

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0959.22

WARD : Hacton

Date Received: 13th June 2022

ADDRESS: Plot 6 Suttons Lane
Hornchuch
Essex

PROPOSAL: Outline planning permission with all matters reserved for a proposed new housing development (3 x 3bedroom dwellings) on land to the west of Gladiator Way and Defiant Close.

DRAWING NO(S): Site Location Plan 01,
02,
03.

RECOMMENDATION : It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE DESCRIPTION

The application is comprised of a rectangular shaped plot which lies (approx 160m) to the west of Suttons Lane.

The applications site is not located within a conservation area or located within the curtilage of a listed building.

However it is located within the Metropolitan Green Belt and within the Thames Chase Community Forest Area and is also adjacent to an area of trees.

DESCRIPTION OF PROPOSAL

The application seeks outline planning permission with all matters reserved for a proposed new housing development (3 x 3bedroom dwellings) on land to the west of Gladiator Way and Defiant Close.

The proposed dwellings would be 2 storey, detached with a pitched roof design above.

RELEVANT HISTORY

P0275.20 - Variation to the wording of Conditions 10 (Wheelchair Adaptable Dwellings) and 25 (Accessibility) of hybrid planning permission ref: P0321.15 granted by the Planning Inspectorate ref: APP/B5480/W/16/315859 on the 13th July 2017 not to comply with Part M4(2) of the Building Regulations in accordance with approved plans of reserved matters permission ref: P0940.18 dated 06/12/2018.

Apprv with 25-06-2020
Agreement

P1917.18 - Demolition of existing buildings, conversion of the former St George's Hospital Administrative Building and the erection of new buildings to provide 162 residential units (class C3) including car parking, cycle parking, landscaping and associated infrastructure along with the refurbishment of The Suttons Building for use as a Heritage Centre (Class D1).

Apprv with 08-07-2020
Agreement

P0940.18 - Approval of Reserved Matters (layout, scale, appearance and landscaping) for Phase 1 of the outline part of the redevelopment at St George's Hospital (LPA Ref. P0321.15), comprising the construction of 194 dwellings, new public open space, car parking and associated infrastructure works, and details to satisfy Conditions 1, 8, 22, 23, 25 and 27 of permission ref. P0321.15.

The outline application was not an environmental impact assessment application.

Revised plans received 16/8/18
Apprv with 06-12-2018
Agreement

P0323.15 - The redevelopment of the St Georges Hospital site inclusive of partial demolition of existing buildings to provide up to 3,000 m2 of new healthcare facilities, on 1.74 ha of the wider site, together with construction of a new vehicular access from Suttons Lane, associated car parking, landscape and infrastructure works.
Apprv with cons 17-06-2020

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 10.0 ha of the wider site, together with associated car parking, landscape and infrastructure works.
Refuse 07-01-2016

CONSULTATIONS/REPRESENTATIONS

53 Letters were sent to surrounding properties and 40 letters of objection were been received in response raising the issues below:

Impact on children's play area

Inadequate access and loss of landscaping

Impact on privacy on adjacent rear gardens and houses

Impact on the Green Belt and would appear out of character with the area

Noise impacts and increase in traffic and parking

Impact on wildlife habitation, trees and biodiversity

Building is not in keeping with the wider development

Consultees:

LB Havering Parks Development team: Objection if access is via the parks to access the site for construction and any subsequent use.

LB Havering Strategic Property Services: Objection, if access is via Council owned land to access the site.

Place Services Built Heritage Consultant: No objection, I do not envisage any harm to the heritage assets.

Councillor Morgon has called in the application on grounds of inappropriate development within the Green Belt and lack of access to the property as it is land locked.

Councillor Whitney also raised verbal concerns regarding access and impact on the Green Belt.

RELEVANT POLICIES

Havering Local Plan
Policy 3 Housing supply
Policy 7 Residential design and amenity
Policy 10 Garden and backland development
Policy 24 Parking provision and design
Policy 26 Urban design
Policy 27 Landscaping
Policy 32 Flood management
Policy 33 Air quality
Policy 34 Managing pollution
Policy 35 On-site waste management

SPD - Residential Design (2010)

London Plan (2021)
Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D6 Housing quality and standards
Policy D11 Safety, security and resilience to emergency
Policy D14 Noise
Policy E7 Industrial intensification, co-location and substitution
Policy H1 Increasing housing supply
Policy H2 Small sites
Policy G2 London's Green Belt
Policy SI 1 Improving air quality
Policy SI 13 Sustainable drainage
Policy T6.1 Residential parking
Policy T7 Deliveries, servicing and construction

National Planning Policy Framework (2021)

5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land

MAYORAL CIL IMPLICATIONS

The proposals would be liable for contributions under CIL Regulations for both MCIL and HCIL based on any net increase in floor area. The liability would be considered further at Reserved Matters stage when the scale of development is known.

STAFF COMMENTS

The proposal is submitted in outline form with all matters pertaining to appearance, means of access, landscaping, layout and scale have been reserved.

The applicant has submitted indicative drawings indicating the location of the potential development, however, the layout, appearance, landscaping and scale are not formally part of the application under consideration but do lend information to indicate whether the quantum of

development sought can be created on this site in accordance with policies without compromising the amenities of neighbouring occupiers.

The main considerations in this case therefore relate to the principle of development and whether the site can accommodate the development of residential units and the associated infrastructure proposed.

GREEN BELT IMPLICATIONS

The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The London Plan notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality accommodation. The provision of additional accommodation is consistent with the NPPF and the objectives of the Havering Local Plan 2016-2031 which at Policy 3 is supportive of housing provision in sustainable locations. In addition the London Plan 2021 notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality at Policy H1 whilst also acknowledging that development should optimise housing output subject to local context and character within Policy D1.

Officers have reviewed historic aerial photography which shows that this part of the wider site in its former use was previously open landscaped land similar to its existing form. The proposed development would replace the existing soft landscaped area with 3 x 2 storey detached dwellings and offer a modest contribution to housing supply and delivery which would weigh in favour of the development. However the location of the site and the development proposed is considered to harm the openness of the Green Belt. The scheme would provide 3 market dwellings, result in urban sprawl within the Green Belt and would not meet the exceptions set out within paragraph 149 of the NPPF.

Having regard to the above and mindful of the provision of additional housing contributing to unmet need there is an in principle objection to the redevelopment of the site as it would result in inappropriate development within the Green Belt by failing to meet the exceptions set out and being contrary paragraph 149 of the NPPF, Local Plan policy 10 and London Plan policy G2.

DENSITY/SITE LAYOUT

Policy D6 (Housing Quality and Standards) of the London Plan advises that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. To that end the policy requires that new residential development conform to minimum internal space standards. There are set requirements for gross internal floor areas of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights. The minimum gross internal floor area requirements and room sizes takes into account commonly required furniture and the spaces needed for different activities and moving around.

New dwellings must also demonstrate an acceptable arrangement of private amenity space. The London Plan (2021) offers guidance on this matter in the sense that minimum standards are present in Policy D6. It states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.

These standards are reflected in the Havering Local Plan 2016-2031 at Policy 7 which requires

compliance with the space standards referenced above.

The indicative site plan provided is suggestive of plot size which would be capable of accommodating the required minimum amenity areas for each dwelling. In addition mindful of the plot size and the detached dwellings proposed, it is not envisaged that a scheme would not be capable of being designed to reflect, and most likely exceed, minimum internal spacing standards. The success of any subsequent reserved matters application would be reliant upon the massing of the development and consideration would need to be particularly given to design, layout and landscaping as well as the broader character impacts of such a relationship on the adjoining development to the west.

DESIGN/IMPACT ON STREET/GARDEN SCENE

Local Plan policy 26 states that the Council will promote high quality design that contributes to the creation of successful places in Havering by supporting development proposals that are informed by, respect and complement the distinctive qualities, identity, character and geographical features of the site and local area and respond to distinctive local building forms and patterns of development and respect the visual integrity and established scale, massing, rhythm of the building, frontages, group of buildings or the building line and height of the surrounding physical context.

Section 9 of the application form states the dwellings to be a 3 bedroom dwellings with all matters reserved and submitted drawing 02 states that they are 2 storey detached with a pitched roof design above.

The site layout locates the dwellings adjacent to Bushel Way although their orientation and position of the dwellings are not clear. The proposed dwellings would be detached they would appear intrusive and fragmented and would not contribute to the existing street scene when viewed from Gladiator Way to the west. The redevelopment of the previous site was carefully considered and the introduction of detached 2 storey dwellings would not respond positively to the building forms and patterns of the adjoining development and would harm the openness of the Green Belt.

The proposed 2 storey dwellings would fail to contribute positively to the surrounding landscaped environment of the adjoining parkland and in the absence of information to demonstrate otherwise the proposals would result in the loss of bio-diversity on this site. The proposed development would appear incongruous within its parkland setting and would appear overly dominant in the Green Belt and would harm the visual amenity of the surrounding area to the detriment of local character.

Overall, the proposed dwellings would, by reason of their location and associated height, bulk and massing would appear out of keeping with the character of the surrounding area and be harmful to the openness of the Green Belt. The development would form an incongruous and awkward feature within its setting and would be contrary to Local Plan policy 10 and 26, London Plan policy G2 and D3 and paragraphs 130 and 149 of the NPPF.

IMPACT ON AMENITY

Local Plan policy seeks to protect the amenity of existing and future residents the Council will support developments that do not result in:

- i. Unacceptable overlooking or loss of privacy or outlook;
- ii. Unacceptable loss of daylight and sunlight; and
- iii. Unacceptable levels of noise, vibration and disturbance.

For the reasons identified above, the proposed buildings would cause harm to the visual amenity of the area and result in inappropriate development harming the openness of the Green Belt.

However, with regard to privacy, outlook, sunlight and daylight levels and noise there would be no undue harm to neighbouring residents due to the relationships and separation distances involved and noting that the proposed site would be within residential use. Overall, the proposals would result in a loss of visual amenity contrary to Local Plan policy 26.

HIGHWAY/PARKING

Parking provision and matters of highway consideration are represented in Policies 23 and 24 of the Havering Local Plan 2016-2031. The PTAL rating for the site is 1b (very poor) which translates to relatively poor access to public transport. This would translate to a high provision of parking being required.

Public Transport Accessibility Levels (PTALs) are used by TFL to produce a consistent London wide public transport access mapping facility to help boroughs with locational planning and assessment of appropriate parking provision by measuring broad public transport accessibility levels. There is evidence that car use reduces as access to public transport (as measured by PTALs) increases. Given the need to avoid over-provision, car parking should reduce as public transport accessibility increases. London Plan Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity and that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport.

The proposals would require 4.5 off-street parking spaces to comply with the requirements of Local Plan policy 24. Although matters relating to access have been reserved. Noting the objections above, there are concerns with provision of vehicular access in this location which would most likely involve crossing a pedestrian pathway adjacent to Bushel Way and adjacent to a children's play area.

Furthermore, Officers also have serious reservations over the proposal's access rights given that the land at Bushel Way and the adjoining parkland is not within the Applicants ownership and access to the site cannot be guaranteed to be given. In this respect the Applicant proceeds at their own risk regarding achieving appropriate and inclusive access to the site in order to comply with Local Plan policy 10 and London Plan policies D5 and D6.

TREES

London Plan policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained.

There are existing trees outside the boundary of the site and it is not clear if the proposed buildings would be located within their root protection areas. No tree site survey or arboricultural method statement has been submitted to show if there would be a loss of trees of significant amenity value or to ensure that no harm comes to the roots or crown of the retained trees adjoining the application site during construction works. The development would be required to provide bio-diversity net gain to comply with Local Plan policy 27, 30, London Plan policy G6 and the NPPF.

As such in the absence of this information the proposals are contrary to Local Plan policy 27 and London Plan policy G7.

FLOOD RISK

The development would incorporate new areas of hardstanding to replace the existing soft landscaping and would have surface run off from the new buildings. The site is also adjacent to Flood Zones 2 and 3 to the east. Although these matters are reserved they would be considered further at Reserved Matters stage when the scale of development is known to ensure that the development would have a sustainable urban drainage system (SuDS) in place to comply with Local Plan policy 32 and London Plan policy SI 13.

KEY ISSUES/CONCLUSIONS

On the 30th May 2022, the Government issued Havering with an updated Housing Delivery Test result for 2021. The update takes account of the adoption of the Havering Local Plan in November 2021 and reflects the stepped housing targets set out with the Plan for the period 2016-2031. The updated Housing Delivery Test Result is 78%. In accordance with the NPPF the "Presumption" due to housing delivery therefore does not apply.

Based on the latest (2019) Housing Trajectory, Havering cannot currently demonstrate a five year supply of deliverable housing sites. The Havering Local Plan was found sound and adopted in 2021 in the absence of a five year land supply. The Inspector's report concluded:

"85. Ordinarily, the demonstration of a 5-year supply of deliverable housing land is a prerequisite of a sound plan in terms of the need to deliver a wide choice of homes. However, in the circumstances of this Plan, where the housing requirement has increased at a late stage in the examination, I ultimately conclude that the Plan, as proposed to be modified, is sound in this regard subject to an immediate review.

86. This is a pragmatic approach which is consistent with the findings of the Dacorum judgement. It aims to ensure that an adopted plan is put in place in the interim period before the update is adopted and the 5-year housing land supply situation is established."

The Council is committed to an immediate update of the Local Plan and this is set out in the Council's Local Development Scheme. An update to the trajectory is being prepared but there is no firm date for the work to be completed.

Therefore, in the meantime whilst the position with regard to housing delivery and supply is uncertain, consideration has been given to the effect of the tilted balance referred to in Paragraph 11(d) of the NPPF as if the presumption in favour of sustainable development outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) has been engaged.

Para 11(d) states that where the policies which are most important for determining the proposal are out of date, permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Fundamentally this means that planning permission should be granted 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.

The proposed development would offer a modest contribution to housing supply and delivery and this would weigh in favour of the development. However, paragraph 149 of the NPPF requires a local planning authority to regard the construction of new buildings as inappropriate in the Green Belt unless exceptions set out in para. 149 can be met. For the reasons outlined within this report the proposed development fails to meet the exceptions of para 149 and is unacceptable in regard to its resultant impact on openness of the Green Belt, loss of bio diversity

and character and appearance of the surrounding area, these are key aspects of sustainable development.

Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF.

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the following reason(s):

1. REFGB (Standard Green Belt reason for refusal)

The site is within the area identified in the Local Development Framework as Metropolitan Green Belt. Government Guidance as set out in the National Planning Policy Framework (Green Belts) states 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 new development will only be permitted outside the existing built up areas in the most exceptional circumstances. The development is inappropriate in principle in the Green Belt and no very special circumstances have been submitted in this case to outweigh the harm caused by reason of inappropriateness and visual harm to the character and openness of the Green Belt. The proposal is therefore contrary to paragraphs 130 and 149 of the NPPF, Local Plan policies 10 and 26 and London Plan policies D3 and G2.

2. Refusal non standard

The proposed dwellings by reason of their location and associated height, bulk, scale and massing in conjunction with the associated areas of hard-surfacing, would form a conspicuous, a visually intrusive form of development and incongruent feature in the area and would result in urban sprawl and significantly harm the open character of the Green Belt at this point. The proposal is therefore contrary to paragraphs 130 and 149 of the NPPF, Local Plan policies 10 and 26 and London Plan policies D3 and G2.

3. Refusal non standard

In the absence of a tree site survey and an arboricultural method statement it has not been demonstrated that trees of significant amenity value would be retained and that retained trees on adjoining land would be satisfactorily protected from construction impacts and site works during development stage. As such the proposals are contrary to Local Plan policy 27 and London Plan policy G7.

1 Refusal - No negotiation ENTER DETAILS

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to the Agent by email on the 10/08/22.

Authorising Officer: Raphael Adenegan
--

10-08-2022
