and illustrative masterplan the design guidelines provide a cogent framework for the submission of future reserved matters applications without prescribing a final design solution. In order to ensure that subsequent reserved matters applications pay proper regard to these documents suitable conditions are proposed.

7.3.18 There are areas where special care, treatments and restrictions will be required in order to safeguard the open appearance of the site, particularly on the residential site. These will be important considerations for the subsequent submission of reserved matters applications where details of design and materials are determined. Conditions are suggested to address and focus attention on matters such as materials, tree and landscape retention and new landscaping together with conditions to

restrict permitted development rights for front garden fencing and walls, the creation of front garden hard standings, porches and loft conversions, all of which might otherwise collectively impact adversely upon the open character of the site and the Green Belt.

Amenity Space

- 7.3.19 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single useable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be the quality and usability. All dwellings should have access to amenity space which is not overlooked from the public realm.
- 7.3.20 The illustrative masterplan shows three key types of amenity area: traditional gardens with a depth generally of 10m or greater; shared communal courtyards for the retained and converted quadrangular blocks; semi-private terraces and balconies for other retained buildings and new apartment blocks. All of these amenity spaces have proved from experience to be functional and to provide adequate private and semi private amenity space in other developments and are considered to be acceptable in this instance. Furthermore, such space would be supplemented by the open space and play areas within the development and the adjacent Hornchurch Country Park.
- 7.3.21 Looking at how the design concepts are interpreted within the application, staff are satisfied that the proposed development would offer an attractive and desirable place to live in terms of design, layout and residential quality.

Landscaping

- 7.3.22 There are a suite of policies and documents within Havering's LDF and supporting Supplementary Planning Documents (SPD) which collectively provide guidance and requirements related to the conservation and enhancement of landscape character in the Borough.
- 7.3.23 Policy DC61 requires that new development must harness the topographical and ecological character of the site, including the retention of existing trees and landscape.
- 7.3.24 Policy DC21 requires major new residential development to include provision for adequate open space, recreation and leisure facilities.
- 7.3.25 Policy DC20 sets standards for the provision of public open space and children's play space which is also covered by Policy 3.6 of the London Plan supplemented by the Mayor's "Shaping Neighbourhoods: Play and Recreation SPG (2012).

- 7.3.26 The Landscape Strategy outlined within the DAS identifies that maintaining and enhancing the existing open space and planting on both sites will be the key to a site wide approach to a landscape design which respects the existing mature landscape setting of the site. The Zone Uses & Access and Strategic Open Space parameter plans establish the location and function of the different types of open space proposed for the whole site which include swales, buffer land, a village green, linear park and open space around retained buildings. Although not a specific proposal of the scheme the removal of the existing boundary railings and fences would serve to open up views and public access to the site which would make a notable positive impact on the visual openness of the site. This will be of particular note along the frontage of the site where a 15m wide linear park would be created. Control over this would be maintained by a condition on boundary treatment.
- 7.3.27 Much emphasis has been placed upon the retention of existing trees and vegetation. An Arboricultural Impact Assessment accompanied the application which identified and classified every tree on the site according to its health and amenity value. The site contains 141 existing trees and the masterplan layout seeks to retain 95 of these. It is proposed that the loss of 46 trees overall, 30 of which are classified as being in poor health, would be balanced by the planting of 100 new trees throughout the site. The trees on the site have been made the subject of an Area Tree Preservation Order and staff are satisfied that the approach to tree retention and planting is acceptable and can be properly controlled through the use of appropriate conditions.
- 7.3.28 The strategy for play space has been developed in line with the Mayor's "Shaping Neighbourhoods: Play and Recreation" SPG (2012) and indicates the provision of one Local Equipped Area of Play (LEAP), 3 no. Local Areas of Play (LAP), 5 no. Door Step LAPs and a Youth Space. Together with enhanced links to the adjacent Hornchurch Country Park plus private and communal garden areas staff are satisfied that the requirement has been adequately addressed.

7.4 **Heritage Issues**

- 7.4.1 Policy DC67 provides guidance on dealing with applications which impact upon Listed Buildings and other buildings of heritage interest and states that account will be taken of their contribution to heritage.
- 7.4.2 Policy 7.8 of the London Plan recognises the importance of heritage assets and requires that development affecting such assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.
- 7.4.3 The NPPF reinforces these messages confirming at para 135 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application and that a balanced judgement will be required having regard to the scale of any

harm or loss and the significance of the heritage asset. NPPG adds to this at para 041 by suggesting, in the case of buildings, that their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.

- 7.4.4 St George's Hospital has been identified as a building of local heritage interest and is therefore classified as a non-designated heritage asset. The judgement to be made is whether the scale of loss and the extent of harm proposed is acceptable in relation to the significance of the heritage asset that St Georges Hospital represents.
- 7.4.5 The applications are supported by a Historical Background report and a Heritage Assessment. The former provides a narrative of the development of St Georges Hospital its buildings and surroundings, from its inception as Suttons Institute in 1938: the close association with RAF Hornchurch through to the modern day and its closure in 2012. It goes on to evaluate the group value of the site, followed by a building by building assessment which identifies those of greater significance both architecturally and historically. This concludes that the buildings of the greatest interest are concentrated towards Suttons Lane. The Heritage Assessment looks at the significance of the buildings as a heritage asset and the impact in terms of significance of the proposed demolition of 13 of the 19 buildings on the site.
- 7.4.6 The scheme proposes the retention and re-use of 4 of the six most important buildings on the site, plus two others, all of which offer the opportunity for viable residential conversion. The choice of these buildings is based largely upon their visual prominence and the role they would play in maintaining the visual identity of the site when viewed from Suttons Lane. The existing rectilinear "street" pattern of the site is also retained as a template for the layout of the new development.
- 7.4.7 Whilst there will be considerable changes to the character of the site and the setting of the retained buildings as a result of the redevelopment, staff are satisfied that the choice of the buildings to be retained is soundly based and justified. Moreover, the final form of development as proposed based upon the existing rectilinear layout, maximum retention of existing trees and enhancement of landscaping and the emphasis on improving vistas through the site to the Ingrebourne Valley, demonstrate compliance with the relevant policies and guidance. However, the loss of the identified buildings is considered to be the maximum permissible for the proposals to still be considered in accordance with the NPPF. A condition is therefore suggested to reinforce this and to require that none of the buildings identified for retention may be demolished. It would be open for any future applicant to seek non-compliance with such a condition should they deem that one or more of the buildings should not retained e.g the gatehouse which has been mentioned by an objector. Any such request would be determined on its merits at the time.

7.5 **Impact on Amenity**

- 7.5.1 The closest existing residential properties to the site are those in Suttons Lane (No's 62 to 154) on the western side of the road and No. 111 Suttons Lane and No's 2 to 86 Hacton Drive to the north. With the exception of the gatehouse and its proposed mirror image new dwelling, both of which will be 25m from the properties opposite in Suttons Lane, neither the proposed residential or healthcare development, will be closer than 50m from the front of these properties, in line with the existing buildings on the site. Apart from in 2 locations where the potential for 4-storey development is identified the development would be no higher than 3 storeys. Separated from these properties by Suttons Lane, front gardens and the proposed linear park staff consider that the developments proposed would be consistent with the existing character and pattern of development locally and that no material harm to residential amenity will arise from the buildings by way of their proximity or height.
- 7.5.2 In relation to the properties in Hacton Drive the illustrative master plan indicates that any residential plot would back onto the boundary with a minimum separation of 35m between the rear of any new and existing dwelling. In relation to the healthcare development the minimum separation increases to 50m. Similarly, staff do not consider that any adverse impact upon residential amenity will result from this relationship.
- 7.5.3 To the extent that it represents a residential amenity issue the impact of headlights from cars exiting the site would exist to some extent with the previous use of the site. It is not considered to be a significant issue and can be addressed by the use of curtains.

7.6 **Transportation, Highways and Parking**

- 7.6.1 The application is accompanied by a Transport Assessment (TA) which concludes, based upon the current vacant nature of the site, that there will be an increase in traffic generation over existing conditions but that this will be within the capacity of the local highway network. It also finds that in the event that the use of the site were to revert to its previous lawful use, that such use would generate more traffic than that currently predicted by the proposed residential and healthcare developments.
- 7.6.2 Information has been supplied which demonstrates that the potential difference to queuing at local junctions would fall within the expectation of traffic flow variation and as such would not be perceptible to casual users of the affected junctions. Transport for London have confirmed in relation to the impact upon bus services and that no need would arise for further services.. Similarly there is no known capacity issues at either Hornchurch or Elm Park Stations.

Residential Proposal

- 7.6.3 The residential development will use the two existing access points to the site whilst the healthcare development will require a new access onto Suttons Lane. No objection is raised to this, the existing junctions to the site have functioned quite adequately and safely in the past and road widening would tend to lead to increased speeds and reduced safety. Elsewhere along Suttons Lane similar junctions serving residential areas of equal or larger capacity continue to function without any significant highway safety problem. Suggestions that Suttons Lane suffers a poor safety record are not borne out by accident data. Suitable conditions are proposed to ensure that schemes for the design of the junctions are submitted.
- 7.6.4 The proposals provides for 474 residential parking spaces across the scheme which equates to 1.7 spaces per unit. TfL is concerned that this level of parking is too high and likely to be out of accordance with the London Plan.
- 7.6.5 London Plan parking standards are set out in table 6.2 of Policy 6.13, which gives maximum parking standards of 2 - 1.5 spaces for 4 bed units, 1.5-1 spaces for 3 bed units and less than 1 space for 1-2 bed units. It is however noted that the policy was the subject of minor modifications in March 2016 intended to increase a degree of flexibility to residential parking standards in outer London suburban areas to avoid unacceptable pressure for on-street parking. As a result of the site's size and depth the PTAL varies across the site varying from 3 to 1b meaning that the site has moderate to poor access. The location of the site is suburban and the density low.
- 7.6.6 In terms of the LDF, Policy DC2 would anticipate residential development on this site providing parking at a standard of 2-1.5 spaces per unit. Having regard to the location of the site, although there are opportunities for walking, cycling and use of public transport locally, it is considered that demand for parking at the site is likely to be high, particularly in view of the mix and number of dwellings compared to flats within the development. There is concern regarding the potential increased demand for on street parking and resultant congestion if insufficient parking were provided within the development. Furthermore, unregulated on street parking would have an adverse effect upon the character of the site and the open nature of the Green Belt. On this basis it is considered that a parking level as proposed at 1.7 spaces per unit overall would create less pressure for on street parking to the benefit of the character of the development. Such a level would be in accordance with Policy DC2 and in line with the more flexible approach advocated by the recent Minor Modifications to LP policy 6.13 no objections are raised.

Healthcare Proposal

- 7.6.7 Car parking for the healthcare development has been increased to 110 spaces as a result of the concerns raised my Members. This remains indicative as the nature of the facilities to be provided are at this stage of

development are uncertain. However, there is sufficient room on the site for this level of parking to be provided and an appropriate condition is suggested.

- 7.6.8 The TA indicates that parking for disabled drivers will be made available in appropriate locations. Where associated with wheelchair units such spaces should be conveniently located for the main entrance and at least 5% of visitor spaces should be designated for blue badge holders. This can be secured through condition.
- 7.6.9 The London Plan requires that a minimum of 20% of parking spaces will be fitted with active provision of electric vehicle charging points and up to a total of 40% of the spaces will be provided with the passive provision of electric vehicle charging points. This too can be secured through conditions on both applications.
- 7.6.10 London Plan Policy 6.9 Table 6.3 sets out the Mayor's current adopted levels of cycle parking which for residential development requires all studio and 1 bed units to be provided with a minimum of 1 cycle storage place and all 2+ bed units to be provided with a minimum of 2 spaces, and for a health centre, 1 space per 5 staff (long stay) and 1 space per 3 staff (short stay). The applications propose the level of cycle parking provision for the residential at a minimum of 1 space per dwelling and in accordance with LDF standards for the healthcare development (1 per 50 staff plus 1 per 5 staff for visitors). As both applications are in outline there is no reason why the London Plan standards cannot be achieved and appropriate conditions are suggested.

7.7 **Housing**

- 7.7.1 In terms of housing mix the residential redevelopment provides up to 279 dwellings consisting of up to 151 houses and 128 flats, which is a 54/46 split. The mix of dwelling sizes has not yet been finalised, but the indicative proposals and breakdown demonstrate that the development would comprise a range of units including 1 to 3 bedroom flats and 2 to 5 bedroom houses, with the largest proportion being 2 and 3 bed units, but with 41% of all units being 3 bed plus units. Whilst it is recognised that an ideal mix would deliver a higher proportion of 3 bed+ family units, the nature of the development is skewed by the proportion of the development that would be delivered by the conversion of the retained heritage buildings. It is therefore considered that the residential proposal satisfies in principle Policy 3.8 of the London Plan.
- 7.7.2 Policy DC6 of the LDF states that the Council will aim to achieve 50% of all new homes as affordable and will seek a tenure split of 70:30 between social housing and intermediate forms. This policy reflects the targets for the provision of affordable housing which were set out in Policy 3A of the superseded London Plan. The current London Plan seeks a tenure split of 60:40 and requires the amount of affordable housing provision to be determined strategically at local level. The Council's current Housing

Strategy 2014-17, moves from a 60:40 tenure split to 50:50 in year 3 of the strategy (16/17) which is the earliest that any delivery of affordable housing from the redevelopment could be anticipated and it is on this basis that staff recommend any affordable housing would be provided.

- 7.7.3 The previous residential application when submitted initially offered 10% affordable housing as a policy compliant position on the basis of guidance current at the time of submission which had introduced Vacant Building Credit (VBC) as a means of encouraging housing development on previously developed “brownfield” sites. During the course of consideration of that application a High Court decision ruled that the ministerial statement which led to the introduction of VBC was unlawful and could no longer be used to determine the quantum of affordable housing a scheme should deliver.
- 7.7.4 Policy recognises that the proportion of affordable housing that can be delivered can be affected by a number of factors including viability. Consequently, as a result of VBC being ruled unlawful the applicant was obliged to carry out a Viability Assessment in order to determine the amount of affordable housing that the scheme could afford to deliver. Following an independent review of this on behalf of the Council and resultant negotiations with the applicant a revised offer of 15% affordable housing was proposed.
- 7.7.5 Given the recentness of that viability assessment and review staff are satisfied that the findings remain applicable to the revised residential development. It is acknowledged that there are likely to be some additional costs associated with developing the site, including demolition, the removal of underground services and asbestos, together with the retention and conversion works which are known to be more expensive than new build. Accordingly it is considered that the 15% offer represents the maximum amount of affordable housing that can reasonably be achieved on the site. This is further supported in the context of the land being NHS estate and the recycling of funds raised from the land sale, albeit indirectly, back into health service facilities.
- 7.7.6 As a potential alternative to all of the affordable housing being provided on site it is suggested that the terms of the S106 should also allow for the possibility of a commuted sum being provided for the off-site provision of social rented housing. Such proviso would be on the basis that the overall provision of affordable housing that this would enable would be greater than 15% on offer and that it would also allow for off-site provision that may better suit the Council’s requirements for meeting the particular characteristics of its housing need. It is recommended that negotiations to agree the size of any commuted sum be delegated to the Head of Regulatory Services in consultation with the Head of Housing.
- 7.7.7 Notwithstanding the above on 19th May National Planning Practice Guidance reintroduced consideration of Vacant Building Credit following a successful Court of Appeal ruling. This allows the existing floorspace to

be discounted in any affordable housing calculation. As the amount of existing floorspace is quite significant in this case the amount of affordable housing provision may change should it be concluded that Vacant Building Credit is applicable. This is reflected in the Heads of Terms recommended.

7.8 **Environmental Issues**

Flood Risk and Drainage

- 7.8.1 The site lies on the eastern side of the Ingrebourne Valley which the Environment Agency have confirmed is located in Flood Zone 1 and so is at minimal risk of flooding and suitable for both residential and healthcare use. The main focus of the Flood Risk Assessment is therefore to provide a suitable scheme for attenuating surface water within the site to ensure allowable discharge rates from the site achieved.
- 7.8.2 The site lies on London Clay bedrock so infiltration SuDS measures cannot be used. For the healthcare facility a surface water management strategy based upon the provision of surface water attenuation features discharging via an existing outfall is proposed. This would be either in the form of underground modular storage or an attenuation pond.
- 7.8.3 A variety of SuDS measures are identified for the surface water management on the residential area comprising a combination of source control SuDS (green roofs, permeable paving, rainwater harvesting), swales and attenuation basins, which could be designed to be sympathetic and complementary to the existing ecology of the site. The final strategy for management is to be confirmed as part of future reserved matters applications but is likely to fall within the remit of a future private management company.
- 7.8.4 The overall surface water management system would be designed to accommodate runoff for events up to the 1 in 100 years event (plus a 30% allowance for climate change) with runoff rates restricted to 3 times the greenfield runoff rate.
- 7.8.5 The Environment Agency (EA) previously confirmed that it had no objection to the proposals subject to a detailed surface water drainage scheme being agreed which should be based upon the strategies outlined in the submitted FRA. The EA also requested a condition requiring that surface water pollution prevention and treatment measures be agreed and installed. Such a condition was also required to satisfy Natural England who were previously concerned with potential damage that polluted runoff and discharge to the River Ingrebourne might cause to the Ingrebourne Marshes SSSI.
- 7.8.6 It is considered that subject to these conditions the development would accord with LDF Policy DC48 as well as Policies 5.12 and 5.13 of the London Plan and the NPPF.

Ecology and Biodiversity

- 7.8.7 The site includes substantial areas of open grassland as well as many mature trees and other potential habitats. The Ingrebourne Valley lies to the immediate south east of the site together with the Hornchurch Country Park which also lies adjacent to and further to the south of the site. Both are identified as sites of Metropolitan Importance for Nature Conservation. The Ingrebourne Marshes SSSI is located approximately 0.6km south of the site.
- 7.8.8 A Baseline Ecological Appraisal has been undertaken based on the results of an Extended Phase 1 Habitat Survey of the site, desk based studies and species surveys for Badgers, Great Crested Newts and Bats as well as general faunal activity observed during the course of survey work. Following from the recommendations of the Extended Phase 1 Survey Phase 2 ecological surveys were undertaken including a bat scoping survey and a reptile presence/absence survey.
- 7.8.9 In terms of impact upon habitat, by basing the masterplan layout upon the existing rectilinear layout with landscaped corridors, staff are satisfied that the impact upon ecology and biodiversity would be minimised, and wherever possible enhanced, for example by a reduction in the amount of hard standing and the creation of a central open space in the same location as the most significant area of existing open space on the site. .
- 7.8.10 Positive and preventative measures are proposed to address areas of concern in relation to bats, reptiles and birds such as the retention and provision of roost opportunities, provision of specialist bird boxes aimed at the existing known breeding avian population, particularly House Martins, plus full surveys of particular habitats and protected species. These matters can all be safeguarded by the use of appropriate conditions.
- 7.8.11 Staff consider that it would be difficult to estimate and evidence what the impact of the proposals upon the Nature Reserve and SSSI would be as it is partially located within Hornchurch Country Park which is well used by a far larger population already than that which is proposed. Furthermore, informal recreational use of and access to the countryside is encouraged and the Council is keen to promote the positive and beneficial use of Hornchurch Country Park.

Archaeology

- 7.8.12 An Archaeological Desk Based Assessment has been submitted with the application which has identified the presence of prehistoric settlement sites and features across the sites. It is also noted that many of the existing buildings on the site are in themselves of historic, if not archaeological interest and that provision should be made for a programme of Historic Building Recording should be carried out.

- 7.8.13 Historic England (GLAAS) advise that the proposals would either affect a heritage asset of archaeological interest or lies in an area where such assets are expected. The advice is that there is a need for field evaluation to determine the appropriate mitigation. A condition is requested requiring a two stage process or archaeological investigation to evaluate and clarify the nature and extent of surviving remains, followed, if necessary by a full investigation. Staff consider that subject to such a condition the development would be acceptable in principle and would comply with Policy 7.8 of the London Plan and Policy DC70 of the LDF.

Sustainability and Renewable Energy

- 7.8.14 A sustainability statement and an energy statement have been submitted with the application. In line with the requirements of the London Plan and Policies DC49 and DC50, the proposal is required to meet high standards of sustainable design and construction, as well as to demonstrate a reduction in predicted carbon dioxide emissions by at least 35% against Part L 2013.
- 7.8.15 Notwithstanding the scrapping of Code for Sustainable Homes the submitted documents are informed by those standards and aimed at achieving what was Level 4 CfSH for the residential development and BREEAM (which still exists) “very good” for the healthcare centre. Although the NHS may strive to achieve an “excellent” BREEAM the very good rating is policy compliant. Sustainable design principles have been integrated into the scheme to address resource management (design standards, energy efficiency, demand reduction, water saving, choice of materials), Adaptation to Climate Change and Greening the City (passive heating and cooling, SuDS, controlled runoff rate, green infrastructure) and Pollution Management (air quality neutral design, best practice during construction, external lighting to minimise glare). Carbon Dioxide reduction would be achieved by a combination of improved insulation, high efficiency gas condensing boilers and solar control measures, supplemented by photovoltaics. The potential for CHP and communal heating to be used will be reviewed at reserved matters stage. Members will note that at this outline application stage design information is at a preliminary stage and it is unnecessary to rehearse the pros and cons of potential systems and alternative measures.
- 7.8.16 The healthcare facility would promote the use of sustainable modes of transport for both staff and patients and is reasonably well located in terms of public transport accessibility to achieve this. A draft Framework Travel Plan has been submitted which would be suitable, with amendments, for both the residential and healthcare proposals, and would be required by condition should Members agree with the recommendation.
- 7.8.17 At this outline application stage it would be unrealistic and unduly restrictive for all matters of energy efficiency and sustainability to be determined and finalised. However, staff are satisfied that the proposals will be in accordance with the relevant LDF and London Plan energy and

sustainability policies and a number of conditions relating to these matters are suggested for both proposals.

Contaminated Land

- 7.8.18 A Phase 1 desktop study and a Phase II report following intrusive site investigation were submitted with the application. It concludes that there are some limited areas where areas of contamination will need to be remediated and areas of elevated Carbon dioxide in the soil which might require the use of gas membranes in the foundations and floor slabs as well advising that an asbestos survey be carried out. Staff therefore consider the proposals accord in principle with LDF Policy DC53 and Policy 5.21 of the London Plan and conditions can be imposed on both applications to ensure the necessary remediation schemes and further survey and validation reports are undertaken and submitted.

7.9 **Other Matters**

- 7.9.1 Public Footpath 271 abuts the southern boundary of the site providing a route from Suttons Lane across the Ingrebourne Valley to Hacton Lane. The DAS and parameter plans indicate a connection to this from the north/south swale garden which is encouraged. Concern has been voiced about the potential for any other indicated routes over land beyond the site boundary in 3rd party ownership encouraging unauthorised access and increasing pressure for further development. Members will note this concern, but can be reassured that any such access would need to be negotiated with other owners and that the conditions that would be attached to any permission would make it clear that the extent of the current applications are the maximum permissible on the site for the development to be considered in accordance with current Green Belt policy and guidance.
- 7.9.2 Secure by Design is a material planning consideration and would be covered by condition and is more appropriately considered at reserved matters stage. However, there is no inherent reason why the redevelopment of this site should give rise to an increased risk of crime compared to any other.
- 7.9.3 In relation to objections raised, where these raise planning issues they have been addressed throughout the report. To summarise:

Residential

Pressure on Local Services – Addressed by S106 requirement for education payment. Sale of the site will provide funds to the NHS. Thames Water raise no issue on the capacity of the sewerage system
Increased Traffic etc – Road widening no longer proposed, traffic no greater than would be the case if the site reverted to its lawful use. No highway objections. See paras 7.6.1 – 7.6.3

Pollution – Air quality and Construction Management conditions.

Parking problems – Proposed parking provision considered acceptable.
See paras 7.6.4 – 7.6.7

Height and Density – See paras 7.2.9, 7.2.10 and 7.3.9

Suitability for housing and no affordable housing – See section 7.1.
Affordable housing is a policy requirement.

Detrimental impact on the Green Belt – See Section 7.2

Too much housing and proposed reduction insufficient to overcome refusal – See Sections 7.2 and 7.3

Energy and Sustainability objections – See paras 7.8.14 – 7.8.17

Crime – See para 7.9.2

Ecology issues – See paras 7.8.7 – 7.8.11

Healthcare

Privacy and Amenity – See section 7.5

Details not provided – Outline application, details not required.

Additional traffic - Traffic no greater than would be the case if the site reverted to its lawful use. No highway objections.

General

Quality of pre-app consultation – Opinion. Staff satisfied and Statement of Community Involvement submitted

Pre-school nursery – Not the subject of application

Ambulance station site should be included – The ambulance station is not owned by the applicant

7.10 **Infrastructure Impact and Planning Obligations**

7.10.1 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

7.10.2 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 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.

7.10.3 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.

- 7.10.4 There has been a recent change to the effect of the CIL Regulations in that from 6th April 2015, Regulation 123 of the CIL Regulations states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 7.10.5 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.
- 7.10.6 Furthermore, evidence clearly shows a shortage of school places in most parts of the Borough – (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report shows need for secondary places and post-16 places which due to their nature would serve all parts of the Borough. The Commissioning report identifies that there is no spare capacity to accommodate demand for primary and early year’s school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, unless the development is within an area of the Borough where there is a surplus of school places. In this instance, given the juxtaposition of the site to Hornchurch Country Park it is also considered that a contribution towards improvements to the park would satisfy the tests set out at para 7.10.1 although the principle use of the overall contributions would remain for educational purposes. Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought. It is considered that this is reasonable when compared to the need arising as a result of the development.
- 7.10.7 Separate monitoring of contributions would be required to ensure that no more than 5 contributions are pooled for individual projects. It is considered that a contribution equating to £6000 per dwelling to be used for educational purposes, together with improvements to Hornchurch Country Park and to cycle storage facilities at Hornchurch Station would be appropriate.

8. **Conclusions**

- 8.1 The proposals are for the outline redevelopment of the St Georges Hospital site to provide up to 279 dwellings and a 3,000sqm healthcare centre with all matters reserved except for access.

- 8.2 The site is located within the Green Belt and currently vacant and having been declared surplus to NHS requirements with the land not identified for healthcare purposes to be marketed if planning permission is granted. The receipt from any sale would be reinvested in the NHS.
- 8.3 A set of guidelines, parameters and an indicative masterplan have been developed to guide the future submission of reserved matters applications and to demonstrate that the site can be redeveloped in accordance with current guidance. This requires that any such redevelopment should not have any greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
- 8.4 Staff are satisfied that subject to strict controls relating to the extent of demolition, retention of specified buildings, the development envelope and height and other design requirements that the proposals meet the necessary tests and that they demonstrate a meaningful reduction in terms of impact compared to the previous refused residential scheme..
- 8.5 Staff are satisfied that, in principle, the site can accommodate up to the maximum quantum of development proposed, whilst providing a development of suitably high quality and impact on local character and the Green Belt. However, there are elements within the illustrative masterplan and parameter plans which are dependent on the particular design solutions proposed and conditions are suggested to ensure that any reserved matters applications adhere to these.
- 8.6 The overall design principles of the development are acceptable, including the provision of accesses from Suttons Lane, the landscaping, connectivity and open space strategies. It will need to be demonstrated how these will be carried through to the detailed design phase of any proposed development.
- 8.7 The residential development will provide 15% affordable housing with a 50/50 split between social rent and intermediate housing, with provision for a commuted sum for the provision of social rented accommodation off site should this achieve a higher level of affordable housing and better meet the Council's housing needs. Financial contributions towards the provision of additional school places, for improvements to Hornchurch Country Park and cycle facilities at Hornchurch Station would be secured through a S106 agreement related to the residential proposal.
- 8.8 The proposal is considered to be acceptable in respect of all other material issues, including parking and highway issues, impact on amenity and environmental effects.
- 8.9 Subject to planning conditions, the requirement for a S106 agreement related to P0459.15, and no contrary direction from the Mayor for London, Staff consider both proposals to be acceptable and recommend that planning permission be granted.

IMPLICATIONS AND RISKS

Financial Implications and risks:

A Section 106 planning obligation is required to make the residential application acceptable. The agreement will include the payment of the Council's legal expenses involved in drafting the S106 agreement.

Legal Implications and risks:

Legal resources will be required for the completion of a legal agreement

Human Resource Implications:

None

Equalities and Social Inclusion Implications:

The Council's planning policies are implemented with regard to equality and diversity. The residential development would include a mix of unit types, and would be conditioned to ensure the inclusion of units that provide for wheelchair adaptable housing, and units which are designed to nationally described standards. The development also includes the provision affordable housing, thus contributing to the provision of mixed and balanced communities. The healthcare development would incorporate all necessary facilities to ensure equality of access and is well located to serve all of the local community.

BACKGROUND PAPERS

None

APPENDIX 1 - P0459.16

SCHEDULE OF PLANNING CONDITIONS

1. **Outline - Reserved Matters to be Submitted**

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. **Outline – Time limit for submission of details**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. **Complete Accordance with Plans**

All works for each part or phase of development shall be carried out in full accordance with the approved plans, drawings, particulars and specifications and any other plans drawings particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority,

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 or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. **Phasing**

The development shall not commence and no reserved matters submissions or submissions of details to comply with conditions shall be made until a Plan is submitted to and approved in writing by the Local Planning Authority, clearly identifying the different phases of the development to which reserved matters applications and details required pursuant to condition/s shall subsequently be made. No phase of the development shall commence until all relevant reserved matters and details prior to commencement conditions are approved in respect of that phase.

Reason: To ensure that full details of the relevant phase of the development are submitted for approval.

5. **Reserved Matters for Each Phase**

All reserved matters in relation to any phase of the development (as identified in accordance with Condition 4) shall be submitted at the same time.

Reason: Given the sensitive nature of the site it is important that all aspects of the development are considered together.

6. **Reserved Matters Details for Each Phase**

Any application for reserved matters submitted that only covers part of the site shall be accompanied by details of the remaining site covered by this outline permission showing the number and type of dwellings and associated parking spaces already granted reserved matters and illustrative details of the number and type of dwellings and parking spaces in those parts of site not covered by reserved matters approval, demonstrating that the development would not exceed a total of 279 dwelling units across the site and achieve an average of 1.7 parking spaces per dwelling.

Reason: Given the Green Belt location of the site it is important to ensure that the development is not deviating in any significant way from the plans, parameters and other documents that form the basis for the consideration of the scheme.

7. **Accordance with Development Parameters**

The development (including all reserved matters and other matters submitted for approval pursuant to the planning conditions) shall be carried out in accordance with the parameter plans

Drawing No Revision Drawing Title

| | | |
|--------|----|-------------------------------------|
| TP 104 | 07 | Zone Uses and Access – |
| TP 105 | 04 | Density Strategy |
| TP 106 | 05 | Building Heights |
| TP 107 | 04 | Cycle/Pedestrian/Vehicular Movement |
| TP 109 | 04 | Demolition Plan |
| TP 111 | C | Play Space Strategy |

and corresponding strategies within the Design and Access Statement and all other documents which form part of this permission. No application for approval of reserved matters, (or other matters submitted for approval pursuant to the planning conditions), which would entail any material deviation from the parameters plans and all other documents which form part of this permission, shall be made unless otherwise provided for by conditions elsewhere within this permission (for the avoidance of doubt density shall not exceed that shown on TP 106 Rev 06)

Reason: To ensure that the development is carried out in accordance with the plans, parameters and other documents that form the basis for the consideration of the scheme.

8. **Number of Residential Units**

The number of residential units in the development hereby permitted shall not exceed 279 dwellings.

Reason: To comply with requirements to provide details of the number of residential dwellings proposed.

9. **Footprint and Floorspace**

The total footprint of the proposed development shall not exceed 13,500 sqm.

Reason: To comply with the requirements of the NPPF and to ensure accordance with Policy DC46 of the Development Control Policies Development Plan Document.

10. **Space Standards**

All dwellings within the development shall comply with the Nationally Described Space Standard for the relevant size of unit.

Reason: Insufficient information has been supplied with the application to assess whether these standards would be met. Compliance will ensure that all units are of adequate size for modern day living requirements.

11. **Housing Mix**

The housing mix for the overall development hereby approved shall not deviate by more than 10% from the Illustrative Mix set out in Section 4.7 of the Design and Access Statement and should therefore fall within the following range.

| | |
|------------------|-------------------|
| 1 bed apartments | (38 to 46 units) |
| 2 bed apartments | (72 to 88 units) |
| 3 bed apartments | (5 to 7 units) |
| 2 bed houses | (38 to 46 units) |
| 3 bed houses | (55 to 67 units) |
| 4 bed houses | (34 to 42 units) |
| 5 bed houses | (9 to 11 units) # |

Reason; To ensure that the final housing mix does not differ significantly from parameters and other documents that form the basis for the consideration of the scheme.

12. **Details of Materials**

No phase of development (as identified in accordance with condition 4) shall commence until samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas for that particular phase have been 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.

13. **Boundary Treatment**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) details of the boundary treatment proposed to that phase of the development, including where appropriate, screen fencing and walling (adjacent to highways) and adjacent to Suttons Lane shall be submitted to and approved in writing by the Local Planning Authority. No phase of the relevant development site shall be occupied until boundary treatment for that phase has been provided in accordance with the approved details and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by 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 occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

14. **Lighting**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme for the lighting of all external areas of the site or phase, including pedestrian routes within and at the entrances to that phase of the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details to show that consideration has been given to nature conservation interests as well as highway safety and public amenity. The agreed scheme shall be installed in full for the site or phase, prior to the first dwelling of that phase being occupied. With the exception of any areas that have become adopted highway, the lighting scheme shall be retained and kept fully operational at all times.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external lighting to be used. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

15. **Landscaping**

No phase of development (as identified in accordance with condition 4) shall commence until a scheme of soft and hard landscaping and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and shrubs on the site, and details of any to be retained, and any proposed topping or lopping, together with measures for their protection in the course of development. The scheme shall specify the size, species, and positions or density of shrubs and trees to be planted and the approved scheme for the development or relevant phase thereof shall be undertaken in accordance with the timetable approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting, any tree or shrub or any tree or shrub planted in replacement of it, is removed, up-rooted or destroyed, is diseased or dies, another tree or shrub of the same species and size to that originally planted shall be planted at the same place.

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.

16. **Landscape Management Plan**

Before the first residential occupation of any dwelling within any phase of development (as identified in accordance with condition 4) a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than privately owned domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan approved shall be carried out to the approved timescale and adhered to thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how the natural features and character of the area and new landscaping are to be managed and maintained in the long term. Submission of a management plan will ensure that the measures to be employed are robust.

17. **Public Open Space Design**

No phase of development (as identified in accordance with condition 4) shall commence until a scheme of landscaping and boundary treatment for the area or areas identified for use as public open space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of perimeter fencing, gates and base for maintenance vehicles. The approved scheme shall be implemented in the first available planting season following completion of the development or relevant phase thereof and permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the landscape design of any public open space and the play equipment to be installed. Submission of a scheme will ensure that the design and equipment are scrutinised prior to installation and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

18. **Protection of Preserved Trees**

No building, engineering operations or other development on the site or any phase of development (as identified in accordance with condition 4) shall commence until a scheme for the protection of trees protected by a Tree Preservation Order on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around such trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented at the commencement of development or each phase thereof and kept in place until that phase of the approved development or the development (as appropriate) is completed to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

19. **Obscure Glazing**

A scheme for obscure glazing of appropriate windows shall be submitted with the detailed plans for the development or each and every phase of the development hereby permitted as appropriate, to be agreed in writing by the Local Planning Authority prior to the commencement of the development or the relevant phase. The obscure glazing shall be installed prior to the residential occupation of the relevant unit in accordance with the agreed scheme for the development or relevant phase thereof and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how potential issues of overlooking would be addressed. Submission of these details will ensure that undue overlooking of neighbouring property is avoided and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

20. **Design Statement**

Any application for reserved matters shall be accompanied by a comprehensive design statement which demonstrates how the development responds to the guidance set out in paragraph 57 of the NPPF and reflects the Design approach and guidelines set out in Sections 4 and 6 of the Design and Access Statement Rev 06.

Reason: To ensure the on-going provision of high quality design, and in order that the development accords with Development Control Policies Development Plan Document policy DC61 and Policy 3.5 of the London Plan.

21. **Access Statement**

No works shall take place in relation to any phase of the development (as identified in accordance with condition 4) until an access statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that all parts of the development, including the car parks and all external public areas, have been designed to be accessible for all, including people with disabilities. Such details shall include;

- a) How the layouts, including entrances, internal and external circulation spaces, car parking areas, 10% of residential accommodation, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties and visual impairments.

Such provision to make the relevant phase of the development fully accessible shall be carried out in accordance with the approved details and made available before each phase of the development is first occupied and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of a statement qualifying how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and ensure that the development with the Council's policies and practice for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

22. **Wheelchair Accessibility and Adaptable Homes**

At least 10% of the dwellings hereby approved shall be constructed to comply with Part M4(3)(2)(a) of the Building Regulations – Wheelchair Adaptable Dwellings. The remainder of the dwellings hereby approved (excluding upper floor flats within the retained buildings) shall be constructed to comply with Part M4(2) of the Building Regulations – Accessible and Adaptable Dwellings.

Reason: To ensure that the residential development meets the needs of all potential occupiers in order to comply with Policy DC7 of the LDF and Policy 3.8 of the London Plan.

23. **Sustainability and Energy Statement**

Any application for reserved matters in relation to any phase of the development (as identified in accordance with condition 4) shall be accompanied by a Sustainability and Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development of the relevant phase. The statement shall provide full details of how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in London Plan Policy 5.3 and how the development will make the fullest contribution to minimising carbon dioxide emissions, including energy calculations, in line with London Plan Policy 5.2 in order to achieve a 35% carbon reduction against a Part L 2013 Building Regulations development for all new build elements. The relevant phase of the development shall thereafter be carried out in full accordance with the agreed Sustainability and Energy Statement. Within 3 months of the completion of the relevant phase, final copies of the Energy Performance Certificate (EPC) and Microgeneration Certification Scheme (MCS) should be submitted to the Local Planning Authority.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

24. **Car Parking**

Any application for reserved matters in relation to any phase of the development (as identified in accordance with condition 4) shall be accompanied by a plan showing provision of parking spaces for that phase to be agreed in writing with the Local Planning Authority. This shall include car parking spaces for people with disabilities at a ratio of not less than 4% of overall provision with such spaces located as close as possible to wheelchair accessible units where these are proposed. It shall also give an indication of visitor parking spaces. Thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available within the development in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33.

25. **Car Parking Reservation**

No residential unit with allocated parking, including for the avoidance of doubt, flats, hereby allowed shall be occupied unless

the area set aside for car parking associated with that unit, including garages, has been laid out and surfaced to the satisfaction of the Local Planning Authority. Such areas or garages shall be retained permanently thereafter for the accommodation of residents and visitors vehicles and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33..

26. **Visibility Splays**

2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

27. **Cycle Storage**

No individual phase of development (as identified in accordance with condition 4) shall be occupied until cycle parking is provided in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority in respect of that phase. Cycle parking shall be to the standards set out in Table 6.3 of the London Plan. Such cycle parking shall thereafter be retained to the satisfaction of the Local Planning Authority.

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 is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

28. **Highway Improvement Works**

No phase of development (as identified in accordance with condition 4) shall commence until the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway has been entered into.

Reason: In the interests of ensuring good design and public safety and to ensure that the development accords with Development Control Policies Development Plan Document Policy CP10, CP17 and DC61.

29. **Electric Vehicle Charging Points**

No individual phase of development (as identified in accordance with condition 4) shall be occupied until provision has been made for 20% of the parking spaces within the development or relevant phase thereof to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

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

30. **Fire Brigade Access**

No individual phase of development (as identified in accordance with condition 4) shall commence until a scheme or phased scheme for the provision of adequate access for fire brigade purposes has been submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority. First residential occupation of any phase of the development hereby approved shall not take place until the approved scheme for fire brigade access for the relevant phase of the development site has been implemented.

Reason: Insufficient information has been supplied with the application to demonstrate the nature of access for fire vehicles. Submission of a scheme will ensure that adequate access for fire brigade purposes is made available in the interests of safety.

31. **Detail of Fire Hydrants**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme detailing the location of fire hydrants in that phase shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any of the buildings within the relevant phase, such hydrants as required by the LFEPA for that phase of the development shall be provided in accordance with the LFEPA's requirements prior to the occupation of the relevant unit/s and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate the location of fire hydrants. Submission of a scheme will ensure that adequate provision is made for fire protection on the site.

32 **Freight Strategy**

No individual phase of development (as identified in accordance with condition 4) shall commence until a Delivery and Servicing Plan and a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems, consolidated or re-timed trips and provision for secure off street loading and drop off facilities. The development shall then be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to demonstrate what measures are to be taken to minimise the impact of the construction of the development on the environment or the road network. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with policy 6.14 of the London Plan.

33. **Travel Plan**

No individual phase of development (as identified in accordance with Condition 4) shall be occupied unless a Travel Plan for that phase has been submitted to and agreed in writing by the Local Planning Authority. The plan shall follow the principles set out in the Draft Framework Travel Plan, set out in Section 7 of the Transport Assessment and shall include measures to reduce private vehicular trips and proposals for monitoring progress, including a timetable for its implementation and review. The agreed Travel Plan shall remain on force permanently and implemented in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to ensure that Travel Plan measures would be implemented. The submission of a Travel Plan will help bring about a reduction in private car journeys and to minimise the potential for increased on street parking in the area

34. **Surface Water Drainage**

No individual phase of development (as identified in accordance with condition 4) shall commence until a detailed surface water drainage scheme for the site, based upon the agreed Flood Risk Assessment (FRA) 'St George's Hospital, Hornchurch, Flood Risk Assessment, Issue 2, Feb 2015 has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA and include swales, ponds and green roofs wherever feasible. The scheme for the relevant phase shall subsequently be implemented in accordance with the

approved details before the development of that phase is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water drainage will be managed. Submission of a scheme prior to the commencement of each phase will help to prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity and ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

35. **Foul and Surface Water Strategy**

No phase of development (as identified in accordance with condition 4) shall commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system from the new development until the drainage works referred to in the strategy have been completed in accordance with the approved strategy.

Reason: Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage will be managed. Submission of a strategy prior to the commencement of each phase will ensure that sewage flooding does not occur and that sufficient capacity is made available to cope with the new development in order to avoid adverse environmental impact upon the community and to ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

36. **Surface Water Pollution Prevention**

No phase of development (as identified in accordance with condition 4) shall commence until such time as a scheme to install appropriate surface water pollution and treatment measures has been submitted to, and approved in writing by, the Local Planning Authority. The scheme for the relevant phase shall subsequently be implemented in accordance with the approved details before the first occupation of any unit within that phase and shall be retained in good working order thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water pollution is to be prevented and treated. Submission and implementation of such a scheme will ensure that the water quality is improved and the ecological value of the River Ingrebourne and the Ingrebourne Marshes SSSI which surface water from the site drains to, are protected. This will ensure compliance with the Water Framework

Directive, Section 28 of the Wildlife and Countryside Act 1981 (as amended) and that the development accords with Development Control Policies Development Plan Document Policies 51 and 58.

37. **Water Efficiency**

All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations – Water Efficiency

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

38. **Internal Noise**

The indoor ambient noise levels in the dwellings shall not exceed the guideline values in Table 4, BS8233:2014: Guidance on sound insulation and noise reduction in buildings.

Reason: To protect the internal amenity of residential occupiers

39. **Designing for Community Safety - Secured by Design)**

No phase of development (as identified in accordance with condition 4) shall commence until a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority and the Metropolitan Police NE Designing Out Crime Office, setting out how the principles and practices of the aforementioned scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, the relevant phase of the development shall be carried out in accordance with the agreed details.

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

40 **Air Quality Assessment**

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 full air quality assessment for the proposed development to assess the existing air quality in the study area (existing baseline)

- b) The air quality assessment shall include a prediction of future air quality without the development in place (future baseline).
- c) The air quality assessment shall predict air quality with the development in place (with development).
- d) The air quality assessment should also consider the following information:
 - A description containing information relevant to the air quality assessment.
 - The policy context for the assessment- national, regional and local policies should be taken into account.
 - Description of the relevant air quality standards and objectives.
 - The basis for determining the significance of impacts.
 - Details of assessment methods.
 - Model verification.
 - Identification of sensitive locations.
 - Description of baseline conditions.
 - Assessment of impacts.
 - Description of the construction and demolition phase, impacts/ mitigation.
 - Mitigation measures.
 - Assessment of energy centres, stack heights and emissions.
 - Summary of the assessment of results.

For further guidance see the leaflets titled, 'EPUK Guidance Development Control: Planning for Air Quality (2010 update), EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: To protect public health, those engaged in construction and occupation of the development from potential effects of poor air quality.

41. **Refuse Storage and Segregation for Recycling**

No dwelling within any phase of development (as identified in accordance with condition 4) shall be occupied until, provision has been made for the storage of refuse / recycling awaiting collection 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 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.

42. **Historic Building Recording**

Prior to the commencement of any works pursuant to this permission a an appropriate programme of historic building recording and analysis shall be undertaken in accordance with a written scheme of investigation, to be approved in writing by the Local Planning Authority.

Reason: The surviving buildings and structures which make up the hospital complex are of historic interest and some are of architectural significance. Insufficient information to provide a historic record of these buildings has been provided which the planning authority wishes to secure to provide a better understanding of the development of the hospital and its local and social contexts.

43. **Archaeological Investigation**

A) No development other than demolition to existing ground level shall take place until the applicant has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before any phase of development (as identified in accordance with condition 4), other than demolition to existing ground level commences the applicant shall have secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing.

C) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (B).

D) No phase of development (as identified in accordance with condition 4) development shall be occupied until the site investigation and post investigation assessment for the relevant phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority

wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document and the NPPF.

See Informative 9

44. **Species Surveys and Mitigation**

Prior to the commencement of any development, the demolition of any buildings on the site, or the removal of vegetation or trees, a further survey of the site including existing buildings, trees and vegetation, shall be carried out in accordance with a scheme, and at a time of year, to be agreed in writing by the Local Planning Authority in consultation with Natural England.

Such surveys shall be targeted at Bats, House Martins, Reptiles and Dormice.

Demolition of the buildings, removal of trees or vegetation shall only commence following confirmation by the survey/s to the satisfaction of the Local Planning Authority of the absence of bats, reptiles or dormice or in the event that such species are found, the implementation of an agreed mitigation strategy and the obtaining of the necessary Licences for such work.

Reason: Insufficient information has been supplied with the application to judge the final impact of the development upon protected species which are or may be present on the site. The submission of further surveys will ensure that the proposals do not affect Protected Species and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

45. **Biodiversity Enhancement**

Within three months of the commencement of development of any individual phase of development (as identified in accordance with condition 4) a scheme for the biodiversity enhancement measures to be incorporated into the relevant phase of the development in line with those detailed in the approved documents and plans shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed scheme and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of biodiversity measures. Submission of a scheme for each phase of the development will ensure that opportunities for biodiversity enhancement are

incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

46. **Construction Environmental Management Plan**

No individual phase of development (as identified in accordance with condition 4) shall be commenced, including demolition, until a scheme for a Construction Environmental Management Plan to control the adverse impact of the overall development or any phase 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. The Construction Environmental Management Plan/s shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;
- c) storage of plant and materials, including stockpiles of crushed concrete;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary;
- f) Details of access points to the site and routes within the site for construction vehicles;
- g) The method of piling on site;
- h) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
- i) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the Local Planning Authority;
- j) scheme for monitoring noise and if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the Local Planning Authority; siting and design of temporary buildings;
- k) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- l) details of the recycling and 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 or the relevant phase thereof shall be carried out in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the

application in relation to the proposed demolition and construction methodology. Submission of details prior to commencement, including demolition, 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.

47. **Hours of Construction**

No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

48. **Wheel Washing**

No individual phase of development (as identified in accordance with condition 4) shall commence until wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works is provided on site in accordance with details previously 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.

The submitted scheme will provide the following details:

- 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, including their 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 washed 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.

g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

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.

49. **Contamination Assessment (1)**

No individual phase of development (as identified in accordance with condition 4) shall be commenced (except works required to secure compliance with this condition) until the following Contaminated land reports are submitted to and approved in writing by the Local Planning Authority.

a) A Phase III (Remediation Strategy) Report as 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.

b) Following completion of measures identified in the approved remediation scheme mentioned in (a) 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of the above assessments prior to commencement will ensure the safety of future occupants and those engaged in construction of the development hereby permitted. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61

50. **Contamination Assessment (2)**

a) If, during development of any phase of the development hereby permitted, 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

51. **Gas Protection Measures**

No individual phase of development (as identified in accordance with condition 4) shall commence until a scheme detailing the gas protection measures to be incorporated into the relevant phase of the development have been submitted to and approved in writing by the Local Planning Authority.

Following the completion of the approved gas protection measures a 'Verification Report' must be submitted demonstrating that the works have been carried out to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been submitted with the application to judge whether gas protection measures will be sufficient. Submission of the necessary details will protect future

occupants and people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

52. **Inclusive Access and Wayfinding Strategy**

Any application for reserved matters in relation to an individual phase of development (as identified in accordance with condition 4) shall be accompanied by a statement and documentation to demonstrate compliance with a site wide inclusive Access and Wayfinding Strategy which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible and that the needs of all people accessing and travelling through the site will be addressed. Submission of an overall strategy and subsequent details will ensure that the development is designed, delivered and managed to a high standard of inclusive access and legibility of routes and that it reflects such high standards as they evolve during the construction phases of the development.

53. **Removal of Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order), no boundary walls or fences shall be constructed adjacent to the highway, unless specifically detailed within a reserved matters application, without the express permission in writing of the Local Planning Authority.

Reason:-In the interests of amenity and the openness of the Green Belt 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

PLANNING INFORMATIVES

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..

2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent at a meeting with the Greater London Authority case officer. The revisions involved changes to the perimeter blocks as requested by the GLA. The amendments were subsequently submitted on 21 July 2015.
3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.
5. 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 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
7. In aiming to satisfy condition 35 Thames Water require that the foul water drainage strategy clearly identifies the current and proposed point(s) of connection into the public sewer system as well as current and proposed peak flow rates.

8. Essex and Suffolk Water require that all new water mains are laid in the highway and that a metered connection is made onto their network for each new dwelling.
9. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs
10. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
11. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
12. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licence required.

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APPENDIX 2 - P0323.15

SCHEDULE OF PLANNING CONDITIONS

1. **Outline - Reserved Matters to be Submitted**

Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: This is outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.

2. **Outline – Time limit for submission of details**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

The development hereby permitted shall begin no later than the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. **Complete Accordance with Plans**

The development hereby permitted shall be carried out in full accordance with the approved plans, drawings, particulars and specifications and any other plans drawings particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority,

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 or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. **Accordance with Development Parameters**

The development (including all reserved matters and other matters submitted for approval pursuant to the planning conditions) shall be carried out in accordance with the parameter plans

Drawing No Revision Drawing Title

| | | |
|--------|----|--|
| TP 204 | 04 | Development Zone and Green Infrastructrue |
| TP 205 | 03 | Building Heights |
| TP 206 | 02 | Cycle/ Pedestrian/ Vehicular Movement |
| TP 208 | 03 | Demolition Plan |

and corresponding strategies within the Design and Access Statement and all other documents which form part of this permission. No application for approval of reserved matters, (or other matters submitted for approval pursuant to the planning conditions), which would entail any material deviation from the parameters plans and all other documents which form part of this permission, shall be made unless otherwise provided for by conditions elsewhere within this permission..

Reason: To ensure that the development is carried out in accordance with the plans, parameters and other documents that form the basis for the consideration of the scheme.

5. **Footprint and Floorspace**

The total footprint of the proposed development shall not exceed 1,500 sqm and the total floorspace shall not exceed 3,000 sqm.

Reason: To comply with the requirements of the NPPF and to ensure accordance with Policy DC46 of the Development Control Policies Development Plan Document.

6. **Details of Materials**

No works shall take place in relation to any of the development hereby approved until samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas for that particular phase have been 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.

7. **Boundary Treatment**

Within three months of the commencement of development of details of the boundary treatment, including where appropriate, screen fencing and walling (adjacent to highways) shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall not be occupied until boundary treatment has been provided in accordance with the approved details and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by 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 occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. **Lighting**

Within three months of the commencement of development of any scheme for the lighting of all external areas of the site including pedestrian routes within and at the entrances to the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details to show that consideration has been given to nature conservation interests as well as highway safety and public amenity. The agreed scheme shall be installed in full, prior to occupation. With the exception of any areas that have become adopted highway, the lighting scheme shall be retained and kept fully operational at all times.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the external lighting to be used. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with Development Control Policies Development Plan Document Policy DC61.

9. **Landscaping**

No works shall take place in relation to any of the development hereby approved until a scheme of soft and hard landscaping and a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority. The scheme

shall include indications of all existing trees and shrubs on the site, and details of any to be retained, and any proposed topping or lopping, together with measures for their protection in the course of development. The scheme shall specify the size, species, and positions or density of shrubs and trees to be planted and the approved scheme for the development or relevant phase thereof shall be undertaken in accordance with the timetable approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting, any tree or shrub or any tree or shrub planted in replacement of it, is removed, up-rooted or destroyed, is diseased or dies, another tree or shrub of the same species and size to that originally planted shall be planted at the same place.

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.

10. **Landscape Management Plan**

Before the development hereby approved is first occupied a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than privately owned domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan approved shall be carried out to the approved timescale and adhered to thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how the natural features and character of the area and new landscaping are to be managed and maintained in the long term. Submission of a management plan will ensure that the measures to be employed are robust.

11. **Protection of Preserved Trees**

No building, engineering operations or other development on the site shall commence until a scheme for the protection of trees protected by a Tree Preservation Order on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around such trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented at the commencement of

development or each phase thereof and kept in place until the approved development or the development is completed to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the preserved trees on site will be adequately protected during construction. Submission of details prior to commencement will ensure that the measures to be employed are robust.

12. **Design Statement**

Any application for reserved matters shall be accompanied by a comprehensive design statement which demonstrates how the development responds to the guidance set out in paragraph 57 of the NPPF and reflects the Design approach and guidelines set out in Sections 5 and 6 of the Design and Access Statement Rev 06.

Reason: To ensure the ongoing provision of high quality design, and in order that the development accords with Development Control Policies Development Plan Document policy DC61 and Policy 3.5 of the London Plan.

13. **Access Statement**

No works shall take place in relation to the development hereby approved until an access statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that all parts of the development, including the car parks and all external public areas, have been designed to be accessible for all, including people with disabilities. Such details shall include;

- a) How the layouts, including entrances, internal and external circulation spaces, car parking areas, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties and visual impairments.

Such provision to make the development fully accessible shall be carried out in accordance with the approved details and made available before the development is first occupied and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible. Submission of a statement qualifying how these needs are to be addressed prior to the commencement of each and any phase will ensure that the measures to be employed are robust and

ensure that the development with the Council's policies and practice for access for people with disabilities and the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policies 7.1 and 7.2 of the London Plan.

14. **Sustainability and Energy Statement**

Any application for reserved matters in relation to the development hereby approved shall be accompanied by a Sustainability and Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development. The statement shall provide full details of how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in London Plan Policy 5.3 and how the development will make the fullest contribution to minimising carbon dioxide emissions, including energy calculations and BREEAM schedule of credits, in line with London Plan Policy 5.2 in order to achieve a 35% carbon reduction against a Part L 2013 Building Regulations development. The development shall thereafter be carried out in full accordance with the agreed Sustainability and Energy Statement. Within 3 months of completion, final copies of the Energy Performance Certificate (EPC), Microgeneration Certification Scheme (MCS) and BREEAM certification should be submitted to the Local Planning Authority.

Reason: To ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

15. **Car Parking**

Any application for reserved matters for the development hereby approved shall be accompanied by a plan showing provision of parking spaces to be agreed in writing with the Local Planning Authority. This shall include car parking spaces for people with disabilities at a ratio of not less than 6% of overall provision with such spaces located as close as possible to main entrance. Thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available within the development in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33.

16. **Visibility Splays**

2.1 metre by 2.1 metre pedestrian visibility splays shall be provided on either side of the proposed accesses, set back to the boundary

of the public footway. There should be no obstruction of object higher than 0.6 metres within the visibility splay.

Reason: Insufficient information has been supplied with the application to adequately demonstrate that the safety of pedestrians at access points has been fully safeguarded. The requirement will ensure pedestrian safety.

17. **Cycle Storage**

The development hereby approved shall not be occupied until cycle parking is provided in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority. Cycle parking shall be to the standards set out in Table 6.3 of the London Plan. Such cycle parking shall thereafter be retained to the satisfaction of the Local Planning Authority.

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 is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

18. **Highway Improvement Works**

No development shall commence until the necessary agreement, notice or licence to enable the proposed alterations to the Public Highway has been entered into.

Reason: In the interests of ensuring good design and public safety and to ensure that the development accords with Development Control Policies Development Plan Document Policy CP10, CP17 and DC61.

19. **Electric Vehicle Charging Points**

The development hereby permitted shall not be occupied until provision has been made for 20% of the parking spaces within the development to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20%.

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

20. **Fire Brigade Access**

The development hereby permitted shall not commence until a scheme for the provision of adequate access for fire brigade purposes has been submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority. First occupation of the development hereby approved shall not take place until the approved scheme for fire brigade access for the relevant phase of the development site has been implemented.

Reason: Insufficient information has been supplied with the application to demonstrate the nature of access for fire vehicles. Submission of a scheme will ensure that adequate access for fire brigade purposes is made available in the interests of safety.

21. **Detail of Fire Hydrants**

Within three months of the commencement of the development hereby approved a scheme detailing the location of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation the development, such hydrants as required by the LFEPA shall be provided in accordance with the LFEPA's requirements prior to the first use of the premises and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate the location of fire hydrants. Submission of a scheme will ensure that adequate provision is made for fire protection on the site.

22 **Freight Strategy**

The development hereby permitted shall not commence until a Delivery and Servicing Plan and a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems, consolidated or re-timed trips and provision for secure off street loading and drop off facilities. The development shall then be carried out in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to demonstrate what measures are to be taken to minimise the impact of the construction of the development on the environment or the road network. Submission of a scheme prior to the commencement of each phase will ensure that the development accords with policy 6.14 of the London Plan.

23. **Travel Plan**

The development hereby permitted shall not be occupied until a Travel Plan for the development has been submitted to and agreed in writing by the Local Planning Authority. The plan shall follow the principles set out in the Draft Framework Travel Plan, set out in Section 7 of the Transport Assessment and shall include measures to reduce private vehicular trips and proposals for monitoring progress, including a timetable for its implementation and review. The agreed Travel Plan shall remain on force permanently and implemented in accordance with the agreed details.

Reason: Insufficient information has been supplied with the application to ensure that Travel Plan measures would be implemented. The submission of a Travel Plan will help bring about a reduction in private car journeys and to minimise the potential for increased on street parking in the area

24. **Surface Water Drainage**

The development hereby permitted shall not commence until a detailed surface water drainage scheme for the site, based upon the agreed Flood Risk Assessment (FRA) 'St George's Hospital, Hornchurch, Flood Risk Assessment, Issue 2, Feb 2015 has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA and include swales, ponds and green roofs wherever feasible. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water drainage will be managed. Submission of a scheme prior to the commencement of each phase will help to prevent the increased risk of flooding, improve and protect water quality and improve habitat and amenity and ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

25. **Foul and Surface Water Strategy**

The development hereby permitted shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted and approved by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system from the new development until the drainage works referred to in the strategy have been completed in accordance with the approved strategy.

Reason: Insufficient information has been supplied with the application to demonstrate how foul and surface water drainage will be managed. Submission of a strategy prior to the commencement of each phase will ensure that sewage flooding does not occur and that sufficient capacity is made available to cope with the new development in order to avoid adverse environmental impact upon the community and to ensure that the development accords with Development Control Policies Development Plan Document Policy DC51.

26. **Surface Water Pollution Prevention**

The development hereby permitted shall not commence until such time as a scheme to install appropriate surface water pollution and treatment measures has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the first occupation of the development and shall be retained in good working order thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate how surface water pollution is to be prevented and treated. Submission and implementation of such a scheme will ensure that the water quality is improved and the ecological value of the River Ingrebourne and the Ingrebourne Marshes SSSI which surface water from the site drains to, are protected. . This will ensure compliance with the Water Framework Directive, Section 28 of the Wildlife and Countryside Act 1981 (as amended) and that the development accords with Development Control Policies Development Plan Document Policies 51 and 58.

27. **New Plant Noise**

No building shall be occupied or use commenced until a scheme for any new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive property shall not exceed LA90-10db. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used 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 prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

28. **Designing for Community Safety - Secured by Design)**

The development hereby permitted shall not commence until a full and detailed application for the Secured by Design award scheme has been submitted to the Local Planning Authority and the Metropolitan Police NE Designing Out Crime Office, setting out how the principles and practices of the aforementioned scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, the development shall be carried out in accordance with the agreed details.

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

29. **Air Quality Assessment**

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 full air quality assessment for the proposed development to assess the existing air quality in the study area (existing baseline)
- b) The air quality assessment shall include a prediction of future air quality without the development in place (future baseline).
- c) The air quality assessment shall predict air quality with the development in place (with development).
- d) The air quality assessment should also consider the following information:
 - A description containing information relevant to the air quality assessment.
 - The policy context for the assessment- national, regional and local policies should be taken into account.
 - Description of the relevant air quality standards and objectives.
 - The basis for determining the significance of impacts.
 - Details of assessment methods.
 - Model verification.
 - Identification of sensitive locations.
 - Description of baseline conditions.
 - Assessment of impacts.
 - Description of the construction and demolition phase, impacts/ mitigation.

- Mitigation measures.
- Assessment of energy centres, stack heights and emissions.
- Summary of the assessment of results.

For further guidance see the leaflets titled, 'EPUK Guidance Development Control: Planning for Air Quality (2010 update), EPUK Biomass and Air Quality Guidance for Local Authorities.

Reason: To protect public health, those engaged in construction and occupation of the development from potential effects of poor air quality.

30. **Refuse Storage and Segregation for Recycling**

The development hereby permitted shall not commence until provision has been made for the storage of refuse / recycling awaiting collection 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 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.

31. **Historic Building Recording**

Prior to the commencement of any works pursuant to this permission a an appropriate programme of historic building recording and analysis shall be undertaken in accordance with a written scheme of investigation, to be approved in writing by the Local Planning Authority.

Reason: The surviving buildings and structures which make up the hospital complex are of historic interest and some are of architectural significance. Insufficient information to provide a historic record of these buildings has been provided which the planning authority wishes to secure to provide a better understanding of the development of the hospital and its local and social contexts.

32. **Archaeological Investigation**

A) No development other than demolition to existing ground level shall take place until the applicant has secured the implementation

of a programme of archaeological evaluation in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

B) If heritage assets of archaeological interest are identified by the evaluation under Part A, then before any phase of development (as identified in accordance with condition 4), other than demolition to existing ground level commences the applicant shall have secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority in writing.

C) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (B).

D) The development hereby permitted shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. Insufficient information has been supplied with the application in relation to these matters. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic buildings recording), in accordance with Policy DC70 of the Development Control Policies Development Plan Document and the NPPF.

See Informative 9

33. **Species Surveys and Mitigation**

Prior to the commencement of any development, the demolition of any buildings on the site, or the removal of vegetation or trees, a further survey of the site including existing buildings, trees and vegetation, shall be carried out in accordance with a scheme, and at a time of year, to be agreed in writing by the Local Planning Authority in consultation with Natural England.

Such surveys shall be targeted at Bats, House Martins, Reptiles and Dormice.

Demolition of the buildings, removal of trees or vegetation shall only commence following confirmation by the survey/s to the satisfaction

of the Local Planning Authority of the absence of bats, reptiles of dormice or in the event that such species are found, the implementation of an agreed mitigation strategy and the obtaining of the necessary Licences for such work.

Reason: Insufficient information has been supplied with the application to judge the final impact of the development upon protected species which are or may be present on the site. The submission of further surveys will ensure that the proposals do not affect Protected Species and that the development accords with the Development Control Policies Development Plan Document Policy DC61..

34. **Biodiversity Enhancement**

The development hereby permitted shall not commence until a scheme for the biodiversity enhancement measures to be incorporated into the development, in line with those detailed in the approved documents and plans, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed scheme and retained thereafter.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of biodiversity measures. Submission of a scheme for each phase of the development will ensure that opportunities for biodiversity enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

35. **Construction Environmental Management Plan**

The development hereby permitted shall not commence, including demolition, until a scheme for a Construction Environmental Management Plan to control the 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. The Construction Environmental Management Plan/s shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;
- c) storage of plant and materials, including stockpiles of crushed concrete;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of

- demolition and construction and their reinstatement where necessary;
- f) Details of access points to the site and routes within the site for construction vehicles;
 - g) The method of piling on site;
 - h) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
 - i) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the Local Planning Authority;
 - j) scheme for monitoring noise and if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the Local Planning Authority; siting and design of temporary buildings;
 - k) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - l) details of the recycling and 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.

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.

36. **Hours of Construction**

No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

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

37. **Wheel Washing**

The development hereby permitted shall not commence until wheel scrubbing/wash down facilities to prevent mud being deposited onto

the public highway during construction works is provided on site in accordance with details previously 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.

The submitted scheme will provide the following details:

- 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, including their 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 washed 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.
- g) A description of how any material tracked into the public highway will be removed.

Should material be deposited in the public highway, then all operations at the site shall cease until such time as the material has been removed in accordance with the approved details.

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.

38. **Contamination Assessment (1)**

The development hereby permitted shall not commence (except works required to secure compliance with this condition) until the

following Contaminated land reports are submitted to and approved in writing by the Local Planning Authority.

a) A Phase III (Remediation Strategy) Report as 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.

b) Following completion of measures identified in the approved remediation scheme mentioned in (a) 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: Insufficient information has been supplied with the application to judge the risk arising from contamination. Submission of the above assessments prior to commencement will ensure the safety of future occupants and those engaged in construction of the development hereby permitted. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61

39. **Contamination Assessment (2)**

a) If, during development of the development hereby permitted, 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: Insufficient information has been supplied with the application to judge the risk arising from contamination.

Submission of an assessment prior to commencement will ensure the safety of the occupants of the development hereby permitted and the public generally. It will also ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

40. **Gas Protection Measures**

The development hereby permitted shall not commence until a scheme detailing the gas protection measures to be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority.

Following the completion of the approved gas protection measures a 'Verification Report' must be submitted demonstrating that the works have been carried out to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been submitted with the application to judge whether gas protection measures will be sufficient. Submission of the necessary details will protect future occupants and people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with Development Control Policies Development Plan Document Policies DC54 and DC61.

41. **Inclusive Access and Wayfinding Strategy**

Any application for reserved matters for the approved development shall be accompanied by a statement and documentation to demonstrate compliance with a site wide inclusive Access and Wayfinding Strategy which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to demonstrate how the site will be made fully accessible and that the needs of all people accessing and travelling through the site will be addressed. Submission of an overall strategy and subsequent details will ensure that the development is designed, delivered and managed to a high standard of inclusive access and legibility of routes and that it reflects such high standards as they evolve during the construction phases of the development.

42. **Restriction of Use**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use hereby permitted shall be for the provision of medical and health services only and shall be used for no other purpose(s) whatsoever including any

other use in Class D1 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

PLANNING INFORMATIVES

1. 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, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed..
2. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the agent at a meeting with the Greater London Authority case officer. The revisions involved changes to the perimeter blocks as requested by the GLA. The amendments were subsequently submitted on 21 July 2015.
3. In promoting the delivery of safer, stronger, sustainable places the Local Planning Authority fully supports the adoption of the principles and practices of the Secured by Design Award Scheme and Designing against Crime. Your attention is drawn to the free professional service provided by the Metropolitan Police Designing Out Crime Officers for North East London, whose can be contacted via DOCOMailbox.NE@met.police.uk or 0208 217 3813. They are able to provide qualified advice on incorporating crime prevention measures into new developments.
4. Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on 01708 433751 to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

5. 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 1981 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development.
6. The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council. If the developer requires scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Streetcare should be contacted on 01708 434343 to make the necessary arrangements.
7. In aiming to satisfy condition 25 Thames Water require that the foul water drainage strategy clearly identifies the current and proposed point(s) of connection into the public sewer system as well as current and proposed peak flow rates.
8. Essex and Suffolk Water require that all new water mains are laid in the highway and that a metered connection is made onto their network for each new premises.
9. Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs
10. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
11. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
12. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licence required.