



REGULATORY SERVICES COMMITTEE

REPORT

4 October 2012

Subject Heading:

**P1927.11 – Former Oldchurch Hospital,
Block 5, Oldchurch Road, Romford
(Date received 21/2/2012)**

Proposal

**Retention of 1 no. additional 5
bedroom house in Block 5, plot 367**

Report Author and contact details:

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Policy context

**Local Development Framework
London Plan
National Planning Policy**

Financial summary

None

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

Ensuring a clean, safe and green borough	[X]
Championing education and learning for all	[]
Providing economic, social and cultural activity in thriving towns and villages	[]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

Planning permission for the residential redevelopment of the western end of the former Oldchurch Hospital Site was granted planning permission on 28th July 2011 with various small amendments also granted planning permission 30 March 2012. Both permissions followed the completion of a S106 agreement or variation to it and earlier consideration of the applications by Regulatory Services Committee.

This application proposes the retention of an additional 5 bedroom house which has been built as part of Block 5 at the far western end of the site facing onto Nursery Walk.

It is recommended that planning permission be granted subject to the prior completion and submission by the Owners to the Council of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the acceptance of the Unilateral Undertaking offered by the applicants to reflect the terms of the original S106 agreement of 27th July 2011 as varied by Deed of Variation dated 30th March 2012 as set out below (and in the report) and subject to the conditions set out below following the planning obligations:

- The dwelling to be used for Affordable Housing Purposes;
- The legal costs of the Council to be paid to the sum of £600.00 in respect of the format of the Unilateral Undertaking;
- The Owner to pay the council costs towards monitoring the planning obligations to the sum of £1,080.00
- The Owner not to sell lease. Let or otherwise dispose of the dwelling without imposing in the relevant documentation a term preventing any owner or occupier of the Affordable Housing Residential Unit from applying for a residents parking permit within the area of the Development Provided that the restriction will not apply to the holder of a disabled person's badge.
- The Owner to allocate the Affordable Housing Residential Unit in accordance with the Council's standard Nominations Agreements to be annexed to the Unilateral Undertaking.
- The Owner to pay the Council the following a Highway Contribution of £819.67 an Open Space Contribution of £409.84 and a Healthcare Contribution of £409.84

That staff be authorised to accept the unilateral undertaking and upon acceptance, to grant planning permission subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 Article 3, Schedule 2, Part 1, Classes A, B, C, D and E, which amends the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order) no extensions, roof extensions, roof alterations or outbuildings 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.

2. Prior to the first occupation of the dwelling secure cycle storage facilities shall be provided in accordance with details of such which shall previously have been submitted and approved by the Local Planning Authority. Such approved facilities shall be implemented prior to first occupation and permanently retained and made available for residents use thereafter.

Reason: To seek to encourage cycling as a more sustainable means of travel for short journeys.

3. Prior to the first occupation of the development provision shall be made for the storage of refuse / recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these details shall include provision for suitable containment and segregation of recyclable waste. The measures shall be fully implemented in accordance with the agreed details for the development and retained thereafter.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and locality general, and in order that the development accords with Development Control Policies Development Plan Document policy DC40 and in the interests of sustainable waste management.

Reason for Approval:

This decision to grant planning permission has been taken:

- i) having regard to Policies CP1, CP2, CP7, CP8, CP10, CP9, CP10, CP12, CP15, CP16, CP17, CP18 of the LDF Core Strategy

Development Plan Document; Policies DC2, DC3, DC6, DC7, DC20, DC21, DC27, DC29, DC30, DC32, DC33, DC34, DC35, DC49, DC50, DC51, DC52, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC67, DC70, DC72 of the LDF Development Control Policies Development Plan Document; Policy SSA1 of the LDF Site Specific Allocations Development Plan Document; Policies 3A.2, 3A.3, 3A.5, 3A.6, 3A.7, 3A.9, 3A.10, 3A.11, 3D.13, 4A.1, 4A.2, 4A.3, 4A.4, 4A.5, 4A.6, 4A, 4A, 4A.10, 4A.11, 4A.13, 4A.14, 4B.1, 4B.2, 4B.5, 4B.9, 4B.10 of the London Plan (Spatial Development Strategy for Greater London) 2008 and London Plan Supplementary Planning Guidance, including 'Providing for Children and Young People's Play and Informal Recreation' and the National Planning Policy Framework.

ii) for the following reason: The proposed development would fulfil the aims and objectives of the relevant policies of the Local Development Framework and London plan by providing the residential redevelopment of a brown field site. The proposal would provide affordable housing for those with low incomes and would relate satisfactorily to its surroundings and neighbouring development and can be accommodated on the site without any materially harmful visual impact or any significant adverse impact on residential amenity. The proposal meets the objectives of national, regional and local policies by being sustainable development making efficient use of land and providing residential development with easy access to facilities without adverse impact on residential amenity.

REPORT DETAIL

1.0 Site Description and Background

- 1.1 The application site is located at the western end of the former Oldchurch Hospital site adjacent to Nursery Walk beyond which is the Crow Lane Gas Holder site..
- 1.2 Planning permission for the overall site was granted on 27th July 2011 (ref.P0975.10) for the residential development of 366 units, varying from 2 to 6 storeys in height and providing 338 flats and maisonettes and 28 houses. This was subsequently amended by P1417.11.
- 1.3 The site the subject of this application is at the southern end of the terrace of houses that have been constructed facing onto Nursery Walk as part of Block 5 of the overall development and is identified as Plot 367.

2.0 Description of Proposal:

- 2.1 Planning permission is sought for the retention of a three storey end of terrace house on the western side of Block 5 facing onto Nursery Walk. The plot is identified within the redevelopment proposals as Plot 367 and is

located at the southern end of newly built terrace of 3 storey 5 bedroom houses.

- 2.2 The house is identical in all respects to the rest of terrace with a first floor rear terrace, private rear garden and access to the communal amenity area that the overall block surrounds. The dwelling has been provided as affordable housing.

3. **Relevant History**

- 3.1 There is an extensive history relating to the function of the site as a Hospital but the most relevant history to this application is:

P1634.04 Demolition of existing buildings on site and redevelopment to provide a mental health facility - Outline - Refused

P0634.06 Demolition of existing buildings on site and redevelopment to provide new mental health facility. – Resolved to approve, S106 not completed

P0975.10 - Residential redevelopment – Revised scheme comprising 366 dwellings with height varying from 2 to 6 storeys (338 flats and 28 houses) – Approved

P1927.11 – Retention of 1 no. additional 5 bedroom house in Block 5, plot 367 – Under consideration

P1417.11 - Non-compliance with condition 2 of P0975.10 to enable the replacement of 4 no. 1 bed apartments in renovated 'Treasury' building with 2 no. 2 bed houses. Replacement of 2 no 4 bed houses with 3 no. 3 bed houses in Block 6. New 1 bed apartment and 3 bed apartment in lieu of undercroft parking in block 4 and consequent changes to design and appearance of affected units. Revision to tenure mix - Approved

4. **Consultations and Representations:**

- 4.1 No objections have been received.

Consultee Responses

Environmental Health – recommend conditions

LFEP (Water Section) – Are satisfied with the proposal.

Borough Crime Prevention Design Advisor – No new material comments

Streetcare (Highways) – No objections

5 **Relevant Policies**

- 5.1 The development plan for the area consists of the Havering Local Development Framework (Core Strategy, Development Control Policies and Site Specific Allocations) and the London Plan 2011. Havering Supplementary Planning Documents on Residential Design, Sustainable Design and Construction and Designing Safer Places are material planning considerations.
- 5.2 Policies DC3 (Housing Design and Layout), DC6 (Affordable Housing), DC7 (Lifetime Homes and Mobility Housing), DC21 (Major Development and Open Space, Recreation and Leisure), DC33 (Car Parking), DC35 (Cycling), DC61 (Urban Design) and DC63 (Delivering Safer Places) of Local Development Framework Development Control Policies Development Plan Document are also material planning considerations.
- 5.3 The London Plan July 2011 is the strategic plan for London and the following policies are considered to be relevant: 3.5 (quality and design of housing 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), 6.9 (cycling), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.8 (heritage assets and archaeology), and 8.2 (planning obligations).
- 5.4 The National Planning Policy Framework is a further material consideration.

6. **Staff Comments**

- 6.1 The issues to be considered are the principle of development, street scene implications, historic building considerations, provision of open space, affordable housing, the effect of the development on the surrounding area, including residential amenity, health and safety implications, secured by design issues and car and cycle parking provision.

6.2 **Background**

- 6.2.1 The residential redevelopment of the western end of the former Oldchurch Hospital site was originally granted planning permission on 28th July 2011 following the completion of a S106 legal agreement. Block 5 of that scheme included a terrace of 8no 5 bedroom properties on its western side facing Nursery Walk. That scheme had been amended during the application process to remove a ninth house from the terrace as that property was located partly on land which fell outside the red line site boundary. During the construction of the block the applicants acquired the additional land from the developers of the eastern end of the former Oldchurch Hospital site. The applicants therefore chose to develop the block as originally submitted and this application is dealing retrospectively with the addition of that ninth dwelling to the terrace.

6.3 Principle of development

6.3.1 The principle of the redevelopment of the site for residential purposes has been established by the grant of full planning permission under ref P0975.10 as amended by P1417.11. No objection is therefore raised in principle to the application subject to it being acceptable in all other respects.

6.4 Design, Layout and Heritage Considerations

6.4.1 The additional dwelling that has been constructed forms a logical extension to the southern end of the terrace on the western side of Block 5 as originally permitted. The design is identical to the rest of the terrace comprising a three storey end of terrace house and is provided with the same first floor rear terrace and small private rear garden.

6.4.2 The extension to the terrace does not impinge or impact upon other existing or authorised developments or reduce the extent of any proposed amenity space that is intended to serve such dwellings. At its closest point the dwelling is located 30m from the locally listed retained wages and salary block adjacent to the Oldchurch Road entrance to the site. That building is has been restored and converted to residential use as part of the overall approved schemes for the redevelopment of the site and the additional dwelling has no adverse impact upon it..

6.5 Parking and Highway Issues

6.5.1 No additional parking provision has been made for the extra unit. However, the overall development would maintain a parking level of 0.6 spaces per dwelling which is considered to be acceptable and in accordance with policy owing to the proximity to the town centre and the good links to public transport facilities. Staff consider that the lack of any increase in parking provision is of marginal significance given the overall scale of the redevelopment. It is also worthy of note that the level of car parking proposed would still remain greater than the level of parking agreed for the redevelopment of the eastern end of the former Oldchurch Hospital site.

6.5.2 Cycle parking would be provided within the rear garden of the dwelling thereby maintaining cycle parking at a level of 1 space per flat in accordance with Policy DC35.

6.6 Other Considerations

6.6.1 The internal layouts of the unit demonstrates that it would be of a size which satisfies the requirements for affordable housing, lifetime homes and London Plan standards. Amenity space provision is unaffected by the additional dwelling.

6.6.2 The additional dwelling would have a very minor impact upon the demand for local services, including school places and the unilateral undertaking

offered would make a pro-rata contribution based upon the amount set out in the original S106 agreement.

- 6.6.3 The development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee would be based on an internal floor area of 121m² which equates to a Mayoral CIL payment of £2420.
- 6.6.4 As the development is for affordable housing the applicants are investigating whether social housing relief is applicable. This may not be the case as such applications normally need to be made in advance of construction.
- 6.6.5 Health and safety implications arising from the proximity of the site to the Crow Lane Gas Holder site are unaffected by the additional dwelling. The Health and Safety Executive agreed not to pursue their objections to the overall redevelopment provided that the Hazardous Substances Consent for the adjacent gas holder station could be revoked. Staff have reached agreement with National Grid over this matter as the gas holder station is now redundant. The formal revocation procedure is in hand but has yet to be finalised.
- 6.6.6 The overall development was subject to a S106 Legal Agreement which addressed the provision of affordable housing and financial contributions for the purposes of Education, highway improvements, primary healthcare and the improvement of nearby open spaces and parks together with a restriction on the ability of residents from applying for a parking permit within existing or proposed future controlled parking zones. A unilateral undertaking is offered by the applicants to ensure that the same provisions apply and that pro-rata contributions are secured.

7. **Conclusions**

- 7.1 Staff are satisfied that the retention of the additional dwelling is acceptable, has a satisfactory appearance and would have no adverse impacts upon the amenity of existing nearby or neighbouring dwellings
- 7.2 Should members agree with this conclusion, it is recommended that planning permission be granted and that the unilateral undertaking offered by the applicants be accepted.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications to the Council.

Legal implications and risks:

This application needs to be subject to the same Section 106 planning requirements as the original development. A unilateral undertaking is offered by the applicants to make these applicable to this application as required. This will need to be accepted prior to the issue of the planning permission.

Human Resources implications and risks:

There are no human resources and risks directly related to this report.

Equalities implications and risks:

The Council's policies and guidance, the London Plan and government guidance all seek to respect and take account of social inclusion and diversity issues.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
6. The relevant planning history.
7. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
8. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.