

# REGULATORY SERVICES COMMITTEE

27 June 2013

# REPORT

**Subject Heading:**

P0496.13 – Former Oldchurch Hospital,  
Waterloo Road, Romford (Date  
received 23/04/2013)

**Proposal**

Non Compliance with condition 2 of  
P1638.09 to enable minor amendments  
to the width and length of Block Y to  
meet the Homes and Communities  
Agency (HCA) Housing Quality  
Indicators relating to room and unit  
size to allow provision of Block Y units  
as affordable housing

**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 eastern end of the former Oldchurch Hospital Site was granted planning permission on 20<sup>th</sup> August 2010 following the completion of a S106 agreement and earlier consideration of the application by Regulatory Services Committee on 17<sup>th</sup> June 2010.

This application proposes a small amendment to the approved scheme involving the minor increase in the footprint of Block Y. It is also proposed that the tenure of the block would change with Block Y being delivered as affordable housing. As a result a variation of the S106 agreement is required so that it refers to this application. The change in the dimensions of Block Y are considered to be acceptable irrespective of the proposal by the applicant to construct Block Y for affordable housing.

It is recommended that planning permission be granted subject to the prior completion of a variation to the relevant S106 legal agreement.

## **RECOMMENDATIONS**

That the Committee notes that the increase in floorspace as a result of the proposed amendment is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3 and the applicable charge would be £6,120. This is based upon an increase of 306m<sup>2</sup> in the gross internal floorspace.

That the Committee resolve that, the application is considered unacceptable as it stands but it would be acceptable subject to the prior completion of a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) of the original section 106 agreement of 19<sup>th</sup> August 2010 to secure the following:

1. That the definitions of "Planning Application" and "Planning Permission" in clause 1 of the original agreement dated 19<sup>th</sup> August 2010 (as varied by a Deed of Variation dated 20<sup>th</sup> April 2011) be varied to refer to this planning application and planning permission pursuant to this planning application in the alternative as appropriate whichever is implemented, and

The Developer and/or Owner shall bear the Council legal costs in respect of the preparation of the legal agreement irrespective of whether or not it is completed.

Save for the variations set out above and necessary consequential amendments the original Section 106 agreement dated 19<sup>th</sup> August 2010 (as varied by a Deed of Variation dated 20<sup>th</sup> April 2011) and all other recitals, headings and clauses of the said original Section 106 agreement dated 19<sup>th</sup> August 2010 (as varied by a Deed of Variation dated 20<sup>th</sup> April 2011) shall remain unchanged.

That staff be authorised to enter into a Deed of Variation to secure the above and upon completion the agreement, to grant planning permission subject to the following conditions:

1. Accordance with plans: The development shall not be carried out other than in complete accordance with the approved plans as detailed by planning permission ref P1638.09 as amended by the following plans and documents in part submitted pursuant to planning application reference P0496.13 : :

Site Plan - AA1167C 31 001 - Rev A  
Ground Floor Plan - AA1167C/Block Y/2.1/050  
First Floor Plan - AA1167C/Block Y/2.1/051  
Second Floor Plan - AA1167C/Block Y/2.1/052  
Third Floor Plan - AA1167C/Block Y/2.1/053  
Fourth Floor Plan - AA1167C/Block Y/2.1/054  
Fifth Floor Plan - AA1167C/Block Y/2.1/055  
North Elevation - AA1167C/Block Y/2.1/060  
South Elevation - AA1167C/Block Y/2.1/061  
West and East Elevations - AA1167C/Block Y/2.1/062

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.

2. Submissions and Approvals

Any application or submission for any other approval required by any condition attached to this permission shall be made in writing to the Local Planning Authority and any approval shall be given in writing. Any approved works shall be carried out and retained thereafter in accordance with that approval.

Reason: To ensure that the Development is satisfactorily implemented in accordance with any approvals.

### 3. Phasing Strategy

The development shall be carried out in accordance with phasing plan 1W0315 01-08 unless any variation is subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure that there is an appropriate phased sequence of development on the site.

### 2. Details of materials

Within 3 months of the commencement of each phase of development samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas comprised in that phase of development shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

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

### 3. Boundary Treatment

Within 3 months of the date of this decision or before first residential occupation of any building within the current or any subsequent phase of the development, whichever is the earliest, details of treatment proposed for those parts of the boundaries comprised in that part of the application site including where appropriate, screen fencing and walling (adjacent to highways) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the agreed details prior to the occupation of the first dwelling unit within the phase of the development to which it relates and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

### 4. Details of Replacement Gates

Within 3 months of the date of this decision, details of the proposed replacement gates or original gates for the original recessed pedestrian entrance on Oldchurch Road shall be submitted to and approved in writing by the Local Planning Authority. The design of the gates shall replicate the design of the historic gates which have now been removed

from site. The approved gates shall be installed in accordance with the agreed details prior to the completion of the second phase of the park and shall be permanently retained and maintained thereafter.

Reason: In the interests of visual amenity and recognition of the historic significance of the gates in accordance with Development Control Policies Development Plan Document Policies DC61 and DC67.

#### 5. Public Area Lighting

The development shall be carried out in accordance with the drawings showing public lighting as submitted to and approved by the Local Planning Authority under condition discharge reference Q0180.11. 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: In the interests of highway safety, public amenity and nature conservation and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

#### 6. Access Statement

The development shall be carried out in accordance with the Access Statement submitted to and approved by the Local Planning Authority under condition discharge reference Q0151.10.

Reason: In the interests of the amenities of future residents and visitors in accordance with the Councils policies and practice for access for people with disabilities and in accordance with the provisions of Section 76 (1), (2) of the Town and Country Planning Act 1990 and Policy 7.2 of the London Plan and LDF Development Control Policies Development Plan Document Policy DC62.

#### 7. Lifetime homes

All residential units hereby approved are to comply with Lifetime Homes Standards, as defined in the Joseph Rowntree Foundation (JRF) publication "Achieving Part M and Lifetime Home Standards April 1999" and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication 'Lifetime Homes' and as referred to in the GLA Accessible London SPG (Appendix 4 correct at March 2004),.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers in accordance with Development Control Policies Development Plan Document Policy DC7 and Policy 3.5 of the London Plan.

## 8. Wheelchair Accessibility

10% of new housing shall be designed to be wheelchair accessible or easily adaptable for such residents and shall be constructed in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. The units will thereafter be maintained in accordance with the approved scheme.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers in accordance with Development Control Policies Development Plan Document Policy DC7 and Policy 3.5 of the London Plan.

## 9. Secured By Design

The development shall be carried out in accordance with the Secured by Design Statement submitted to and approved by the Local Planning Authority under condition discharge reference Q0151.10.

Reason: In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in the NPPF, and policies CP17 of the LBH Core Strategy DPD and DC63 of the LBH Development Control Policies DPD, and Policy 7.3 of the London Plan.

## 10. CCTV

Within 3 months of the date of this decision in respect of Block Y and prior to the commencement of each subsequent phase of the development hereby permitted, a scheme showing details of CCTV to be installed for the safety of residents and visitors and the prevention of crime throughout shall be submitted to and approved in writing by the Local Planning Authority. The system shall be provided in strict accordance with the agreed details, prior to the first occupation of the residential units and thereafter, permanently retained and maintained.

Reason: In the interest of creating safer, sustainable communities and residential amenity, reflecting guidance set out in the NPPF, the London Plan Policy 7.13, and including Policy CP17 LBH Core Strategy DPD and Policy DC63 LBH Development Control Policies DPD.

## 11. Traffic Management Scheme

Within 3 months of the date of this decision a traffic management scheme for vehicles entering and leaving the development shall be submitted to and approved in writing by the Local Planning Authority. The traffic management scheme shall be implemented and complied with thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure that the interests of the travelling public and highway safety are maintained and to comply with policies CP10 of the Core Strategy DPD and DC32 of the Development Control Policies DPD.

#### 12. Car Parking:

Car parking shall be provided in accordance with drawing AA1167c/3.1/E01 Rev M as approved by the Local Planning Authority under condition discharge reference Q0226.10. The area set aside for parking shall be laid out and surfaced in accordance with the approved details each phase prior to the occupation of the first dwelling in that phase of the development and retained permanently thereafter for the accommodation of vehicles and shall not be used for any other purpose.

Reason: To ensure car parking accommodation is permanently available for residents, visitors and disabled users in the interests of highway safety in accordance with Development Control Policies Development Plan Document Policy DC33.

#### 14. Car Parking Secure By Design

The development shall be carried out in accordance with the Car Parking Secured by Design Statement submitted to and approved by the Local Planning Authority under condition discharge reference Q0151.10.

Reason: In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in the NPPF, and policies CP17 of the LBH Core Strategy DPD and DC63 of the LBH Development Control Policies DPD, and Policy 7.13 of the London Plan.

#### 15. Car Parking Management Scheme

Within 3 months of the date of this decision a car parking management scheme shall be submitted to and approved in writing by the Local Planning Authority. The car parking management scheme shall include details of:

- a) Measures to control access to parking on the site;
- b) Measures to enforce parking controls.

The car parking control measures approved under this condition will be retained and managed thereafter in accordance with the car parking management scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent unauthorised parking on the site in the interests of highway safety and to ensure that car parking accommodation is made permanently available for residents, visitors and disabled users in accordance with Development Control Policies DPD Policy DC33.

## 16. Cycle Storage

Within 3 months of the date of this decision details of the secure cycle storage for the development and on street provision for visitors shall be submitted to and approved in writing by the Local Planning Authority. Cycle storage facilities shall be provided in accordance with the approved details for each phase prior to the occupation of the first dwelling in that phase of the development. Such facilities shall be permanently retained and made available for residents and visitors use, as appropriate, thereafter.

Reason: To seek to encourage cycling as a more sustainable means of travel for short journeys in accordance with Development Control Policies Development Plan Document Policy DC35.

## 17. Electric Charge Points

Electric Charge Points shall be provided in accordance with drawing 6046-CS-201 Rev E as approved by the Local Planning Authority under condition discharge reference Q0180.11.

Reason: In order to ensure that the development adequately incorporates measures to enable the use of electric vehicles by occupiers.

## 18. Hard landscaping

The development shall be carried out in accordance with the hard landscaping plans submitted to and approved by the Local Planning Authority under condition discharge reference Q0133.12 and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development and to ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

## 19. Soft landscaping:

The development shall be carried out in accordance with the landscaping plans submitted to and approved by the Local Planning Authority under condition discharge references Q0107.11 and Q0133.12. 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 or approximately the same place. Within 3 months



of the commencement of each future Phase of the development, a scheme of soft landscaping and a timetable for its implementation shall be 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 the 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 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 or approximately the same place.

Reason:

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

#### 20. Protection of Preserved Trees

The scheme for the protection of preserved trees on the site submitted to and approved by the Local Planning Authority under condition discharge reference Q0226.10 shall be implemented and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order in accordance with Development Control Policies Development Plan Document Policy DC60.

#### 21. Landscape management plan

The development shall be carried out in accordance with the Landscape Management Plan and Biodiversity Management Plans submitted to and approved by the Local Planning Authority under condition discharge reference Q0133.12 and shall be adhered to thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect, enhance and conserve the natural features and character of the area and new areas of landscaping and to accord with Development Control Policies Development Plan Document Policy DC59 and DC61.

#### 22. Sustainability Statement:

Prior to the commencement of development of any Phase of the development the developer shall provide a copy of the Interim Code Certificate confirming that the design of that Phase of development achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before that Phase of development is first occupied, the Final Code Certificate of Compliance shall be provided to the Local Planning Authority to demonstrate that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Development Control Policies Development Plan Document Policy DC49, the Council's Sustainable Design and Construction SPD Adopted April 2009 and London Plan Policies as set out in chapter 5.

23. Energy Statement:

The renewable energy systems that have been installed shall be operated and maintained in full accordance with the agreed Energy Strategy and the measures identified therein.

Reason: In the interests of energy efficiency and sustainability in accordance with DC50 Renewable Energy and Policies 5.2 and 5.7 of the London Plan.

24. Fire hydrants:

The fire hydrants shall be installed in accordance with the plans submitted to and approved by the Local Planning Authority under condition discharge reference Q0107.11 and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: To ensure that adequate provision is made for fire protection on the site.

25. Fire brigade access

Fire Brigade access shall be provided in accordance with the plans submitted to and approved by the Local Planning Authority under condition discharge reference Q0107.11. First residential occupation of each Phase of the development hereby approved shall not take place until the approved scheme for that part of the fire brigade access has been implemented.

Reason: To ensure that adequate access for fire brigade purposes is made available in the interests of safety.

## 26. Sound attenuation

The building(s) shall be so constructed as to provide sound attenuation of no less than 45dB(A) against airborne noise and 62dB(A) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Notes 24 Planning and Noise and in order that the development accords with the Development Control Policies Development Plan Document Policies DC55 and DC61.

## 27. Plant and machinery

Within 3 months of the date of this decision and within 3 months of the commencement of each subsequent phase a scheme for any new plant or machinery, including any energy centre as appropriate, in the development or that phase shall be submitted to 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 premises shall not exceed LA90 -10dB. Such plant and machinery as approved shall be installed in accordance with the agreed details and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 23 'Planning and Noise' and in order that the development accords with the Development Control Policies Development Plan Document Policies DC55 and DC61.

## 28. Noise transmission control

Within 3 months of the date of this decision and within 3 months of the commencement of each subsequent phase a scheme detailing those measures which are to be employed to protect occupants of the current and subsequent phases of the development from road traffic noise, in accordance with the Road Noise Impact Assessment approved under condition discharge application Q0186.10 shall be submitted to, and approved in writing by the Local Planning Authority and shall be implemented prior to occupation.

Reason: To protect the amenity of occupiers of nearby premises in accordance with the recommendations of the NPPF and in order that the development accords with the Development Control Policies Development Plan Document Policies DC55 and DC61.

## 29. Drainage Strategy

The development shall be implemented in accordance with the drainage strategy submitted to and approved by the Local Planning Authority under condition discharge reference Q0186.10. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the relevant phase of the strategy have been completed and all requisite permissions, licences and authorities are in place.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community.

### 30. Drainage scheme

The development shall be implemented in accordance with the surface water drainage scheme for the site submitted to and approved by the Local Planning Authority under condition discharge reference Q0186.10.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

### 31. Infiltration

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given only for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure protection of controlled waters.

### 32. Refuse storage

The development shall be implemented in accordance with the details of the storage of refuse and recycling awaiting collection submitted to and approved by the Local Planning Authority under condition discharge reference Q0180.11. The measures shall be retained thereafter.

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

### 33. Delivery and servicing

The development shall be implemented in accordance with the phased Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP) submitted to and approved by the Local Planning Authority under condition discharge reference Q0151.10. Details of the location and means of delivery and servicing for residential units for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority within 3 months of this decision in relation to existing and current phases of the development and within 3 months of the commencement of development for future phases and such facilities shall be provided in accordance with the approved details prior to the first occupation of the current and future phases of the development. Such facilities shall be permanently retained and made available for residents use thereafter.

Reason: In the interests of highway safety.

#### 34. Construction methodology

The development shall be implemented in accordance Construction Management Plan submitted to and approved by the Local Planning Authority under condition discharge reference Q0151.10. Details of the

- 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;

shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of subsequent phases of the development and the development shall thereafter be carried out in accordance with the further approved details.

Reason: To protect residential amenity and to ensure the works are carried out in such a way to avoid, remedy or mitigate adverse effects and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

#### 35. 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 otherwise 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.

### 36. Wheel washing

The details of wheel washing facilities submitted to and approved by the Local Planning Authority under condition discharge reference Q0151.10 shall be retained without interruption and used at relevant entrances to the site from the inception of any development activity including site preparation, demolition and 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 and in order that the development accords with the Development Control Policies Development Plan Document Policies DC61 and DC32.

### 37. Contamination assessment and remediation scheme

A Validation and Verification Report and necessary certificates must be submitted demonstrating that the remediation scheme submitted to and approved by the Local Planning Authority under condition discharge reference Q0186.10 have been carried out satisfactorily and remediation targets have been achieved.

In the case of imported topsoil, details and a soil assay need to be submitted to and approved by the Local Planning Authority prior to deposition for any phase of the development.

If during development works, any contamination should be encountered, which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA ; and

If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, Land Contamination and the Planning Process.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

### 38. Art Work

Prior to the occupation of 246 dwellings, a scheme for one or more pieces of art work shall be submitted to the Council for approval. The

scheme must be carried out prior to the first occupation of more than 362 dwellings.

Reason: To enhance the features of the area and in order that the development accords with Development Control Policies Development Plan Document Policies DC25.

## INFORMATIVES

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.

2. The developer, their representatives and contractors are advised that this planning permission 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.

### 3. Planning Obligations

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.

### REASON FOR APPROVAL:

The detailed layout, design and impact of the development has been considered against policies of the LDF, the London Plan and relevant Planning Policy Statements and have been found to be acceptable in all of these respects.

In all other respects the proposal is considered to be in accordance with the aims, objectives and provisions of policies CP1, CP2,, CP7, CP8, CP10,, CP15, CP 16, CP17, DC2, DC3, DC6, DC7, DC21, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC53, DC61, DC62, DC63 and DC66 of the Core Strategy and Development Control Policies Development Plan Document. The proposal is also considered to be in

accordance with NPPF and Policies 3.5, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 6.9, 6.13, 7.3, 7.4, 7.6 and 8.2 of the London Plan.

## REPORT DETAIL

### 1.0 Site Description and Background

- 1.1 The site of the former Oldchurch Hospital is located at the junction of Oldchurch Road and Waterloo Road. The planning application to which an amendment is sought relates to the western part of the overall site and has an area of 3.41 hectares. The permission has been partially implemented and the two blocks on the northern part of the site have been completed and the northern half of the new park delivered. Work has commenced on the easternmost block of the central section of the redevelopment (Block Y) containing 51 dwelling units.
- 1.2 A footway and cycleway has been constructed close to the eastern boundary of the site (Waterloo Road) which provides a pedestrian route from the key worker housing to the existing footway in Oldchurch Road and Waterloo Road close to the roundabout. To the immediate north of the site flatted key worker housing has been constructed on the northern side of a new road (Union Road) and beyond that lays the main railway line between Romford and London Liverpool Street. To the south and east there are terraced two storey residential properties fronting Oldchurch Road and Waterloo Road, with a flatted development of up to five storeys at the corner of Oldchurch Road and Rom Valley Way.
- 1.3 Planning permission was granted on 20<sup>th</sup> August 2010 (ref.P1638.09) for the residential development of 493 units 6 storeys in height.
- 1.3 The application is made under Section 73 of the Town and Country Planning Act 1990 to vary the condition which requires that the development proposals are constructed in accordance with approved plans. Should planning permission be granted a second parallel planning permission is created under planning reference P0685.12 subject to completion of a Deed of Variation of the original planning agreement. The variation of the accordance with plans condition would affect the central Block Y

### 2.0 Description of Proposal:

- 2.1 Planning permission is sought for an amendment to the permitted scheme for the redevelopment of the site which is currently being implemented.
- 2.2 The original planning permission ref: P1638.09 was based upon plans which pre-dated the current Mayor for London minimum space standards as set out in the London Plan 2011 and was also based upon a scheme which was predominantly for market housing. Subsequent arrangements between the



applicant and the developers of the western end of the former hospital site resulted in the small proportion of affordable housing that was originally to be provided being delivered as part of the development at the western end of the site. The original S106 agreement was varied to reflect this. Subsequently the applicants have come to an agreement with a Registered Affordable Housing Provider who intends to purchase the whole of Block Y (51 units) as affordable housing. In order to be eligible for grant funding Block Y has to meet the Mayor's minimum space standards and the HCA's housing quality indicators regarding room and unit areas which requires a small change to the footprint of the building. It should be noted that irrespective of the applicant's intention to provide Block Y for affordable housing and the HCA accommodation standards for affordable housing the proposed changes to Block Y are acceptable in planning terms.

- 2.3 The increase in footprint is 51m<sup>2</sup> and is achieved by an increase of 300mm on each outer face of the building i.e an overall increase from a width of 13.1m to 13.7m and a length of 61.7m to 62.3m. No increase in height is proposed and there are no changes to the external elevations.

### 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:

P1635.04 Outline planning application for residential development (key workers and general housing) – Approved

P2103.06 Submission of reserved matters, condition 1 of application P1635.04 landscaping (key workers) – Approved

P1837.07 Reserved matters application 1 – Blocks 9, 10,11,12,13 & 14. Newbuild residential units and car parking pursuant to outline planning permission P1635.04 – Withdrawn

P2485.07 Reserved matters application 1 – blocks 9, 10, 11, 12, 13 & 14. 502 new build residential units and car parking pursuant to outline planning permission P1635.04 - Approved

Z0006.09 - Request for screening opinion for 500 residential units and associated parking/landscaping – EIA not required

P1638.09 - Redevelopment of the former Oldchurch Hospital to provide 493 residential units, an energy centre, a local park, car parking, access and internal roads and hard and soft landscaping.- Approved

### 4. **Consultations and Representations:**

- 4.1 Consultees and 9 neighbouring properties have been notified of the application. The application has been advertised on site and in the local press. No objections have been received.

### **Consultee Responses**

***Environmental Health*** – No new comments

***LFEPA (Access)*** – Are satisfied with the proposal.

***Thames Water*** – No comments

***Borough Crime Prevention Design Advisor*** – No new 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), and 8.2 (planning obligations).
- 5.4 The National Planning Policy Framework is a further material considerations.

## **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 provision, 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 Principle of development**

6.2.1 The principle of the redevelopment of the site for residential purposes has been established by the grant of full planning permission under ref P1638.09. The extent of the non-compliance with the approved plans is limited to that set out in the application and no objection is therefore raised in principle to the application.

## **6.3 Design and, Layout Considerations**

6.3.1 The proposed changes to footprint of Block Y are very small and can be accommodated within the site without any consequential changes to the design and layout of the overall scheme as originally approved. Visually the design of the block is unaltered and the slight increase in size is of such modest proportions as to be virtually imperceptible from all vantage points.

## **6.5 Other Considerations**

6.5.1 The proposed changes to the footprint of the block arise from the proposed changed tenure of the block which is now being delivered for a Housing Association and their requirement that room and unit sizes meet the necessary standards in order to be grant eligible. The change to affordable housing is not a policy requirement but the Council are to receive their normal nomination rights under the nomination agreement that has been negotiated. These matters have been achieved outside of the S106 agreement and staff do not consider there to be any requirement to bring the affordable housing that is now being provided back into the S106 agreement.

## **7. The Mayor's Community Infrastructure Levy**

7.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable charge is based on an increase in the internal gross floor area of 306 square metres which equates to a Mayoral CIL payment of £6,120.

7.2 As work on Block Y has already commenced it will not be possible for the developer to make an application for social housing relief.

## **7. Conclusions**

7.1 Staff are satisfied that the proposed changes to Block Y proposed are minor in scale and inconsequential in terms of its design and appearance with no perceptible impact upon the overall development.

- 7.2 Should members agree with this conclusion, it is recommended that planning permission be granted subject to the prior completion of a deed of variation to the relevant S106 legal agreement so that it reflects this application.

## 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 and a variation to that obligation to make it applicable to this application is required. This will need to be finalised and signed 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. Block Y incorporates units which are designed for wheelchair use or which are easily adapted for such use.

## 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.