



# REGULATORY SERVICES COMMITTEE

29 January 2015

# REPORT

**Subject Heading:**

P1212.14 – 64 South Street, Romford

Ground floor side extension, alteration of existing buildings including removal of the front canopy, replacement shop fronts and full restoration of front elevation along with partial demolition and extension of existing building at first floor up to 4 storeys in height to produce 22 residential units comprising 10 x 1 bed, 11 x 2 bed and 1 x 3 bed units with 2 flexible ground floor A1/A2/A3 units with a cafe (A3) to the rear and louvered extract vents (application received 16/9/14).

**Ward**

Romford Town

**Report Author and contact details:**

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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**

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

## **SUMMARY**

This report concerns an application for a ground floor side extension, alteration of existing buildings including removal of the front canopy, replacement shop fronts and full restoration of front elevation along with partial demolition and extension of existing building at first floor up to 4 storeys in height to produce 22 residential units comprising 10 x 1 bed, 11 x 2 bed and 1 x 3 bed units with 2 flexible ground floor A1/A2/A3 units with a cafe (A3) to the rear and louvered extract vents.

A Section 106 Legal Agreement is required to secure a financial contribution in accordance with the Planning Obligations Supplementary Planning Document. The legal agreement will also ensure that a review of the viability of providing affordable housing shall be carried out within one year of the planning permission being granted and not implemented and every subsequent year until completion and any affordable housing (or equivalent contributions for off site provision) be provided based on the revised viability assessment to a maximum of 50%.

Staff consider that the proposal would accord with the residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. It is recommended that planning permission be granted subject to conditions and the completion of a Section 106 Legal 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 would be £22,620. This is based on the creation of 1131 sqm of new gross internal floor space.

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 review of the viability of providing affordable housing shall be carried out within one year of the planning permission being granted and not implemented and every subsequent year on the anniversary of the first viability assessment until completion and any affordable housing (or equivalent contributions for off site provision) be provided based on the revised viability assessment to a maximum of 50%. The developer/owner will bear the costs of the Council commissioning an independent viability assessment of the annual reviews of viability and the viability assessment

and independent viability assessment will apply the methodology either of the Economic Assessment Tool (EAT) as issued by the Homes and Communities Agency OR the Argus Developers Toolkit (Argus).

- A financial contribution of £132,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document.
- Save for Blue Badge holders to prevent any residential occupiers from obtaining residents parking permits for any existing or future controlled parking zones or residents' parking schemes within the area.
- 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 to pay the Council's reasonable legal costs associated with the agreement, prior to completion of the agreement, irrespective of whether the 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 hereby permitted shall not be commenced 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. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s), including the replacement sash windows on the front of the building, 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 comply with Policy DC61 of the Development Control Policies Development Plan Document.

3. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans as listed on page 1 of this 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. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Flank windows - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification no window or other opening (other than those shown on the submitted 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.

5. 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. The scheme shall include the landscape treatment of the courtyard. 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:** 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

6. Refuse and recycling - Before the development hereby permitted commences, details of the proposed refuse storage and recycling facilities to be provided at the site for the use, together with arrangements for refuse disposal and details of recycling and collection shall be submitted to and approved in writing by the Local Planning Authority. The facilities as approved shall then be provided at the site prior to the commencement of the use and retained at the site thereafter in accordance with the approved drawings at all times.

**Reason:** In order to ensure that any such facilities respect the visual amenity of the locality, and the amenity of surrounding residents.

7. Cycle storage – Prior to completion of the development 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 prior to first occupation of the development for residential purposes 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.

8. Odours and odorous material - Before the A3 use hereby approved commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system with the additional use of carbon filters in accordance with a scheme to be designed and certified by a competent engineer and after installation a certificate to be lodged with the Planning Authority.
  1. Control may include fine filtration or ESP followed by carbon filtration (carbon filters rated with 0.4-0.8 second residence time)
  2. Fine filtration or ESP followed by carbon filtration and by counteracting/neutralising system to achieve the same level of control as 1.
  3. Fine filtration or ESP followed by UV ozone system to achieve the same level of control as 1.
  4. Fine filtration or ESP followed by wet scrubbing to achieve the same level of control as 1. Maintenance must be carried out to ensure these performance levels are maintained. Thereafter, the equipment shall be properly maintained and operated within design specifications during normal working hours.

**Reason:** To protect the amenity of occupiers of nearby premises.

9. Secured by Design - Prior to the commencement of the development hereby approved 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, the development shall be carried out in accordance with the agreed details.

**Reason:** In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

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 - 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.

12. Land contamination - (1) Prior to the commencement of any works or occupation of the site, 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 Scheme) 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:** To protect those engaged in construction or occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

- 13. Land contamination - (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:** To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

- 14. External lighting - No development shall take place until a scheme for external lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the commencement of the hereby approved development and permanently maintained in accordance with the approved details.

**Reason:** In the interests of security and residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

15. Vehicle cleansing - No development shall take place until a scheme of vehicle cleansing has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details, which shall be retained for the life of the development. 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 breakdown 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:** 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.

16. Highway interface at Exchange Street/Arcade Place - The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway shall be entered into and completed prior to the commencement of the development.

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

17. Hours of Use – The A1/A2/A3 units and café hereby permitted shall not be used for the purposes hereby permitted other than between the hours of



08:00 and 24:00 on any day without the prior consent in writing of the Local Planning Authority.

**Reason:** To enable the Local Planning Authority to retain control in the Interests of amenity, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

18. Delivery and servicing hours - No deliveries or servicing of the non-residential elements of the development shall take place other than between the hours of 06:00 and 22:00 any day without the prior consent in writing of the Local Planning Authority.

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

19. Delivery and servicing plan –Prior to commencement of the development hereby approved a delivery and servicing plan (DSP) shall be submitted to and agreed in writing by the Local Planning Authority. The DSP shall include details of the servicing arrangements including the exact location, times and frequency of deliveries and collections, vehicle movements, silent reversing methods and quiet loading/unloading measures. The development shall thereafter be operated strictly in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the amenity of occupiers of the development and surrounding premises are not adversely affected by noise, in the interests of pedestrian and highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC36.

20. Insulation – Before the commercial use commences, the walls and ceiling of the ground floor of the building shall be insulated in accordance with a scheme which shall previously have been approved by the Local Planning Authority in order to secure a reduction in the level of noise emanating from it and it shall be effectively sealed to prevent the passage of odours through the structure of the building to other premises and dwellings.

**Reason:** To prevent noise and odour nuisance to adjoining properties.

21. Noise levels - Before any works commence, a scheme for any new plant or machinery 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 and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

**Reason:** To prevent noise nuisance to adjoining/adjacent properties.

22. Sound insulation – The building(s) shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum values) against airborne noise and 62 L'nT, w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

**Reason:** To prevent noise nuisance to adjoining properties.

23. Noise - Before any development is commenced, a scheme for protecting the proposed dwellings from noise amplified music and raised voices from existing music venues in South Street (including 72-74 South Street, 87-89 South Street and 105-111 South Street) shall be submitted to and approved by the Local Planning Authority. Any works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.

**Reason:** To prevent noise nuisance to adjoining/adjacent properties.

24. Noise and vibration - Before the uses commence, a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

**Reason:** To protect the amenity of occupiers of nearby premises.

25. Piling – No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason:** The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement.

26. Methodology for proposed works – Before any of the development hereby permitted is commenced; a methodology for the proposed repair and restoration works to the front of the building shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed in accordance with the approved methodology. The repair and restoration works approved shall be carried out prior to the first occupation of the new residential units.

**Reason:** To preserve the character and appearance of the locally listed building and its setting and comply with Policies DC61 and DC67 of the Development Control Policies Development Plan Document and the Heritage Supplementary Planning Document.

## INFORMATIVES

1. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: Improvements required to make the proposal acceptable were negotiated and submitted, in accordance with para 186-187 of the National Planning Policy Framework 2012.

2. 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 £22,620. 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. Further details with regard to CIL are available from the Council's website.

3. Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £97 per request is needed.

4. 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](mailto:DOCOMailbox.NE@met.police.uk) or 0208 217 3813 . They are able to provide qualified advice on incorporating crime prevention measures into new developments.

5. 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 as 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.

6. 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 1991 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. Please note that unauthorised work on the highway is an offence.

7. 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. Please note that unauthorised use of the highway for construction works is an offence.

8. Surface Water Drainage – 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.

9. The applicant is advised to have regard to the following guidance provided in:

- The Food Industry Guides to Good Hygiene Practice:
- Workplace, Health, Safety and; Welfare Approved Code of Practice L24 ISBN 0-7176-0413-6 available to order from book shops.
- Further information is available at the following web sites:
- Food safety – [www.food.gov.uk/foodindustry/](http://www.food.gov.uk/foodindustry/)
- Occupational safety & health – [www.hse.gov.uk](http://www.hse.gov.uk)

Applicants have found it beneficial to consider the items below before final detailed plans are produced

1. provision of suitable outside bin storage
2. provision of a grease trap on the foul drainage
3. proper storage and disposal of waste oil
4. vehicle and pedestrian routes when loading and unloading
5. vehicle and pedestrian routes for customers

Finally, food premises must be registered with the Environmental Health Department at least 28 days before opening. It is an offence for premises to trade without registration. A registration form is available from our office or at our website: [online.havering.gov.uk/officeforms/licence\\_food\\_business.ofml](http://online.havering.gov.uk/officeforms/licence_food_business.ofml) .

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.

## REPORT DETAIL

### **1. Site Description:**

- 1.1 No. 64 South Street is a locally listed building situated within Romford town centre. Whilst outside the boundary of the conservation area, the building is considered to make a positive contribution to the street scene. The property was originally the Romford Post Office, built in 1902, in red brick with stone dressings to the windows and doors, and two prominent decorative stone gables which display King George V's monogram just below the parapet level.
- 1.2 The site lies within Romford Town centre, the building is vacant and was formerly used as a nightclub and entertainment venue with redundant kitchens/staff rooms, ancillary areas, staff facilities and storage rooms. The building has been altered from its original construction by the addition of a projecting front canopy with signage, replacement timber shop fronts, and demolition of an original entrance porch.
- 1.3 The wider locality is predominantly commercial in character, with the Liberty Shopping Centre opposite the site and the Brewery development to the rear. There are residential units above commercial spaces in South Street; these are accessed from the rear in Exchange Street.

### **2. Description of development:**

- 2.1 The application is for a ground floor side extension, alteration of existing buildings including removal of the front canopy, replacement shop fronts and full restoration of front elevation along with partial demolition and extension of existing building at first floor up to 4 storeys in height to produce 22 residential units comprising 10 no. one bed, 11 no. two bed and 1 no. three bed units with two flexible ground floor A1/A2/A3 units with a cafe (A3) to the rear and louvered extract vents.
- 2.2 The original building would be converted to provide 2 flexible A1/A2/A3 units at ground floor with 22 residential units above. The proposal includes an A3 café onto Exchange Street at the rear of the site. The front facade of the building would be restored and repaired and includes the following works:

removal of the existing projecting canopy onto South Street and replacement shop fronts. The existing stone facade and brickwork would be repaired and made good and the timber sash window frames on the front elevation of the building would be refurbished or replaced. There would be a glass box side extension facing South Street, in place of the existing extended shop front, this serves as access to the residential units on the upper levels.

2.3 The building would be arranged as follows:

Ground floor: two flexible A1/A2/A3 units measuring 393 square metres and 453 square metres respectively. These have access onto South Street and are serviced from Exchange Street. Condition 8 of planning application P1407.97 states that the premises shall be used for either A1 or A3 purposes. This application seeks consent for the provision of two A1/A2/A3 units. There is a communal entrance for the flats from South Street with a staircase and lift. To the south is an extension giving access for the upper floors via a staircase and lift and additionally provides an area for the meters, refuse/recycling and 30 cycle spaces. This is arranged independently from the two A1/A2/A3 units. There is an A3 café on the ground floor on the corner of Exchange Street with a flat on the first and second floors (Flats 11 and 16).

2.4 First floor: Both communal entrances (with stairs and lifts) lead to a first floor central courtyard that is landscaped and 8 cycle spaces. There are 11 flats on the first floor (Flats 1-11). There are three duplex flats– No.'s 8, 9 and 10 with accommodation on the first and second floors. Flats 6, 7 and 11 have balconies.

2.5 Second floor: At second floor there are 5 flats (Flats 12-16) with balconies/terraces (not including the duplex flats). These are accessed from an external walkway over the raised podium of the first floor and share the same access staircases and lifts. Flats 12 and 13 have a private terrace set behind the parapet wall of the post office building.

2.6 Third floor: In an extension over the post office building to create a fourth level of accommodation, there are a further 2 no. 1 bedroom flats that face onto South Street (Flats 17 and 18). These are accessed from a third floor level external walkway accessed from a staircase and lift. Both of these flats have provision for an east facing roof terrace, which are set behind the pitched roof of the post office building. There is a 1 no. 1 bedroom flat and 1 no. 2 bedroom flat (Flats 19 and 20) with balconies that face onto Exchange Street and are accessed from a third floor level external walkway accessed from a staircase and lift.

2.7 Fourth floor: There is 1 no. 1 bedroom flat and 1 No. two bedroom flat (Flats 21 and 22) with balconies that face onto Exchange Street and are accessed from a fourth floor level external walkway accessed from a staircase and lift.

### **3. Relevant History:**

- 3.1 P0484.13 - Ground floor side extension, alteration of existing buildings including removal of front canopy, replacement shop fronts and full restoration of front elevation. Partial demolition and extension of existing building to the rear at first floor up to 5 storey's in height to produce 29 residential studio, one and two bed flats and 2 flexible A1/A2/A3 units and 1 A3 unit and louvered extract vents – Refused.

Q0223.12 – Discharge of conditions 3, 4, 6, 7, 8 and 9 of P1914.11 – Discharged in part.

P0036.12 – Part change of use from A3 to A3/A5 – Refused.

P1692.11 – Alterations to shop front – Withdrawn.

P1914.11 - Alteration of existing buildings including removal of front canopy, replacement shop fronts and full restoration of front elevation. Extension of existing building to the rear at first floor up to four storeys in height to produce 9 no. 1 and 2 bedroom flats and 4 self-contained office units – Approved with conditions.

P0640.11 - Alterations to shop front and variation of Condition 1 of P0762.00 to extend opening hours from 08.00-03.20 Friday and Saturday and 08.00-02.20 all other days, to 08.00-04.30 Thursday to Saturday and 08.00-03.30 Sunday to Wednesday – Refused.

P1364.10 - Variation of condition 1 of P0762.00 for the permanent retention of opening hours 0800 to 0320 (the following morning) on Fridays and Saturdays, and 0800 to 0220 on all other days- Approved.

A0088.09 - 3 No. illuminated fascia signs and 4 No. menu cases – Approved.

P1104.09 - Variation of Condition 1 of planning permission P0762.00 to allow hours of opening 08:00 to 03:20 Friday and Saturday the following morning – Approved.

P0175.09 - Variation of Condition 1 of planning permission P0762.00 to extend opening hours from 08:00-02.20 every day - Approved.

P1407.97- Change of use to a Brannigans live entertainment venue together with additional building at first floor – Approved.

### **4. Consultations/Representations:**

- 4.1 The occupiers of 48 neighbouring properties were notified of this proposal. No letters of representation have been received.

- 4.2 The Fire Brigade is satisfied with the proposals. No additional fire hydrants are required. Due to the design of the flats, two fire mains may be required.
- 4.3 Environmental Health – Recommend eight conditions if minded to grant planning permission.
- 4.4 The Highway Authority has no objections to the proposals and recommends one condition and three informatives if minded to grant planning permission. It is requested that a Section 106 Legal Agreement is secured to prevent any residential occupiers from obtaining residents parking permits for any existing or future controlled parking zones or residents' parking schemes within the area. There is proposed refuse, cycle storage and secondary pedestrian access from Exchange Street. No objections, are raised to this although Highways note that the footway is extremely narrow at this location and may not be accessible for some users. In respect of the junction of Exchange Street/Arcade Place, it is proposed to open up the Arcade Place aspect to the site to create the new commercial unit. The drawings apparently show footway widening and should be discussed with Highways as it appears some small areas are adoptable. In any case, there are potential interface issues with the highway which are likely to require a licence or agreement with the Council to facilitate.
- 4.5 Thames Water – Recommend a condition regarding piling if minded to grant planning permission.
- 4.6 Designing Out Crime Officer – Recommend a condition and an informative if minded to grant planning permission.
- 4.7 StreetCare Department – There is good access via Exchange Street. The doors on the bin stores need to be adequately wide enough for easy removal and return of the bins, preferably 2m with a drop kerb. The residential bin store needs to be able to hold a minimum of 4 x 1100 litre bins, three for refuse plus one for recycling. The commercial bin store would need to hold a similar amount.
- 4.8 Essex & Suffolk Water – No objection to the conversion of the property to form separate residential flats together with cafes and A1/A2 units subject to compliance with requirements. Consent is given to this development on the condition that a new metered water connection is made onto the Company's network for each new dwelling.

## **5. Relevant Policies**

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP8 (Community Needs), CP17 (Design), 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), DC11 (Non-designated sites), DC32 (The road network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36



(Servicing), DC40 (Waste recycling), DC53 (Contaminated land), DC55 (Noise), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places), DC67 (Buildings of heritage interest) and DC72 (Planning Obligations) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered material together with the Design for Living Supplementary Planning Document, the Landscaping Supplementary Planning Document, the Heritage SPD, the shopfront SPD and the Planning Obligations Supplementary Planning Document.

- 5.2 Policies ROM8 (Day and evening economy), ROM10 (Retail Core), ROM14 (Housing supply), ROM15 (Family accommodation) and ROM20 (Urban design) of the Romford Area Action Plan are relevant.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes) and 3.13 (Affordable housing thresholds), 6.13 (parking), 7.1 (building London's neighbourhoods and communities), 7.13 (safety, security and resilience to emergency), 7.4 (local character) and 8.3 (Community infrastructure levy) of the London Plan are relevant in addition to the Use of Planning Obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy Supplementary Planning Guidance.
- 5.4 The National Planning Policy Framework is a material planning consideration.

## **6. Staff Comments:**

- 6.1 This proposal follows a previous application P0484.13 for a ground floor side extension, alteration of existing buildings including removal of front canopy, replacement shop fronts and full restoration of front elevation. Partial demolition and extension of existing building to the rear at first floor up to 5 storey's in height to produce 29 residential studio, one and two bed flats and 2 flexible A1/A2/A3 units and 1 A3 unit and louvered extract vents, which was refused on 5<sup>th</sup> December 2013 for the following reasons:

1) The height, scale, bulk and mass of the six storey block would appear overbearing, dominant and visually intrusive in the streetscene harmful to the character and appearance of the surrounding area contrary to Policy ROM19 of the Romford Area Action Plan and Policies DC61 and DC66 of the LDF.

2) The proposed layout of the development would be inadequate resulting in substandard accommodation for future residents through open plan living and bedroom space, lack of privacy, overlooking, poor outlook and light, noise and restricted internal areas contrary to Policies DC3, DC4 and DC61 of the LDF Core Strategy and Development Control Policies DPD and London Plan Policy 3.5.

3) In the absence of a mechanism to secure a planning obligation towards the infrastructure costs of new development the proposal is contrary to the provisions of the Havering Planning Obligations Supplementary Planning Document and Policy DC72 of the LDF Core Strategy and Development Control Policies DPD.

4) The proposed development makes no provision for affordable housing contrary to Policy DC6 of the LDF and Policies 3.12 and 3.13 of the London Plan.

6.2 The current application differs from the refused scheme in the following key areas:

- The extension to the existing building has been reduced from six to five storeys in height.
- The number of flats has been reduced from 29 to 22.
- The previous application (for 29 flats) included 7 studio flats, which have been deleted from this current proposal.
- An Affordable Housing Statement has been submitted.
- A revised noise assessment has been submitted.
- The internal layout of the flats and the amenity space provision have changed.

6.3 The issues for consideration in this case are the principle of development, density, layout, design and restoration of the locally listed building, impact upon residential amenity, highway and parking.

## 6.2 Principle of Development

6.2.1 The development proposes a mixture of commercial and residential accommodation. The site lies within Romford Town Centre, where ROM14 of the Romford Area Action Plan acknowledges a general presumption in favour of housing provision within the town centre. ROM15 states that there is a need within the urban part of the Romford PTAL zone for development to include family accommodation incorporating two or more bedrooms, or provision of family accommodation at ground floor level with enclosed private amenity space within a flat or maisonette development.

6.2.2 Policy CP1 indicated that, due to high levels of housing need, it is important to meet the needs for new housing and gives a target for a minimum of 535 homes to be built per year. Policy 3.3 of the London Plan indicates that Havering should have a minimum 10 year target of an additional 9,700 new homes (or 970 per year) to be built on sites which are not designated for other purposes. The principle of residential development on this site is therefore considered acceptable.

6.2.3 Condition 8 of planning application P1407.97 states that the premises shall be used for either A1 or A3 purposes. For this proposal, commercial space would be retained at ground floor and would be for a flexible A1/A2/A3 use with a café to the rear. The premises was previously used for A3 purposes,

therefore, if the two units were to be used for an A3 use, this would not result in any greater material harm to the vitality and viability of Romford town centre. In the event that the units are used for A1 or A2 purposes, Staff consider that this would be more beneficial to the viability of the town centre. The current layout of the facility is not appealing to current retailers, and it is proposed to reconfigure the ground floor to provide two conventionally shaped units which should be more attractive to prospective retailers. Staff consider that this is in line with ROM10 which promotes larger, high quality retail units within South Street.

### **6.3 Density and site layout**

- 6.3.1 The site is located within a high ranked Public Transport Accessibility Zone (PTAL 5-6). Within this zone, Policy DC2 refers to housing density of between 240-435 dwellings per hectare. The site has an area of 0.1 hectares and the proposal for 22 residential units would have a density of 220 dwellings per hectare, which is below the range, although this is only one part of the assessment.
- 6.3.2 Policy 3.5 of the London Plan states that DPD policies should offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups. Policy DC2 also recommends a mix of housing types. In this instance, a mixture of 1, 2 and 3 bedroom flats are proposed.
- 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. To this end Policy 3.5 seeks that new residential development conforms to minimum internal space standards set out in the plan. Table 3.3 states provides the following standards for flats: 1 person, 37 square metres, 1 bed, 2 person units, 50 square metres. 2 bed, 3 person units, 61 square metres and for 2 bed, 4 person units, 70 square metres. The floor area of the flats is in accordance with the London Plan standards and therefore acceptable.
- 6.3.3 In respect of amenity space provision, the Council's Residential Design SPD recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. There are no space standards for amenity space, however, all dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses. The Residential Design SPD Document states that balconies should be incorporated into all developments and should as a minimum, be 1.5 metres in depth and 5 square metres in overall size to allow adequate space for a table and chairs.

- 6.3.4 A communal courtyard is provided at first floor, this would be landscaped and measure approximately 105 square metres. This courtyard would be set above the main ground floor activity in South Street and screened from surrounding uses. Staff consider that this would provide a secluded high quality communal amenity area, which can be accessed by all flats. Flats 1-10 have a segregated front garden. Flats 6-22 would have private amenity space in the form of balconies, terraces or courtyards. It is considered that the proposed development provides sufficient amenity space provision.
- 6.3.5 In terms of layout policy DC4 states that subdivided or converted residential units should have a safe secure access form the street and decent outlook and aspect. The residential units are accessed from South Street via a new glazed extension which would infill the gap currently taken up by the extended club shop front between the original post office building and adjacent building. There is also a second access for the flats to the rear of the building in Exchange Street. Both the front and rear entrances provide safe and secure access.
- 6.3.6 It is considered that flats 1-5, 8-10, 12-13, 17-18 would have a reasonable outlook and aspect. The internal layout of these flats has changed from the previous submission and as such, Staff consider that the proposal provides a good quality of living accommodation for future occupiers. Flats 6, 7, 11, 14-16, 19-20 and 21-22 would front onto The Brewery buildings, multi-storey car park and access road in Exchange Street. A revised noise assessment has been submitted and reviewed by the Council's Environmental Health Department, which has advised that the proposal can satisfy the council's noise standards with regards to internal noise levels for both bedrooms and living rooms subject to certain conditions if minded to grant planning permission. Notwithstanding this, Staff have some concerns in respect of flats 6, 7, 11, 14- 16, 19-20 and 21-22 regarding the quality of living accommodation for future occupiers by reason of the poor outlook, light and high noise levels given their proximity to the servicing areas of the commercial units at The Brewery and this is a matter of judgement for Members.

#### **6.4 Design/impact on street/Garden scene**

6.4.1 The development is formed from three key principles; the first is the restoration of the locally listed South Street facade, the second is the development of a shared internal courtyard and third, the partial demolition and extension of the existing building to the rear at first floor up to four storey's in height facing Exchange Street. Each of these is discussed in turn.

i) Restoration of locally listed South Street facade:

6.4.2 ROM20 of the Romford Area Action Plan states that high quality design-led development will be required. The proposals here include the restoration of the locally listed facade of the former post office. This includes the removal of the projecting canopy, replacement shop fronts; refurbishing or replacing the

timber sash window frames on the front elevation, cleaning and repair of the stone work and brickwork; installation of roof lights into the grey slate roof and general repair of the building.

6.4.3 This is a highly prominent building in the streetscene which, at present, is characterised by unsympathetic alterations. The proposals to renovate and conserve the building facade are welcomed by Staff as this would make a significant positive contribution to the character and appearance of South Street. It would also revitalise a historically important building, worthy of preservation.

6.4.4 Historic photographs reveal that the ground floor was originally arranged with tall slender windows with ornate stone portico. Unfortunately, none of these original details survive. The existing heavy timber shop fronts have a dated appearance and detract from the original proportions of the building. It is proposed to replace these with large glazed frontages within slim powder coated aluminium frames. This would provide the contemporary appearance of a modern town centre retail unit. A stone frame would be installed around the edge of the shop fronts to match the existing stone work. These works, whilst contemporary in nature are considered to be of a high quality which would restore the elegant proportions of the building.

6.4.5 Staff consider that these materials proposed are acceptable, however, samples can be requested via condition if minded to grant planning permission. A method statement for the works to the front of the building can be secured by condition, as it is currently unclear how much repair work is required or what damage to the building has been caused with the installation of the canopy and existing shop fronts.

6.4.6 The removal of the existing shop fronts would include the extension which infills the gap between main building and No. 66 South Street. This would be replaced with a glass fronted extension which would serve as the residential entrance. This has a highly contemporary appearance and it would also allow for the original flank elevations of the post office building to remain visible. This is recessed by a couple of brick courses from the main shop fronts so that it appears a subordinate feature to the building. The contemporary appearance and use of glass would also complement the stone work and glazing within the restored post office building and provide a positive contribution to the appearance of South Street. In public realm terms, Staff consider that the restoration of the building would make a significant improvement to the general appearance of the streetscene and serve as a catalyst for regeneration for improvement works in South Street.

ii) Courtyard

6.4.7 The existing site behind the post office building is filled with a large pitched roof that was added as an extension some years ago. This covers the bar and dance floor areas and is not an original feature, it is also visible across roof tops in Exchange Street and appears to be in a poor condition needing

repair. It is proposed to remove this large area of pitched roof to create a first floor open courtyard. This would not be visible from either South Street or Exchange Street. The courtyard is shown indicatively as being heavily landscaped, similar to a roof garden. There would be timber and zinc cladding to the internal courtyard. This represents a change in style from the traditional facade. These courtyard facing elevations would not be visible from public view points. Staff consider that they are of a high quality contemporary appearance. The timber cladding is also likely to remain in good condition as it would be protected unlike a traditional exposed timber clad facade. This would provide an area of tranquillity and green space in a busy town centre. Samples of all materials and a scheme for the landscape treatment of the courtyard can be secured by condition if minded to grant planning permission. To the southern boundary of the courtyard, three flats would be created on both the first and second floors.

iii) Exchange Street

6.4.8 Turning to the rear of the site, the existing site presently has a collection of extensions and alterations to the building which have an untidy appearance. This is typical of buildings in Exchange Street which have been developed over time. The proposal to construct an A3 unit with flats on the first and second floors would result in a three storey block on the corner of Exchange Street. This three storey extension is shown as being clad in timber and zinc. The areas of timber are punctuated with zinc cladding which breaks up the elevation. It is considered that the contemporary use of materials for this three storey block is acceptable.

6.4.9 The proposal includes the construction of a five storey block facing Exchange Street with retail (A1/A2/A3) accommodation on the ground floor and flats on the upper floors. The extension to the existing building has been reduced from six to five storeys in height and Staff consider that it would integrate satisfactorily with the streetscene.

**6.5 Impact on amenity**

6.5.1 The existing premises has an authorised use for a bar until 03:20am on Fridays and Saturdays and until 02:20am all other nights. Representations received from the Council's Designing Out Crime Officer state that the site is located with the Romford Town Ward which suffers from significantly higher rates of all types of crime (burglary, criminal damage, drug offences, robbery, theft and handling and violence) than is average for the borough. The proposed development lies in the centre of the main shopping and night life area in Havering and the crime rates are considerably higher than average. Consequently the safety of residents, employees and visitors to the development and the security of the dwellings and commercial units is of considerable importance.

6.5.2 It is considered that the removal of this facility to provide flexible A1/A2/A3 units with residential accommodation above would remove problems which

the site previously created in terms of community safety and help towards reducing the existing concentration of late night establishments in South Street. The premises are currently vacant and it is not considered that the removal of this facility would lead to an adverse impact upon the night time economy of Romford, where there are other numerous restaurants, bars and public houses. There are numerous residential units in close proximity to the application site. Staff consider that the removal of the existing authorised late night use would result in an improvement of residential amenity.

- 6.5.3 The site would have a mixed use, incorporating A1/A2/A3 use at ground floor and residential on the first to fifth floors. Exchange Street serves as a servicing and access road for both South Street and the Brewery development. This street regularly has large delivery vehicles parked and air conditioning units and ventilation equipment fronting onto it and as such has high ambient noise levels. A revised noise assessment has been submitted and reviewed by the Council's Environmental Health Department, which has advised that the proposal can satisfy the council's noise standards with regards to internal noise levels for both bedrooms and living rooms subject to certain conditions if minded to grant planning permission. Notwithstanding this, Staff have some concerns regarding the quality of living accommodation for future occupiers for flats 6, 7, 11, 14- 16, 19-20 and 21-22 by reason of the poor outlook, light and high noise levels given their proximity to the servicing areas of the commercial units at The Brewery and this is a matter of judgement for Members.
- 6.5.4 Given this is a town centre location, ambient noise levels will naturally be higher than other locations, although staff consider that the screened first floor courtyard would provide an area of relative seclusion and quiet away from the activity from surrounding uses.
- 6.5.5 The opening hours for the flexible A1/A2/A3 use and café to the rear of the site are proposed to be between 08:00 and 24:00 on any day. Given that the site is located within Romford town centre, Staff consider these opening hours to be acceptable and they can be secured by condition if minded to grant planning permission.
- 6.5.6 The flats in the five storey block would have views over Exchange Street, which has several rear accesses to residential units in South Street. There would be no direct overlooking of other properties in this instance and this raises no objection from Staff.
- 6.5.7 Environmental Health has recommended conditions regarding sound insulation and the transmission of noise from any new plant, machinery and equipment to ensure that this equipment does not result in noise nuisance.

## **6.6 Highway/parking issues**

- 6.6.1 The site has a PTAL level of 5-6 in an urban setting, where in this locality a parking level of less than 1 space per unit should be provided. This is echoed in the London Plan, where Policy 6.13 encourages parking of less than 1 space per unit for flatted developments. The proposed development would provide no off street parking for the A1/A2/A3 units, café or the residential accommodation. Staff consider that a car free scheme would be acceptable in this location, provided the ability to prevent any residential occupiers from obtaining residents parking permits for any existing or future controlled parking zones or residents' parking schemes within the area is removed, with the exception of blue badge holders. This can be secured by a legal agreement if minded to grant planning permission.
- 6.6.2 On street car parking is controlled in this location and across the town centre, and it is considered that there would be no significant additional demand for on street parking given the level of surrounding provision available, which is listed as follows: Liberty Centre – 850 spaces, The Mall – 996 spaces, Brewery multi storey and surface – 1406 combined spaces, Angel Way – 500 spaces and the Town Hall – 61 spaces.
- 6.6.3 There are 30 cycle spaces on the ground floor, which are accessed from Exchange Street and there are 8 cycle spaces on the first floor. Cycles would need to be brought to the first floor using the stairs or lifts. Staff consider the arrangement to be acceptable, but require further details by condition.
- 6.6.4 The A1/A2/A3 units would be serviced from Exchange Street. This raises no objection, as this is a servicing road which serves adjacent units in South Street and the Brewery development opposite. The residential units are allocated an area for refuse and recycling storage off the communal entrance to the rear of the ground floor. Refuse stores have also been provided for the retail units adjacent to Exchange Street. All refuse will be collected from Exchange Street. A condition can be placed regarding a refuse management plan if minded to grant planning permission.

## **7. Lifetime homes and mobility housing**

- 7.1 Policy DC7 states that 10% of all new homes on sites of 15 or more dwellings and on residential sites of 0.5 hectares or more irrespective of the number of dwellings must be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Flats 4 and 5 are fully wheelchair accessible, meeting the 10% requirement and Flats 6, 19, 24 and 28 are capable of adaption to wheelchair use.

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

- 8.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. It is also liable for a Crossrail contribution under the terms of the Mayor's Crossrail



SPD April 2013 as it lies within 1km of Romford Station. The Mayor's Crossrail SPD applies to retail, office and hotel development. The retail development of the proposal would be subject to the Mayor's Crossrail SPD. As the retail element would be significantly less than the residential element of the proposal, the Community Infrastructure Levy would result in a greater payment.

- 8.2 The existing building has been in use as a nightclub (with ancillary areas) during six of the last 36 months prior to this application being determined. Therefore, 393 square metres of the gross internal floor space of the building that is being demolished can be deducted from the gross internal floor area of the proposed development. 62 and 1462 square metres of gross internal floor space is proposed for the A3 café and the proposed flats respectively, which cumulatively totals 1524 square metres.  $1524 - 393 = 1131$  square metres. On this basis, CIL would be payable at £22,620 (subject to indexation),  $£20\text{sq.m} \times 1131 = £22,620$ .

## 9. **Affordable Housing**

- 9.1 Policy DC6 states that in determining planning applications for private residential schemes, including sheltered housing, the Council will seek the maximum reasonable amount of affordable housing having regard to the borough wide target and tenure split of 70:30 between social housing and immediate forms. This will apply on sites with a capacity to accommodate 10 or more dwellings and on residential sites of 0.5 hectares or more irrespective of the number of dwellings. In this instance, the proposal does not make any provision for any affordable housing, which is contrary to Policy DC6 of the LDF and London Plan Policies 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes) and 3.13 (Affordable housing thresholds). The agent has submitted an Affordable Housing Statement, which has been independently assessed. The independent assessment has ascertained that the viability of providing affordable housing is currently marginal, but is likely to improve in the near future. The agent has agreed to sign a legal agreement that the viability be reassessed at the time of commencement and any affordable housing be provided based on the revised viability assessment to a maximum of 50% (if minded to grant planning permission), which is acceptable.

## 10. **Planning Obligations**

- 10.1 A Section 106 Legal Agreement is required to secure a financial contribution of £132,000 to be used towards infrastructure costs in accordance with Policy DC72 and the Planning Obligations Supplementary Planning Document.

## 11. **Conclusion**

- 11.1 Staff consider the site to be acceptable in principle for a ground floor side extension, alteration of existing buildings including removal of the front

canopy, replacement shop fronts and full restoration of front elevation along with partial demolition and extension of existing building at first floor up to 4 storey's in height to produce of 22 residential units with a cafe (A3) to the rear and louvered extract vents. It is considered that the siting, design and scale of the proposal is compatible with the prevailing scale and character of development within the locality. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would provide suitable amenity provision for future occupiers. Staff have some concerns regarding the quality of living accommodation for future occupiers for flats 6, 7, 11, 14- 16, 19-20 and 21-22 by reason of the poor outlook, light and high noise levels given their proximity to the servicing areas of the commercial units at The Brewery and this is a matter of judgement for Members. The proposal is judged to be acceptable in respect of potential impact on adjacent residential properties subject to the imposition of planning conditions. There would be a financial contribution of £132,000 towards infrastructure improvements. Subject to the completion of a legal agreement the scheme is considered to be acceptable. The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None.

### **Legal implications and risks:**

Legal resources will be required for the drafting of a legal agreement.

### **Human Resources implications and risks:**

None.

### **Equalities implications and risks:**

The Council's planning policies are implemented with regard to Equalities and Diversity. The scheme includes wheelchair accessible units and is designed to Lifetime Homes standards.

## **BACKGROUND PAPERS**

Application forms and plans received 16/09/2014.