



REGULATORY SERVICES COMMITTEE

25 August 2016

REPORT

Subject Heading:

P0110.16: Morland House, 12 Eastern Road, Romford

Construction of roof extension to create two additional floors comprising 8no. new residential flats. (Application received 27 January 2016)

Ward:

Romford Town

Lead Officer:

**Helen Oakerbee
Planning Manager**

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

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

SUMMARY

The proposal is for the construction of a roof extension to create two additional floors comprising 8no. new residential flats.

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

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

RECOMMENDATIONS

That it be noted that proposed development is liable for the Mayors Community Infrastructure Levy (CIL) in accordance with London Plan Policy 8.3. The applicable fee is based on 315 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £6,300 Mayoral CIL payment (subject to indexation).

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

- A financial contribution of £48,000 to be used for educational purposes.
- All contribution sums shall include interest to the due date of expenditure and all contribution sums to be subject to indexation from the date of completion of the Section 106 agreement to the date of receipt by the Council.
- Save for the holders of blue badges that the future occupiers of the proposal will be prevented from purchasing parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- The Developer/Owner to pay the Council's reasonable legal costs associated with the Legal Agreement prior to the completion of the agreement irrespective of whether the agreement is completed.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

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

1. Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. External Materials

No works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the building(s) are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Parking Provision

Before any part of the dwelling hereby permitted is first occupied the car parking provision as indicated in drawing 'PD01 Rev B' shall be laid out and implemented to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain unobstructed and permanently available for use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the Development Control Policies Development Plan Document Policy DC33.

5. Construction Methodology

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

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

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

Reason: Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity. It will also ensure that the development accords the Development Control Policies Development Plan Document Policy DC61.

6. 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.

7. Refuse and Recycling

No building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. Cycle Storage

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

9. Accessible and Adaptable Dwellings

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

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

10. New Plant and Machinery

No building shall be occupied or use commenced until a scheme for the new plant or machinery is submitted to and approved in writing by the Local Planning Authority to achieve the following standard - Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary

with the nearest noise sensitive property shall not exceed LA90 -10dB. Plant and machinery shall be maintained thereafter in accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to assess the noise levels of the plant or machinery to be used on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

11. Noise Insulation

The extension shall be constructed so as to provide sound insulation of 45 DnT, w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise.

Reason: To prevent noise nuisance to adjoining properties in accordance with Policy DC55 of the Development Control Policies Development Plan Document.

12. Railway Noise Assessment

No works shall take place in relation to any of the development hereby approved until an assessment of the impact of:

a) railway noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995) and; b) vibration from the use of the railway lines upon the site; is undertaken and a scheme detailing the measures to protect future residents from railway noise and vibration is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupancy taking place.

Reason: Insufficient information has been supplied with the application to judge the impact of transportation noise and vibration upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of transportation noise and vibration, in accordance with Development Control Policies Development Plan Document Policies DC55 and DC61.

13. Water Efficiency

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

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

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with para 186-187 of the National Planning Policy Framework 2012, improvements required to make the proposal acceptable were negotiated with the applicant, Shahzad Mahmood, by telephone, email and site meeting. The revisions involved alterations to the design and a reduction in the scale and bulk of the extension. The amendments were subsequently submitted on 27 July 2016.
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 £6,300 (subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.
3. 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.
4. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
5. Before occupation of the residential units hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

REPORT DETAIL

1. Site Description

- 1.1 The application relates to the property at Morland House, 12 Eastern Road, Romford. This is a five-storey former office block, which is currently being converted to residential flats.
- 1.2 The building fronts onto Eastern Road with narrow service roads and parking areas to the sides. The railway line runs directly to the rear of the building. The property is located within Romford town centre, situated alongside other tall office blocks in this section Eastern Avenue.
- 1.3 The land is designated in the LDF as being within the Romford Office Quarter and as such is surrounded by a mixture of uses including commercial and residential.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the construction of a roof extension to create two additional floors comprising 8no. new residential flats. The accommodation would be split with four flats on each floor and would comprise 4no. one-bedroom units, 2no. two-bedroom units and 2no. three-bedroom units.
- 2.2 The extension would involve raising the height of the main section of the building by approximately 6.45 metres. The lower floor of the extension would effectively replicate the design of the existing building, matching the positioning and proportions of the fenestration and brick courses. The upper floor would comprise a mansard style roof design, set in 0.7 metres from the main elevations of the building. The extension would absorb the existing lift shaft gear and plant room which projects above the height of the main building.
- 2.3 Each of the flats would be served by partially enclosed roof terrace areas positioned on the front and rear elevations of the extension, creating a central feature.
- 2.4 The existing internal stairwells and lift shafts would be adapted to enable internal access to the new flats.

2.5 There are 3no. available off-street car parking spaces to the side of the building.

2.6 Storage space for refuse materials as well as secure bicycle storage would be provided in dedicated stores located in the side car park areas.

3. Relevant History

3.1 J0027.15 - Prior Approval for the conversion of Ground and First Floor from Office to Residential - Approved, 21 October 2015

J0001.15 - Prior approval application for the change of use from office to residential - Approved, 10 April 2015

P0782.13 - Change of Use from (B1) office to a mixed use within (B1) Office and (D1) Education and Training - Approved, 19 December 2013

P0944.10 - Change of Use of 3rd floor from B1 (offices) to D1 (educational institution) for training programmes on management - Approved, 29 October 2010

4. Consultations/Representations

4.1 Notification letters were sent to 55 properties and no representations have been received.

4.2 The following consultation responses have been received:

- Thames Water - no objection, recommended informatives relating to waste water, surface water drainage and water.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - no objection.
- Network Rail - no objection.
- Environmental Health - no objection, recommended a standard conditions relating to new plant and machinery, noise insulation and an assessment of railway noise.
- Local Highway Authority - no objection but have requested that a S106 be provided to prevent future occupiers obtaining resident's parking permits.

5. Relevant Policies

- 5.1 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP17 (Design), DC2 (Housing Mix and Density), DC11 (Non-designated Sites), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC53 (Contaminated Land), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), DC66 (Tall Buildings and Structures) and DC72 (Planning Obligations) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 Other relevant documents include the Romford Town Centre Development Framework, the Residential Design SPD, Designing Safer Places SPD, Romford Area Action Plan (ROM13) Planning Obligations SPD (technical appendices) and the Sustainable Design and Construction SPD.
- 5.3 Policies 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 3.9 (mixed and balanced communities), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 7.14 (improving air quality), 7.15 (reducing noise and enhancing soundscapes), and 8.2 (planning obligations) of the London Plan, are material considerations.
- 5.4 The National Planning Policy Framework, specifically Sections 6 (Delivering a wide choice of high quality homes) and 7 (Requiring good design), are relevant to these proposals.

6. Staff Comments

- 6.1 The main considerations relate to the impact on the character and appearance of the surrounding area, the implications for the residential amenity of future occupants and occupants of neighbouring properties and the suitability of the proposed parking and access/servicing arrangements.

Principle of Development

- 6.2 The provision of additional housing is consistent with the NPPF and Policy CP1 as the application site is within a sustainable location in an established urban area.
- 6.3 The building is located within the Romford Office Quarter and policy ROM13 seeks to ensure that there is no net loss of office space in any redevelopment of existing sites. However, it should be noted that two separate prior approval applications were previously granted consent at the site in 2015, which allowed the conversion of the five lower floors of the building from office space to 24 no. self-contained residential flats.

- 6.4 The conversion works are currently well underway. Although the residential units have not yet been finished and occupied, it is nevertheless considered that the established use of the building has been changed to residential through the prior approval process. As such the current proposal would not result in the loss of existing office space.
- 6.5 In terms of increasing the height of the building, Policy DC66 states that tall buildings of six-storeys or greater will normally only be granted planning permission in Romford Town Centre. All tall buildings must be of a high quality design and ensure that the proposed density is suited to the site and to the wider context in terms of proportion, composition, relationship to other buildings and streets. Matters in terms of design, density and the implications for the character and appearance of the area are discussed in the Density/ Layout and Design/Impact on Streetscene sections of the report.
- 6.6 The Romford Town Centre Development Framework seeks to utilise opportunities to increase the number of people living in the town centre. The Framework has been developed in line with GLA guidance on tall buildings, and takes into account Romford's particular townscape and heritage qualities. As such the Framework sets out a flexible approach for increased building heights and identifies Eastern Road in particular as a suitable location for tall buildings with heights of up to 8 to 10 storeys. It goes on to advise that the objective of creating a resilient, mixed use town centre incorporating a sustainable residential community will require a step change in terms of development heights as well as leading to a greater number of 'tall buildings'.
- 6.7 On this basis the proposal is considered to be policy compliant in landuse terms, and in accordance with the general aspirations for Romford town centre in respect of increasing the height of the existing building. The proposed roof extension to provide 8no. additional residential units is therefore regarded as being acceptable in principle.

Density/ Layout

- 6.8 Policy DC2 of the LDF provides guidance in relation to the dwelling mix within residential developments. Policy DC61 states that planning permission will not be granted for proposals that would significantly diminish local and residential amenity.
- 6.9 The proposed extension would provide 8no. residential units in addition to the 24no. units in the five existing floors of the building that were granted through the prior approval process in 2015; providing a total of 32no. flats. As such the development would provide a total density equivalent to approximately 376 dwellings per hectare. This complies with the aims of Policy DC2 which suggests that a dwelling density of between 240 to 435 dwellings per hectare would be appropriate in this location.

- 6.10 The 'Technical housing standards - nationally described space standard' document sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home. These standards have been incorporated into Policy 3.5 of the London Plan.
- 6.11 The proposed extension would provide 4no. one-bedroom flats, 2no. two-bedroom flats and 2no. three-bedroom flats with varying floor space sizes, all of which meet or exceed the respective minimum standards as per the proposed number of rooms and number of occupants they are intended to serve. The bedrooms in these flats would also comply with the minimum standards set out in the technical housing standards with regard to floor area, width and ceiling heights. Given this factor it is considered that the proposed development would be in accordance with principles of the technical housing standards and the flats would provide an acceptable amount of space for day to day living.
- 6.12 Havering's Residential Design SPD does not prescribe minimum space standards for private gardens. The SPD does however state that private amenity space should be provided in single, usable, enclosed blocks which benefit from both natural sunlight and shading, adding that the fundamental design considerations for amenity space should be quality and usability. All dwellings should have access to amenity space that is not overlooked from the public realm.
- 6.13 Each of the flats would be served by partially enclosed roof terrace areas positioned on the front and rear elevations of the extension depending on which flat they are associated with. The terrace areas would vary in size ranging from 5.6 square metres to 3.6 square metres.
- 6.14 Given the town centre location of the building, and the amenity areas associated with equivalent town centre accommodation, it is considered that occupants of the proposed flats would have access to a reasonable provision of outdoor amenity space which in this instance would be adequate for the requirements of the future occupants.

Design/Impact on Streetscene

- 6.15 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.
- 6.16 This section of Eastern Road is characterised by large detached office blocks which lead out along both sides of the road from South Street towards the junction with Mercury Gardens. Most of the larger buildings date from the mid to late twentieth century, with each building comprising an individual appearance. However some of the office blocks include consistencies in terms of scale, height and bulk as well as mansard rooftop features. Generally there is no prevailing character to the design.

- 6.17 Through the course of the application the design of the proposed scheme has been amended so that the lower section of the extension duplicates the design of the existing building, matching the positioning and proportions of the fenestration and brick courses. The upper floor would comprise a mansard style roof design, set in 0.7 metres from the main elevations of the building, in order to reduce the overall scale and bulk of the extension and provide a more traditional finish to the rooftop of the building.
- 6.18 As such the appearance and style of the proposed extension is considered on balance to be of a sympathetic design which broadly adheres to the architectural character of the surrounding area.
- 6.19 It is acknowledged that given that the nature of the proposal the roof extension would increase the prominence of Morland House within the Eastern Road streetscene. However, whilst the extension would raise the height of the main section of the building by approximately 6.45 metres, it is recognised that Morland House is set within the visual context of tall and bulky neighbouring development. This mainly comprises a variety of large detached office blocks, and the extension would to a greater extent be absorbed into this backdrop and built up urban environment. Eastern Road is also a relatively narrow town centre street and given the existing scale and height of the buildings along this section of the road, the true scale of the buildings is not easily observed from ground level. In this instance Staff have taken a balanced view that the additional height to Morland House is unlikely to appear overly dominant or overbearing in this setting.
- 6.20 Therefore, Members are invited to consider, as a matter of judgement, whether the extension would appear as an unduly harmful addition within the streetscene.
- 6.21 In this instance Staff are of the opinion that on balance the scale of the proposed development would be acceptable, given the subservient design and appearance of the extension in comparison to the existing building, the height and massing of the surrounding buildings and the town centre location of the site.

Impact on Amenity

- 6.22 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy to existing properties.
- 6.23 Morland House is immediately flanked by office blocks, with the nearest residential accommodation set to be located some 40 metres to the east at

Scimitar House, where a conversion from offices to flats is nearing completion. As such it is not considered that the proposed development would present any undue issues in relation to residential amenity in accordance with Policy DC61, the Residential Design SPD and the Residential Extensions and Alterations SPD.

- 6.24 In terms of the amenity of future occupants; given the existing commercial uses within the area, the town centre location and the associated night time economy at nearby South Street, any residents living in this part of Eastern Road can reasonably expect to experience a greater element of noise and disturbance from passers-by and general town centre activity than those living in a purely residential area.
- 6.25 Environmental Health have recommended noise insulation and measures to limit noise and disturbance to future residents from the adjacent railway line.

Environmental Issues

- 6.26 Environmental Health have raised no objections in relation to any historical contaminated land issues associated with the site.
- 6.27 The extension relates to the upper floors of an existing building and presents no issues in relation to flood risk.
- 6.28 The proposal is not considered to give rise to any significant noise issues.

Parking and Highway Issues

- 6.29 The site has a Public Transport Accessibility Level (PTAL) rating of 6b (Best); meaning that the premises has very good access to a variety of public transport facilities. South Street is a main bus route with a bus terminus and Romford Station is also located very close by. Government guidance encourages a relaxation in parking and other standards in town centre locations, particularly where there is good access to public transport and the proposal accords with this advice.
- 6.30 Given the central location and the good public transport links there is no requirement for the proposed flats to provide dedicated off street residents' car parking provision.
- 6.31 The scheme can demonstrate the availability of 3no. off-street car parking spaces in the existing car parking area to the western side of the building. It is intended that these spaces would be unallocated and their use shared by the occupants of the 8no. new flats. Staff have given consideration to imposing a parking management condition, however, as the proposal relates to just 3no. parking spaces this is not considered to be reasonable in this instance. The larger parking area adjacent to the eastern side of the building

comprises 11no. spaces and is intended to be allocated to the occupants of the previously approved flats in the existing five floors of the building.

- 6.32 The Local Highway Authority have raised no objection subject to the applicant entering into a legal agreement under Section 16 of the Greater London Council (General Powers) Act 1974 to prevent future occupiers from applying for parking permits. Subject to the completion of this agreement, the proposal would be acceptable in highway terms and it is not considered that the proposed change of use would result in any parking or highway safety issues. The legal agreement would be consistent with the arrangements completed for the recently granted prior approval applications for residential conversion in the existing floors of Morland House.
- 6.33 The submitted drawing indicates the anticipated positioning of a bin store and secure cycle store but no further details of this have been provided at this stage - although it is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.
- 6.34 The refuse store would be located in the existing car park to the side of the building. This area was previously used by the commercial occupiers of Morland House for the storage of refuse. Given the proximity to Eastern Road the area would be easily accessible for domestic refuse collection vehicles.

Mayoral Community Infrastructure Levy

- 6.35 The proposed development will create 8 no new residential units with 315 square metres of new gross internal floorspace. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £6,300 subject to indexation based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.36 Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 6.37 Policy DC72 of the Council's LDF states that in order to comply with the principles as set out in several of the Policies in the Plan, contributions may be sought and secured through a Planning Obligation. Policy DC29 states that the Council will seek payments from developers required to meet the educational need generated by the residential development. Policy 8.2 of the Further Alterations to the London Plan states that development

- proposals should address strategic as well as local priorities in planning obligations.
- 6.38 In 2013, the Council adopted its Planning Obligations Supplementary Planning Document which sought to apply a tariff style contribution to all development that resulted in additional residential dwellings, with the contributions being pooled for use on identified infrastructure.
- 6.39 There has been a recent change to the effect of the CIL Regs in that from 6th April 2015, Regulation 123 of the CIL Regs states that no more than 5 obligations can be used to fund particular infrastructure projects or infrastructure types. As such, the SPD, in terms of pooling contributions, is now out of date, although the underlying evidence base is still relevant and up to date for the purposes of calculating the revised S106 contributions.
- 6.40 The evidence background to the SPD, contained in the technical appendices is still considered relevant. The evidence clearly show the impact of new residential development upon infrastructure - at 2013, this was that each additional dwelling in the Borough has a need for at least £20,444 of infrastructure. Therefore, it is considered that the impact on infrastructure as a result of the proposed development would be significant and without suitable mitigation would be contrary to Policy DC72 of the LDF and Policy 8.2 of the London Plan.
- 6.41 Furthermore, evidence clearly shows a shortage of school places in the Borough - (London Borough of Havering Draft Commissioning Plan for Education Provision 2015/16-2019/20). The Commissioning report identifies that there is no spare capacity to accommodate demand for secondary, primary and early years school places generated by new development. The cost of mitigating new development in respect to all education provision is £8,672 (2013 figure from Technical Appendix to SPD). On that basis, it is necessary to continue to require contributions to mitigate the impact of additional dwellings in the Borough, in accordance with Policy DC29 of the LDF.
- 6.42 Previously, in accordance with the SPD, a contribution of £6000 per dwelling was sought, based on a viability testing of the £20,444 infrastructure impact. It is considered that, in this case, £6000 towards education projects required as a result of increased demand for school places is reasonable when compared to the need arising as a result of the development.
- 6.43 It would therefore be necessary to require a contribution to be used for educational purposes. Separate monitoring of contributions would take place to ensure that no more than 5 contributions are pooled for individual projects, in accordance with CIL legislation. It is considered that a contribution equating to £48,000 for educational purposes would be appropriate.

7. Conclusion

- 7.1 Having regard to all relevant factors and material planning considerations Staff are of the view that this proposal would be acceptable.
- 7.2 Staff consider that the proposed development raises considerations in relation to the impact on the character and appearance of the streetscene and the impact on the amenity of the future occupiers. On balance, whilst a degree of judgement is required in this instance the proposal is considered to be acceptable in all material respects.
- 7.3 Staff are of the view that the siting, scale and location of the proposal would not be disproportionate or have a harmful impact on the character of the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

None

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 27 January 2016 and amended proposals received on 27 July 2016.