



REGULATORY SERVICES COMMITTEE

26 October 2017

Subject Heading:

P1172.17: Land to the rear of York House, 48-50 Western Road, Romford

Erection of a detached block comprising 6no. residential units, with associated landscaping and parking. (Application received 12 July 2017)

Ward:

Romford Town

SLT Lead:

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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

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|-------------------------------|-----|
| Communities making Havering | [X] |
| Places making Havering | [X] |
| Opportunities making Havering | [X] |
| Connections making Havering | [X] |

SUMMARY

The proposal is for the construction of a new detached residential block comprising 6no. flats.

It raises considerations in relation to the impact on the character and appearance of the surrounding area, the impact on the residential amenity of the future occupants and of neighbouring residents, and parking and access.

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 365 square metres of new gross internal floor space. The proposal would therefore give rise to the requirement of £7,300 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 obligations, by 26 April 2018, and in the event that the Section 106 agreement is not completed by such date the item shall be returned to the committee for reconsideration:

- A financial contribution of £36,000 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.
- 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.
- Save for the holder of blue badges that the future occupiers of the proposal will be prohibited from purchasing residents or business parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme.
- Payment of the appropriate planning obligations monitoring fee prior to the completion of the agreement.

That the Assistant Director of Development 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. Materials

Before any development above ground level takes place, 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. 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.

5. 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.

6. Vehicle Cleansing

Before the development hereby permitted is first commenced, vehicle cleansing facilities to prevent mud being deposited onto the public highway during construction works shall be provided on site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained thereafter and used at relevant entrances to the site throughout the duration of construction works. If mud or other debris

originating from the site is deposited in the public highway, all on-site operations shall cease until it has been removed.

The submission will provide;

- 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 – this applies to the vehicle 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 washing off the vehicles.
- f) A description of any contingency plan to be used in the event of a break-down of the wheel washing arrangements.

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.

7. Parking Provision

Before any of the dwellings hereby permitted are first occupied, the car parking as indicated in drawing no. 001 shall laid out to the full satisfaction of the Local Planning Authority and thereafter this car parking provision shall remain 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.

8. Refuse and Recycling

No building shall be occupied 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.

9. Cycle Storage

No building shall be occupied 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.

10. Landscaping

No development above ground works 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. 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: Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61. It will also ensure accordance with Section 197 of the Town and Country Planning Act 1990.

11. Boundary Fencing

The proposed building shall not be occupied until details of all proposed walls, fences and boundary treatment have been submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason: Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC6.

12. Lighting

Prior to the first occupation of the building external lighting shall be provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The lighting shall be provided and operated in strict accordance with the approved scheme.

Reason: Insufficient information has been supplied with the application to judge the impact arising from any external lighting required in connection with the building or use. 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 residential amenity and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

13. Noise Assessment

No works shall take place in relation to any of the development hereby approved until a scheme for protecting the proposed dwellings/rooms from noise from the adjacent/nearby commercial premises has been 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: Insufficient information has been supplied with the application to judge the impact of noise from adjacent commercial premises upon the proposed development. Submission of an assessment prior to commencement will protect future residents against the impact of noise in accordance with Development Control Policies Development Plan Document Policy DC61.

14. Obscure Glazing

The proposed windows in the flank elevations of the building shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and shall thereafter be maintained.

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

15. 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.

16. Minor Space Standards

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.

INFORMATIVES

1. Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 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 £7,300 (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. **Fire Safety**
The applicant is advised that provision should be made prior to the first occupation of the development for the installation of a domestic sprinkler system to each of the dwellings. The sprinkler system should comply with BS 9251:2014 or BS EN 12845. See Section 8,50.1.2 of BS 9991:2015. It is advised that further information in respect of fire safety is obtained from the London Fire and Emergency Planning Authority on 020 8555 1200.
4. **Changes to the public highway (including permanent or temporary access)**
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 or highway authority assets 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.

Highway legislation

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.

Temporary use of the public highway

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 Street Management should be contacted make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

5. 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.
6. 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.

7. 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.
8. Before occupation of the residential/ commercial unit(s) 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:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

REPORT DETAIL

1. Site Description

- 1.1 The application relates to land to the rear of York House, 48-50 Western Road, Romford. York House is a detached three-storey mixed use building, comprising offices and residential, and occupying a rectangular site with a frontage onto Western Road. To the rear of the building is an informal car park accessed via an undercroft driveway, which is subject to the application.
- 1.2 The York House premises are located with the Liberty Bell/Premier Inn hotel to the west and the British Legion social club to the east. The car park for the British Legion lies to the south.
- 1.3 The surrounding area is characterised by a mixture of edge of town centre residential and commercial uses.

2. Description of Proposal

- 2.1 The application is seeking planning permission for the erection of a new detached residential block containing 6no. flats. The accommodation would comprise 2no. one bedroom units and 4no. two-bedroom units.
- 2.2 The proposed building would be set back from York House by approximately 17 metres, within the rear section of the car park. The new building would measure 11.9 metres in width, and project back into the site with a depth of 13.8 metres, with the rear elevation set some 5 metres from the rear boundary. The proposal would incorporate a traditional pitched roof design and a ridge height of 9.8 metres, including two front and two rear dormer windows.
- 2.3 The existing vehicle access point from Western Road through the undercroft would be retained, and the remaining car park would provide 10no. parking spaces, located to the rear of York House and to the front of the new block.

3. Relevant History

- 3.1 P0083.16 - Erection of a two storey office building (B1) and associated landscaping and parking - Approved, 29 March 2016
- 3.2 J0016.14 - Prior approval application for the change of use of the ground and first floors from office to residential (creation of 11 residential flats) - Approved, 2 February 2015
- 3.3 P2352.05 - New detached mews development comprising 4no. single bed flat units - Refused, 21 February 2006. Appeal dismissed 26 September 2006.
- 3.4 P1558.04 - Detached mews development comprising of 4 no. single bed flat units - Refused, 12 November 2004. Appeal dismissed 18 November 2006

4. Consultations/Representations

- 4.1 Notification letters were sent to 90 properties and 4 representations have been received.
- 4.2 The objections can be summarised as follows:
 - The proposal would be too large and form a cramped overdevelopment of the site.
 - Increase in traffic flow causing a danger to other drivers and pedestrians.
 - Noise, disturbance and traffic problems during construction works.
 - Additional waste storage attracting vermin and further pollution.
- 4.3 The Royal British Legion have commented that they have no objections to the proposal, but point out that they hold regular band practices and

licensed social functions at the adjacent premises and car park. They are concerned that their activities could raise noise and disturbance complaints from future occupiers of the new residential development.

4.4 In response to the above: Issues of disruption during construction are not a material planning consideration on which a refusal could be based. A condition would be included in any approval notice requiring the submission of a Construction Method Statement to ensure construction works are satisfactory and minimise noise and disturbance. Issues in terms of the impact of noise and disturbance from adjoining premises on future occupiers are discussed in the amenity section of this report. Matters concerning density, layout, residential amenity, and highway and pedestrian safety implications are also discussed in the following sections of the report.

4.5 The following consultation responses have been received:

- Essex Water - no objection.
- Thames Water - no objection.
- London Fire Brigade Water Team - no objection.
- London Fire and Emergency Planning Authority - Concerned that a pump appliance would not be able to reach within 45 metres of all parts of the dwellings. But have confirmed that if an internal sprinkler system was to be installed the distance between the appliance and any point in the furthest flat at 2nd floor may be up to 75m. The sprinklers should comply with BS 9251:2014 or BS EN 12845. See Section 8,50.1.2 of BS 9991:2015.
- Environmental Health - no objection, recommended conditions relating to noise assessments associated with the surrounding commercial uses.
- Local Highway Authority - no objection, recommended conditions in relation vehicle cleansing and cycle parking as well as a restriction on future residents obtaining car 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), DC16 (Core and Fringe Frontages In District and Local Centres), DC29 (Educational Premises), DC32 (The Road Network, DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC55 (Noise), DC61 (Urban Design), DC63 (Delivering Safer Places), 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 Residential Design SPD, Designing Safer Places SPD, 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), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture), 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 principle of the development, the impact on the character and appearance of the surrounding area, the implications for the residential amenity of the future occupants and of nearby properties, and the suitability of the proposed parking, access and servicing arrangements.
- 6.2 Two previous applications for the erection of a detached residential block have been refused at the site in 2004 and 2006. In both cases the subsequent appeals were dismissed by the Planning Inspectorate, with the Inspector finding harm to the character and appearance of the surrounding area, and on the living conditions of future occupiers, with particular regard to private amenity space and noise from the adjoining social club.
- 6.3 It should be noted that the applications were refused having regard to superseded policies that were in place prior to the adoption of the current Local Development Framework , its supplementary planning documents, the London Plan as well as national policies and guidance.
- 6.4 Since these decisions were issued, a large two storey detached extension block to the hotel has been constructed immediately adjacent to the application site, which has significantly changed the character of the backland site. In addition planning permission for the erection of a two storey office building (B1) and associated landscaping and parking was approved at the application site in March 2016, effectively establishing an acceptable scale, bulk and massing for a new building within the rear of the car park plot. Matters concerning amenity space and noise and disturbance are discussed in more detail in the 'Density/ Layout' and 'Impact on Amenity' sections below.

Principle of Development

- 6.5 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.
- 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, and takes into account Romford's particular townscape and heritage qualities. 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 as well as leading to a greater number of residential 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 residential occupancy in the town centre.

Density/Layout

- 6.8 Policy 3.4 of the London Plan 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 proposal would provide 6no. residential units at a density equivalent to approximately 100 dwellings per hectare. This complies with the aims of Policy 3.4 which suggests that a dwelling density of between 70 to 260 dwellings per hectare would be appropriate in this location.
- 6.10 The 'Technical housing standards - nationally described space standard' document and Policy 3.5 of the London Plan set 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.
- 6.11 The proposed dwellings would meet the internal floor space standards for two-person one-bedroom flats and four-person two-bedroom flats. The bedrooms would also comply with the minimum requirements set out in the technical housing standards with regard to floor area and width. The attic flats would comply with the standards for minimum ceiling heights. Given this factor it is considered that the proposed development would be in accordance with the general 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 There would be no communal amenity space however, the two ground floor flats would have a private terrace area, set out adjacent to the rear boundary, ranging in size from between 35 square metres up to 40 square metres. The four upper floor flats would not be served by external amenity areas, however given the close proximity to the town centre and that this is an established arrangement at other town centre residential accommodation nearby, in this instance it is considered to be acceptable.

Design/Impact on Streetscene and Special Character Area

- 6.14 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.
- 6.15 The proposed building would be located to the rear of the existing block at York House and as such it would not be directly visible from the streetscene at Western Road.
- 6.16 Nevertheless, the building would form a prominent feature in terms of its visual appearance in the rear backland setting. The proposed block would be of a similar height to the adjacent Premier Inn extension block constructed in 2014. In addition, the proposed building would be of a similar scale, bulk, height and massing to the proposed detached office block approved at the site in March 2016.
- 6.17 In terms of its scale and positioning the adjacent hotel extension block forms a comfortable relationship to the other sections of the hotel. Essentially the proposed residential block would infill a backland area adjacent to two existing buildings. As such the development would be read within the context of the immediately adjacent buildings and the open car park forecourt to the rear of York House, as well as the spacious car park associated with the British Legion community hall beyond.
- 6.18 Overall the design and style of the proposed block is considered to adhere to the architectural character of the surrounding area, with the roof ridge height, bulk and massing being similar to those of the other adjacent buildings within this setting. Given the context of neighbouring development it is considered that the design would be acceptable within the backland setting in accordance with Policy DC61.

Impact on Amenity

- 6.19 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.

- 6.20 The application site is located within a broadly commercial area on the edge of Romford town centre, with neighbouring residential accommodation at York House.
- 6.21 The front elevation of the proposed residential building would be located approximately 17 metres from the rear overlooking windows of the flats at York House. Given the separation distance and the communal nature of the rear car park area, it is not considered that the proposal would unduly affect outlook or harm the residential amenity of the flatted accommodation at York House, in terms of privacy or overlooking.
- 6.22 Whilst it is recognised that there would be an intensification of residential use at the site, Staff are of the view that due to the building's positioning and design the proposal would not result in harmful impact upon the residential amenity of the surrounding properties.
- 6.23 Other residential accommodation is located some 90 metres to the south on Eastern Road. Given the nature of the proposed use and the distance, it is not considered that the proposal would result in any significant adverse impacts on the amenity of neighbouring occupiers at Eastern Road.
- 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, Staff are of the view that any residents living in this part of Romford 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 Since the Inspectors decisions in 2006, prior approval has been granted to convert more of the office floor space at York House to residential use, which has further intensified the amount of residential properties within the premises. It is also acknowledged that some conflict in terms of noise and disturbance could arise given the close positioning of the block to the British Legion Club and car park. However, the proposed building has been configured internally so that habitable bedroom and living room windows are orientated away from the flank boundary. In addition Environmental Health have advised that a condition is included requiring a full noise impact assessment is undertaken prior to commencement of building works. The measures of such an assessment would help to mitigate noise and disturbance issues for future occupiers, particularly with regard to the British Legion club. Standard internal noise insulation required by Building Regulations would also help to reduce harm in this regard.
- 6.26 The new building would be positioned some 6.6 metres from the Premier Inn extension block. Given the adjacent building comprises hotel

accommodation, the occupancy is of a transient nature and as such Staff judge that the relationship between the hotel and the proposed new block would be acceptable in this instance.

- 6.27 The flank windows would be conditioned to obscure glazed so as to prevent any prejudice to the redevelopment of adjoining sites in future, notably the Royal British Legion site.
- 6.28 Staff are therefore of the opinion that the proposed development would not harm the amenities of neighbouring properties to an extent that would justify refusing the scheme on these issues alone, and would provide acceptable living conditions for the future occupants. The proposal is therefore in accordance with Policy DC61 and the intentions of the NPPF.

Environmental Issues

- 6.29 Environmental Health have raised no objections in relation to any historical contaminated land issues.
- 6.30 The site is not located within a Flood Zone and presents no issues in relation to local flood risk.

Parking and Highway Issues

- 6.31 The London Plan seeks to ensure all new developments make adequate provision for car parking. In this instance the application site is located within an area with a Public Transport Accessibility Level (PTAL) rating of 6a; meaning that the premises has excellent access to a variety of public transport facilities. It is also within a controlled parking zone.
- 6.32 Chapter 6 of the London Plan states that all developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 parking space per unit.
- 6.33 In this instance the site currently provides up to 26no. off street car parking spaces in an informal basis with no marked out bays to the rear, serving the offices and residential properties at York House. The proposed new block would result in a reduction of off street parking spaces and the retention of 10no. spaces to the rear, with a further 6no. spaces to the frontage of York House. As a result 16no. parking spaces in total would remain, in accordance with the standards set out in the London Plan.
- 6.34 In addition to this current application, it should be noted that prior approval was granted in February 2015 and further sections of the ground and first floors of York House have been converted from office space to 11no. residential flats.

- 6.35 The applicant has stated that the parking spaces at York House are not allocated to specific properties, but are used by the offices and rented on separate contracts to residents who wish to obtain a space. The occupants of the proposed additional flats would also be at liberty to make an application for a parking bay.
- 6.36 Staff have given consideration to imposing a parking management condition, however, as the separate parking bay rental arrangement is currently in operation in connection with the existing flats (without being subject to a parking management condition) it is not considered to be reasonable in this instance.
- 6.37 The Local Highway Authority have requested that the applicant enters into a legal agreement 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 proposal would result in any parking or highway safety issues. The legal agreement would be consistent with the other legal agreements completed for residential developments within Romford town centre.
- 6.38 Pedestrian and vehicular access to the new building would be via the existing undercroft arrangement which is 5 metres in width and laid out to include a dedicated pedestrian footway.
- 6.39 The Local Highway Authority have raised no objection in terms of parking provision, and it is not considered that the proposed block would result in any parking or highway safety issues.
- 6.40 There are no details included in the proposal indicating the location for the secure storage of bicycles or for the discrete storage of refuse, although it is noted that full details of these arrangements can be reasonably obtained through the inclusion of relevant conditions.

Mayoral Community Infrastructure Levy

- 6.41 The proposed development will create 6no. residential units with 365 square metres of new gross internal floor space. Therefore the proposal is liable for Mayoral CIL and will incur a charge of £7,300 (subject to indexation) based on the calculation of £20.00 per square metre.

Infrastructure Impact of Development

- 6.42 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.

- 6.43 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.
- 6.44 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.
- 6.45 There has been a 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.
- 6.46 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.
- 6.47 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.
- 6.48 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 per unit 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.

6.49 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 £36,000 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 surrounding area and the impact on the amenity of the neighbouring residents. On balance 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 area 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 Section 106 legal agreement.

IMPLICATIONS AND RISKS

Financial implications and risks:

Financial contributions will be sought through the legal agreement.

Legal implications and risks:

Legal resources would be required to prepare and complete the required Section 106 legal agreement. The s106 contribution is required to mitigate the harm of the development, ensure appropriate mitigation measures and comply with the Council's planning policies. Staff are satisfied that the contribution and obligations suggested are compliant with the statutory tests set out in the CIL Regulations relating to planning obligations.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to equality and diversity.

BACKGROUND PAPERS

Application form, supporting statements, and drawings received 12 July 2017, and additional plans received on 4 September 2017.