



# Havering

LONDON BOROUGH

## REGULATORY SERVICES COMMITTEE AGENDA

<b>7.30 pm</b>	<b>Tuesday 30 April 2013</b>	<b>Havering Town Hall, Main Road, Romford</b>
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Members 11: Quorum 4

**COUNCILLORS:**

**Conservative Group  
( 7 )**

**Residents' Group  
( 2 )**

**Labour Group  
( 1 )**

**Independent  
Residents'  
Group  
( 1 )**

Barry Oddy (Chairman)  
Barry Tebbutt (Vice-Chair)  
Sandra Binion  
Jeffrey Brace  
Robby Misir  
Frederick Osborne  
Garry Pain

Linda Hawthorn  
Ron Ower

Paul McGeary

Mark Logan

**For information about the meeting please contact:  
Richard Cursons (01708 432430)  
E-mail: [richard.cursons@havering.gov.uk](mailto:richard.cursons@havering.gov.uk)**

## **AGENDA ITEMS**

### **1 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

The Chairman will announce the following:

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

### **2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### **3 DISCLOSURE OF PECUNIARY INTERESTS**

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.*

### **4 P1537.12 - CHAUCER HOUSE AND HEXAGON HOUSE 28 WESTERN ROAD, ROMFORD (Pages 1 - 12)**

### **5 P1492.12 - ROMFORD LEISURE DEVELOPMENT (Pages 13 - 52)**

### **6 P1468.12 - ROMFORD ICE RINK, ROM VALLEY WAY, ROMFORD (Pages 53 - 112)**

**7 URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which will be specified in the minutes, that the item should be considered at the meeting as a matter of urgency

**Ian Buckmaster  
Committee Administration and  
Member Support Manager**

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# REGULATORY SERVICES COMMITTEE

30 April 2013

# REPORT

**Subject Heading:**

**P1537.12:Chaucer House & Hexagon House, 28 Western Road, Romford**

**Part demolition of Chaucer House and Hexagon House, construction of two new fire escapes, relocation of air handling plant and reconfiguration of existing parking (application received 17 December 2012; revised plans received 18 and 21 February 2013).**

**Report Author and contact details:**

**Suzanne Terry, 01708 432755  
suzanne.terry@havering.gov.uk**

**Policy context:**

**National Planning Policy Framework  
The London Plan  
Local Development Framework  
None**

**Financial summary:**

**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	[X]

## SUMMARY

This application is for the partial demolition of Chaucer House and Hexagon House, together with the provision of new fire escapes and relocation of air handling plants and reconfiguration of the car park. The works are required to be undertaken in order to enable the construction of a proposed new leisure centre on the car park adjacent to Chaucer House (application P1492.12). The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted.

## RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with Plans: - The development hereby permitted shall not be carried out otherwise than in complete accord with the approved plans, particulars and specifications (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. Timing of Commencement: - No development shall commence until it has been demonstrated, to the satisfaction of the Local Planning Authority, that contractual arrangements are in place that would lead to the construction of the new leisure centre subject of planning application reference P1492.12

Reason: The development is only acceptable having regard to its connectivity with the proposed new leisure development on the adjacent car park, approved under planning permission P1492.12.

4. Hours of Working: - No construction or demolition works, or construction related deliveries into the site, shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on

Saturdays unless otherwise agreed in writing with the Local Planning Authority. No construction works or related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

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: To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

6. Wheelwashing: - Before the development hereby permitted is first commenced, wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided before the development commences and used thereafter throughout the duration of construction.

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.

**INFORMATIVES:**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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.

**Reason for Approval:**

The proposal does not comply with the provisions of Policy Rom13 of the Romford Area Action Plan in that it results in the net loss of office floorspace within the area designated as the Romford Office Quarter. However, it is considered that the proposal is justified having regard to:

- a) the wider economic and cultural benefits that would be generated by the proposed new leisure development on the adjacent site, which cannot be achieved if the works subject of this application are not approved;
- b) the employment opportunities that are able to be created as part of the proposed new leisure development
- c) the current levels of under-occupancy of the existing offices, combined with a downturn in the demand for office floorspace within Romford.

The proposal is considered to accord with aims and objectives of the National Planning Policy Framework and with Policies 2.6, 2.7, 2.8, 2.15, 4.6, 4.7, 6.1 and 7.4 of the London Plan.

The proposal is also considered to accord with the aims and objectives of Policies CP4, CP5, CP7, CP9, CP10, CP17, DC15, DC19, DC20, DC32-36, DC40, DC53, DC55, DC61 and DC62 of the Core Strategy and Development Control Policies Development Plan Document and Policies ROM9, ROM20 and ROM21 of the Romford Area Action Plan are material to this application.

**REPORT DETAIL**

**1. Site Description**

- 1.1 The application site is within Romford Town Centre and is located to the south side of Western Road, to the eastern side of its junction with Grimshaw Way. The site is generally flat, although there is a gentle slope towards the southern end of the site and has an area of 0.57 hectares. It



comprises the existing 4/5 storey office buildings, known as Chaucer House and Hexagon House, together with an associated car park of around 200 spaces to the side and rear of the buildings.

- 1.2 To the north of the site lies Western Road, with a multi-storey car park on the opposite side of the road and beyond that the Liberty shopping centre. There are bus stops directly in front of the application site. To the immediate east of the site is Mercury Gardens, which forms part of the ring road around Romford Town Centre. West of the site is Grimshaw Way, which is bordered on the other side by the 5 storey Sovereign House and 4 storey Scimitar House beyond. A narrow private access road lies to the south with the 4 storey St James House and 2 storey Romford & District Synagogue beyond.
- 1.3 The wider area is characterised by town centre activities and includes a number of shopping centres, including the Liberty and Brewery, reflective of the status of Romford as a Metropolitan Town Centre (as identified in the London Plan). The site also lies within the Romford Office Quarter as identified in the Romford Area Action Plan.

## **2. Description of Proposal**

- 2.1 The application is for the part demolition of Chaucer and Hexagon House. This will also require the removal and re-construction of two existing fire escapes, together with associated works to relocate air handling plant. The proposal also includes the reconfiguration of the existing parking arrangements. The proposed works constitute enabling development, required in order to facilitate the proposed development of a new leisure centre on the existing car park adjacent to Chaucer House.
- 2.2 The section of the building to be demolished is primarily to the western end of Chaucer House. A section of the building, 13m long and the depth of the building, affecting all floors, would be demolished, along with an existing fire escape staircase. This would result in the reduction of the office floorspace by 658 square metres to 1311 sq.m. (previously 1969 sq.m.). More limited demolition works would take place to the western side of Hexagon House involving the removal of an existing fire escape staircase.
- 2.3 The western flank walls of Chaucer House would be reinstated, finished with grey coloured cladding and a new open steel fire escape constructed to the south elevation of the building, at its south-western corner. The western flank of the fire escape staircase would also be clad in similar grey panelling. The western flank wall of Hexagon House would be finished in similar materials but would include an external fire door to lower ground floor. A new open steel fire escape would also be provided to Hexagon House, to the south elevation at its south-western corner. A single storey plant enclosure, steel framed with steel mesh finish, is also proposed to the south of Hexagon House, adjacent to the new fire escape staircase.

- 2.4 The parking layout is to be reconfigured. The parking area within the 'courtyard' of the office buildings currently provides 35 parking spaces and there are a further 72 spaces in the main car park. The courtyard spaces will be rearranged, primarily to accommodate the loss of spaces on the western edge of the site, and reduces to 27 spaces but parking in the main car park would increase to 79 spaces. Overall there would be a net loss of one parking space. A tree in the 'courtyard' would be removed.

### **3. Relevant History**

- 3.1 There is no previous planning history in respect of Chaucer House or Hexagon House that is of direct relevance to these proposals. There are however proposals affecting the adjacent surface car park that are relevant:
- 3.2 Z0008.12 Screening opinion for current car park to be developed for Leisure Centre to include swimming pool and ice rink. – EIA not required.
- 3.3 P1492.12 Construction of a new leisure centre comprising an ice rink, 25m swimming pool, training pool, multi-purpose dance studio, fitness suite and ancillary café with associated disabled car parking and cycle parking – not yet determined (reported separately on this agenda).
- 3.4 The Council is also considering an application for redevelopment of the existing Romford Ice Rink site to provide a supermarket and residential development (P1468.12). This application is also reported separately on this agenda.

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

- 4.1 The application has been advertised on site and in the local press as a departure from LDF policies. Neighbour notification letters have also been sent to 6 local addresses.

### **5. Relevant Policies**

The National Planning Policy Framework, specifically Sections 1 (Building a strong, competitive economy), 2 (ensuring the vitality of town centres), 4 (promoting sustainable transport), 7 (requiring good design), 8 (promoting healthy communities) and 10 (meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.

Policies 2.6-2.8 (Outer London: Vision and strategy, economy and transport), 2.15 (town centres), 3.19 (sports facilities), 4.2 (offices), 4.6 (support for and enhancement of culture and sport provision), , 4.7 (retail and town centre development), 5.18 (development waste management), 5.21 (contaminated land), 6.1 (transport), 6.9 (cycling), 6.10 (walking), 6.13 (parking),7.4 (local character), 7.5 (public realm) and 7.6 (architecture) of the London Plan are material planning considerations.

Policies CP4 (town centres) , CP5 (culture), CP7 (recreation and leisure), CP9 (reducing the need to travel), CP10 (sustainable transport), CP17 (design), DC15 (town centres), DC19 (location of cultural facilities), DC20 (access to recreation and leisure), DC32-36 (transport), DC40 (waste recycling), DC53 (contaminated land), DC55 (noise), DC60 (trees), DC61 (urban design) and DC62 (access) of the Core Strategy and Development Control Policies Development Plan Document are material considerations.

Policies Rom 9 (Metropolitan Shopping Centre), ROM13 (Romford Office Quarter), ROM20 (urban design) and ROM21 (urban design) of the Romford Area Action Plan are material to this application.

## **6. Staff Comments**

6.1 The issues arising from this application are the acceptability, in principle, of the loss of existing office floorspace within the designated Romford Office Quarter, the impact on the vitality and viability of the town centre, the visual impact of the proposed works, amenity issues and parking and highway considerations.

## **6.2 Principle of Development**

6.2.1 The site lies within the Romford Office Quarter, designated in the Romford Area Action Plan (AAP). Policy ROM13 of the AAP encourages proposals which will increase the provision of office accommodation within the office quarter and seeks to resist proposals that would result in a net loss of office floorspace. It is acknowledged that this proposal would result in the loss of 658 square metres gross of office floorspace, which represents around 33.5% of the existing floorspace of 1969 square metres. This loss of office floorspace would not be re-provided for within the proposed re-development of the adjoining car park. There is no loss of floorspace proposed to Hexagon House, which remains at 3,804 square metres.

6.2.2 It is appropriate to judge the acceptability of the proposals in the light of two specific issues – firstly, the changing economic conditions since the adoption of the AAP in 2008 and, secondly, the purpose of the application to create on site conditions which will enable the planned redevelopment of the adjoining car park as a new leisure centre. These two factors are assessed further below.

6.2.3 In respect of the economic conditions, evidence suggests a steady decline in the Romford office market over recent years and a consequent over-provision of available office floorspace. The application premises, which currently has a high level of vacancy, is reflective of this trend. Work undertaken in 2012 by consultants URS for the Council to support the review of the LDF has noted that demand in the local office market in Havering has remained at a relatively low level with the existing stock able to satisfy demand albeit with some demand for serviced premises in the Romford Office Quarter. URS consultants noted that where demand has existed it has been for premises from 250m<sup>2</sup> – 2,500m<sup>2</sup>. The GLA London

Office Policy review (2009) has noted that changes in working patterns through such initiatives as home working is having an impact on the demand for office space. In regard to trying to assess the likely demand for office space in Romford in the years ahead it is worth reflecting that work undertaken by GVA for Crossrail in 2012 concluded that outside of Central London, Crossrail is likely to have a limited impact in terms of generating additional demand for office space.

- 6.2.4 There has been recognition within the Council of the shifting demands for office floorspace within the town centre and the Council has acknowledged (in the Havering Culture Strategy 2012-2014) that a key objective is to encourage major investment in Romford including, inter-alia, to deliver leisure-led mixed-use development in Romford to supplement the office market as a means of generating footfall.
- 6.2.5 As referred to above, the primary purpose of this application is to create the on site conditions necessary to enable the proposed development of a public leisure facility on the adjacent car park to go ahead. The merits of the leisure centre application are addressed in a separate report on this agenda. However, it is appropriate to note that the location of new leisure and recreation facilities within town centre locations is supported in principle by national and local planning policies. The siting of a new public leisure facility in the heart of the town centre reflects the Council's high level objectives to regenerate parts of Romford Town Centre in the light of the significant investment that has been made in other existing, and new, centres in the wider region.
- 6.2.6 The Council is attune to the need to maintain the vitality and viability of Romford Town Centre. Indeed, work undertaken by GVA for the Council in 2012 linked to the LDF review concluded that despite current performance, Romford will have to face significant challenges in the years ahead. GVA have suggested that Romford needs to develop a 'unique selling point'. Staff consider that the provision of a modern leisure facility within the heart of the town centre, creating opportunity for linked trips and encouraging workers and shoppers to spend longer within the town centre may also be a step towards achieving this. The proposed works to Chaucer House and Hexagon House are however critical if the leisure centre development is to go ahead.
- 6.2.7 In view of the cultural and economic benefits to the town centre arising from the provision of a new public leisure centre and the well-documented changing market conditions since the adoption of the AAP, it is considered that the modest loss of some office floorspace could be accepted in this location without materially harming the future viability of the Romford office market. There is already significant vacancy levels within the office building, whereas the development of the proposed leisure centre itself creates employment opportunities and is expected to generate some 50 new full and part time posts. Overall therefore it is considered that the economic benefit arising from the proposed leisure centre development outweighs the impact of the loss of an element of office floorspace. It is however recognised that

there should be a mechanism to ensure that there is a link between the enabling works and the development of the leisure centre and it is proposed that this be secured by condition.

### **6.3 Visual Impact**

- 6.3.1 The existing office buildings are not of any significant architectural or historical merit and there is no objection in principle to partial demolition of these buildings. The demolition of a section of the Chaucer House building is not considered to unacceptably detract from the rhythm or character of the building, such that it is considered there would be no material harm to the character of the Western Road streetscene.
- 6.3.2 The western end elevations of both Chaucer and Hexagon House would be finished with a grey panelled cladding material. Whilst this would contrast with the orange/red brick of the existing buildings, it would have a very limited degree of visibility once the proposed leisure development is built and is considered an appropriate choice of material in view of future maintenance and longevity.
- 6.3.3 The proposed new external fire exit staircases are proposed to the south side of both Chaucer and Hexagon House. They would not be visible from Western Road, Mercury Gardens or in Grimshaw Way as they would be screened from view by either the existing office buildings or the proposed new leisure development. They could be viewed from the car parking area and office buildings to the south of the site but in the context of the surrounding environment and given limited wider public view they are judged to be visually acceptable.
- 6.3.4 The proposed single storey plant enclosure, to the south of Hexagon House, would not have a material impact on the visual amenity of the locality owing to its siting and limited scale. The proposals are not therefore considered to conflict with Policies CP17 or DC61 of the LDF.

### **6.4 Impact on Amenity**

- 6.4.1 The proposals effectively reduce the scale, bulk and mass of the existing office buildings so have no material impact on neighbouring amenity in this respect. They introduce new fire escape staircases and a plant enclosure but, owing to the commercial nature of surrounding buildings and the distance from the nearest residential properties in Western Road it is considered they would not materially affect neighbouring amenity, either in terms of visual impact or noise generated.
- 6.4.2 The revised parking arrangements affect commercial properties and are not considered to materially impact on neighbouring amenity. A tree will be lost from the parking area but this has limited visibility outside of the site and so little impact on wider public amenity.

## **6.5 Parking and Highway Issues**

- 6.5.1 The proposed development involves the reconfiguration of the existing car parking provision within the site. Car parking is currently provided within a courtyard-type area, formed by the existing office buildings, and in an undercroft arrangement beneath Chaucer House. There is also a surface car park to the south of Hexagon House. The parking is to be reconfigured as existing spaces to the western side of the site will be lost to accommodate the proposed leisure centre development and undercroft parking will be lost beneath the section of Chaucer House to be demolished.
- 6.5.2 The rearrangement of the parking within the courtyard area reduces the number of spaces from 35 to 27, a loss of 8 spaces. However, the majority of this can be re-provided through works to the car park south of Hexagon House, such that the net loss of parking generated by the proposals is one space. This leaves 106 parking spaces in total.
- 6.5.3 Staff raise no objection to this in principle as the net loss of parking provision is marginal. Furthermore, given the net loss of office floorspace the parking space to floorspace ratio would actually increase. Given the location of the site in a PTAL zone of 6 it is considered that no material highway impact would result from the proposed development.

## **7. Conclusion**

- 7.1 The proposed development is required to create the on-site conditions necessary for the construction of the proposed new Romford leisure centre. It therefore is critical to the ability to deliver a development that will contribute to the economy and culture of the town centre. Whilst the development will result in a net loss of office floorspace, which is contrary to the aims of Policy ROM13, it must be weighed against the overall benefits that the enablement of the leisure centre development will bring. In the light of this and the recent economic downturn, together with the job creation opportunity provided by the new leisure development, the loss of office floorspace is considered to be justified.
- 7.2 The proposal is acceptable in all other material respects, including visual impact, impact on amenity and parking and highway considerations. It is therefore recommended that planning permission be granted.

## **IMPLICATIONS AND RISKS**

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

The proposal is directly linked to the ability to deliver the proposed new Romford leisure centre.

**Legal implications and risks:**

Unless this application is linked to the proposed redevelopment of the adjoining site, the planning justification for the proposal is weak. Condition 3 provides the necessary linkage and resolves the issue without the need for a Section 106 agreement.

**Human Resources implications and risks:**

None arising from this application.

**Equalities implications and risks:**

The proposal is integral to the ability to provide a new leisure centre for the Borough on the adjacent site. The leisure centre will provide a facility suitable for use by all members of the community, thereby contributing to the objective of equality of opportunity for all Borough residents.

<b>BACKGROUND PAPERS</b>
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Application received 17 December 2012; revised plans received 18 and 21 February 2013.

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# REGULATORY SERVICES COMMITTEE

30 April 2013

# REPORT

**Subject Heading:**

**P1492.12: Car park associated with Chaucer House, Junction of Western Road and Grimshaw Way, Romford**

**Construction of a new leisure centre comprising an ice rink, 25m swimming pool, training pool, multi-purpose dance studio, fitness suite and ancillary café with associated disabled car parking and cycle parking (application received 29 November 2012, revised plans received 20 March 2013).**

**Report Author and contact details:**

**Suzanne Terry, 01708 432755  
suzanne.terry@havering.gov.uk**

**Policy context:**

**National Planning Policy Framework  
The London Plan  
Havering Corporate Plan (2011-14)  
Local Development Framework**

**Financial summary:**

**None**

**The subject matter of this report deals with the following Council Objectives**

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

## SUMMARY

This application relates to a proposed new public leisure development, including a swimming pool and ice rink, on a site located in Western Road, Romford. The proposals are a culmination of long term ambitions to re-introduce a swimming pool and public leisure facilities back into the centre of Romford. The proposals have been made possible through a land swap arrangement involving other land owned by the Council at Rom Valley Way, which currently houses the existing Romford Ice Rink. The Rom Valley Way site is now subject of a separate planning application, reported separately on this agenda, for a new Morrisons food store and residential development. Whilst both applications are separate there is a strong degree of linkage between the proposals, such that each should be considered with regard to the other.

The application has been through all of the statutory consultation processes, including referral to the Mayor and Staff are satisfied that the proposed provision of a new leisure facility on this site is entirely acceptable in principle. A wide range of planning issues, including factors such as design, layout, parking and cycling provision, environmental factors and impact on amenity have been considered, as set out in the report below. Detailed consideration has also been given to other factors, such as continuity of ice rink provision and public realm improvements in Western Road which are linked with consideration of the proposals.

Staff are satisfied, having regard to all material factors, that the proposals are acceptable in principle and it is recommended that planning permission be granted, subject to no contrary direction from the Mayor for London and no call in from the Secretary of State under referral procedures, the prior completion of a legal agreement and conditions.

## RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to

A: No direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008);

B: No call in from the Secretary of State under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009: and

C: Prior completion of a legal agreement under the appropriate enabling statutory powers, including Section 1 of the Localism Act 2011, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 and Section 111 of the Local Government Act 1972 to secure the following:

\* Secure provision of the new leisure facility

- \* Provision of improvement works to Western Road subject to successful bid for funding to Transport for London
- \* Provision of a training and recruitment scheme for local people to be employed during the construction period and operation of the facility

Subject to recommendations A), B) and C) above that planning permission be granted subject to the following conditions:

**Condition 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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

**Condition 2: Approved Plans**

The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and documents as set out on page 1 of the decision notice.

Reason: To accord with the submitted details and LDF Development Control Policies Development Plan Document Policy DC61.

**Condition 3: External 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) 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.

**Condition 4: Wheelwash**

Before the development hereby permitted is first commenced, wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided before the development commences and used thereafter throughout the duration of construction

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.

### **Condition 5: Hours of Construction**

No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless otherwise agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

### **Condition 6: Construction Method Statement**

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 Policy DC61.

### **Condition 7 Freight Management**

Prior to the commencement of development a Delivery and Servicing Plan and a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems,

consolidated or re-timed trips and provision for loading and drop off facilities. The development shall then be carried out in accordance with the agreed details.

Reason: In order to ensure the construction of the development does not have an adverse impact on the environment or road network and to accord with Policy 6.14 of the London Plan.

**Condition 8: Site Waste Management Plan**

Before the commencement of the development or of any phase of the development hereby permitted, as appropriate, a detailed Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include a detailed strategy for waste management and minimising of waste, including recycling of waste and for managing the associated impacts of construction related traffic. The development shall be operated in accordance with the approved Site Waste Management Plan.

Reason: In the interests of amenity and sustainability and to reduce the impact of the construction on the local road network.

**Condition 9: 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. 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

**Condition 10: Travel Plan**

Prior to the commencement of development a travel plan showing measures to be undertaken to encourage the use of sustainable modes of transport and reduce reliance on use of private cars shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To encourage more sustainable travel in accordance with LDF Core Strategy Policy CP10.

**Condition 11: Renewable Energy**

Prior to the commencement of development details of the proposed renewable energy system shall be submitted to and agreed in writing by the Local Planning Authority. It shall then be installed and operational in accordance with the approved details prior to the occupation of the building. Thereafter, it shall be permanently retained.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF Development Control Policies Development Plan Document.

**Condition 12: Contamination:**

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase II (Site Investigation) Report if the Phase I Report, having previously been submitted by the developer, 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.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a ‘Validation Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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

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

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

Reason: To protect those engaged in construction and occupation of the development from potential contamination, in accordance with LDF Core Strategy Policy CP15 and Development Control Policies Development Plan Document Policy DC53.

**Condition 13: Noise Standards**

Before any work commences 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 *L A90 – 10 dB (A)*. The development shall be carried out in accordance with the approved details and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the amenities of neighbouring properties, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC55.

**Condition 14: Ecology**

No development shall commence until details have been submitted showing how the development will comply with the recommendations set out in Table 4.1 of the submitted Environmental Report. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

**Condition 15: Works to Public Highway**

The proposed alterations to the Public Highway shall be submitted in detail for approval prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

**Condition 16: Community Safety**

Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and

shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17, DC33 and DC63 of the LDF Development Control Policies Development Plan Document.

#### **Condition 17: CCTV**

Prior to the commencement of the development hereby permitted a scheme showing the details of a CCTV system to be installed for the safety of users and to support the prevention of crime, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Crime Prevention Design Advisor. No part of the development shall be occupied or used before the scheme is implemented as agreed.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17, DC33 and DC63 of the LDF Development Control Policies Development Plan Document.

#### **Condition 18: Vehicle Charging Point**

Prior to the occupation of the building, details of the installation (including the location and type) of the proposed electric vehicle charger point within the disabled car park area shall be submitted to and approved in writing by the Local Planning Authority and the approved electric vehicle charger point shall be installed and maintained thereafter in accordance with the approved details.

Reason: To encourage more sustainable travel in accordance with LDF Core Strategy Policy CP10 and in order that the development accords with London Plan Policy 6.13.

#### **Condition 19: Car Parking**

Prior to first occupation of the development 5 disabled parking spaces shall be provided within the development.

Reason: To ensure that car parking accommodation is made available for disabled users of the development and to accord with the LDF Development Control Policies Development Plan Document Policy DC33.

#### **Condition 20: Parking Management Plan**

Prior to the occupation of the building, a management plan covering the proposed coach drop off, off site coach parking and on site disabled parking shall be submitted to and approved in writing by the Local Planning Authority and the details of the approved plan implemented prior to first occupation of the



development and thereafter shall be permanently retained and managed in accordance with the approved details.

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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

**Condition 21: Coach Drop-off**

The coach/vehicle drop-off facility shall be provided and available for use, in accordance with details which shall previously be submitted to and approved in writing by the Local Planning Authority before the building is occupied. The approved facility provided shall be retained permanently thereafter and shall not be used for any other purpose.

Reason: To ensure that the drop-off facility is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

**Condition 22: Energy Efficiency**

Prior to occupation of the building, a copy of the Interim Code Certificate shall be submitted to the Local Planning Authority confirming that the development design achieves BREEAM Very Good.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

**Condition 23: Flood Risk**

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated August 2012, reference number 10862 (Rev. D1 Draft) compiled by Campbell Reith Hill LLP and the following mitigation measures detailed within the FRA:

- Limiting the surface water runoff generated in all events up to the 1 in 100 year event, with an allowance for climate change to a maximum of 5 litres per second (section 10.1.6, page 24);
- Finished ground floor levels are set no lower than 16.5 metres above Ordnance Datum (section 7.2.3, page 19).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce flood risk to the proposed development and its future occupants and to ensure compliance with Policy 5.13 of the London Plan.

**Condition 24: Plant and Machinery**

Prior to the occupation of the building, suitable equipment to remove and/or disperse odours and odorous material shall be fitted to the extract ventilation system required for associated food and drink uses in accordance with a scheme to be designed and certified by a competent engineer and after installation the certification of compliance with the design shall be lodged with the Local Planning Authority. Thereafter the equipment shall be properly maintained and operated within design specifications.

Reason: To protect the amenities of neighbouring properties, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

**Condition 25: External Lighting**

Details of the external lighting scheme shall be submitted for the approval of the Local Planning Authority prior to the occupation of the building. The lighting shall be installed in accordance with the approved details prior to the first bringing into use of the development and maintained thereafter.

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

**Condition 26: Noise Insulation**

Before the use commences, the building shall be insulated in accordance with a scheme which shall previously have been submitted to and approved by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building.

Reason: To protect the amenity of occupiers of nearby properties, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC55.

**Condition 27: Refuse Storage**

The refuse storage arrangements shown on the approved drawings ALP (9) 100 Rev C, unless otherwise submitted to and approved in writing by the Local Planning Authority, shall be provided and available for use before the building is occupied. The facilities provided shall thereafter be permanently retained and shall not be used for any other purpose.

Reason: To ensure that refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and

potential vermin/pest nuisance in accordance with Development Control Policies Development Plan Document Policy DC40.

**Condition 28: Cycle Storage**

Prior to completion of the works hereby permitted, 41 cycle storage spaces (of which 10 shall be for staff use) of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided 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 and to accord with the Development Control Policies Development Plan Document Policy DC35.

**Condition 29: Archaeology**

- A) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.
- B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and historic buildings assessment followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in PPS 5/NAPPY.

**Condition 30: Hours of Use**

No public sporting or entertainment events shall be held at the premises outside the hours of hours 07.00 to 24.00h Mondays to Thursdays, 07:00 to 01:00 the following morning on Fridays and Saturdays and 07:00 to 23:00 hours on Sundays, unless those days fall on Bank or Public Holidays in which case no sporting or entertainment events at the premises shall be held outside the hours of 07:00 to 23:00 hours.

Reason: To protect the amenities of neighbouring properties, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

**Condition 31: Hours of Use – Ground floor café**

The ground floor café hereby approved shall not provide food for takeaway or consumption off the premises outside the hours of 07:00 to 22:00

Reason: To protect the amenities of neighbouring properties, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

**INFORMATIVES:**

1. In aiming to satisfy condition 16 the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

2. The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

3. Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

4. Thames Water recommend the installation of a properly maintained fat trap on all catering establishments. Further information can be requested by telephoning 0203 577 9963. With regard to the swimming pool, the pool shall be emptied overnight and in dry periods and the discharge rate shall not exceed a flow rate of 5 litres/second into the public sewer network. The developer is also advised to contact Thames Water Development Services on 0845 850 2777 to obtain the necessary consents for discharge of surface water drainage from the site.

5. The development of this site is likely to damage heritage assets of archaeological and historical interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with the appropriate English Heritage guidelines.

6. 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 £133,920. 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.

7. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, although some revisions have been made to the proposal during the course of the application in response to issues raised by statutory consultees. The application has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

### **Reason for Approval**

This decision to grant planning permission has been taken:

(i) having regard to the provisions of the National Planning Policy Framework, specifically Sections 1, 2, 4, 7, 8 and 10; Policies 2.6-2.8, 2.15, 3.19, 4.2, 4.6, 4.7, 5.1-5.3, 5.7-5.9, 5.12, 5.13, 5.18, 5.21, 6.1, 6.9, 6.10, 6.13, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.13, 7.14, 7.15, 7.19, 7.21 and 8.2 of the London Plan; Policies CP4, CP5, CP7, CP9, CP10, CP15, DC15, DC19, DC20, DC32-36, DC40, DC48, DC49, DC50, DC52, DC53, DC55, DC58, DC60, DC61, DC62, DC63, DC66, DC70 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) and Policies ROM9, ROM13, ROM17, ROM19, ROM20 and ROM21 of the Romford Area Action Plan ;

(ii) for the following reasons:

The proposed development will enable the provision of a major new leisure facility within the Borough, which is considered to suitably mitigate the loss of the existing Romford ice rink and to accord with the provisions of Policy CP7. The proposed location of the new development, within the town centre, accords with national and local planning policies. The detailed design of the proposed development is of an exemplary high standard, both internally and externally, which is considered to positively contribute to the visual character and the economy of the town centre, as well as providing a high quality sporting environment of inclusive design suitable for use by all members of the community.

The proposed development is in a highly accessible location and complies fully with sustainable transport objectives. It is considered there would be no material harm to the safe and free flow of traffic within the locality. The development includes provision for drop off and coach parking facilities and, through a legal agreement, will include provision for improved pedestrian facilities in the vicinity of the site in Western Road. The proposed development has an acceptable environmental impact and is judged not to result in any significant adverse impact on local amenity.

There is judged to be no material conflict with any national, regional or local planning policies.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site is within Romford Town Centre and is located to the south side of Western Road, to the eastern side of its junction with Grimshaw Way. The site is generally flat, although there is a gentle slope towards the southern end of the site and has an area of 0.39 hectares. It comprises the rear section of the northern wing of Chaucer House, which is a 4/5 storey office building, together with an associated car park comprising 125 spaces.
- 1.2 To the north of the site lies Western Road, with a multi-storey car park on the opposite side of the road and beyond that the Liberty shopping centre. There are bus stops directly in front of the application site. To the immediate east of the site is the remainder of Chaucer House, Hexagon House and an associated 72 space car park, beyond which is Mercury Gardens. West of the site is Grimshaw Way, which is bordered on the other side by the 5 storey Sovereign House and 4 storey Scimitar House beyond. A narrow private access road lies to the south with the 4 storey St James House and 2 storey Romford & District Synagogue beyond.
- 1.3 The wider area is characterised by town centre activities and includes a number of shopping centres, including the Liberty and Brewery, reflective of the status of Romford as a Metropolitan Town Centre (as identified in the London Plan). The site also lies within the Romford Office Quarter as identified in the Romford Area Action Plan.

### 2. Description of Proposal

- 2.1 The proposal is for redevelopment of the site to provide a public leisure facility. The development will include the provision of a 25m (8 lane) swimming pool, suitable for leisure and competitive swimming, together with a 15m by 8m teaching pool and poolside sauna and steam rooms. The pool will have 206 spectator seats and 4 wheelchair spaces. The upper floors of the building will provide a new ice rink (56m by 26m), together with 855 spectator seats and 8 wheelchair spaces, together with a fitness suite with 100 stations, studio and spa treatment rooms and a gym. The development will also include ancillary café facilities.
- 2.2 The proposed facilities will all be housed within a single building supported by a largely glazed plinth. The building has a ground floor footprint of some 39.5m wide by 72.4m deep and provides a gross internal floorspace area (GIA) of some 8,081 square metres. The front elevation of the building has a ground to parapet height of 24m.
- 2.3 The ground floor of the building is designed largely as a glazed structure. It will be constructed of an aluminium curtain walling system, grey framed and

predominantly clear glazed. The public entrance to the building will be from the Western Road frontage and will consist of rotating sliding doors together with a separate entrance door. There will be a bi-folding screen to part of the ground floor frontage where the ground floor café facility is proposed to be located. The glazing runs along the western elevation of the building at ground floor, eventually giving way to a white painted render section. The eastern elevation will also largely be finished with white painted render at ground floor level. To the southern end of the building at ground floor level the glazing will give way to a louvred wall system, finished grey, which will serve to screen the internal plant and machinery to be located at the rear of the building.

- 2.4 The upper floors of the building are all housed within a single, rectangular structure. It will be constructed of polycarbonate panels, which are in four varying, muted shades of blue to give a textured appearance to the elevations. A system of vertical LED lighting is proposed to be fixed to the face of the cladding, which would enable the building to be externally lit.
- 2.5 The proposal provides 5 no. parking spaces for disabled users, located to the rear of the proposed building. There is no other on site parking provision for users of the development. A service yard is provided at the rear of the building, as well as provision for refuse storage. Resurfacing works would need to be carried out within the site boundaries. This would involve the provision of new block paving surfaces to the side of the development (to Grimshaw Way) and to the site frontage. There will also be opportunity for soft landscaping to the flank of the development. No other off site works are directly proposed as part of this application but the Council is exploring the scope for public realm improvements in this part of the town centre as part of its wider streetscene improvements works.
- 2.6 Internally, the public entrance from Western Road leads into a foyer and café area, beyond which is the ground floor swimming pool and changing room facilities, including 26 changing cubicles, 6 no. 3 person family changing rooms, baby change facilities, w.c's and group changing rooms. The changing facilities include changing cubicles for the ambulant disabled, as well as wheelchair sized changing cubicles. Provision is made for dedicated combined shower and change (i.e. wet and dry changing rooms) for disabled users. There are 206 spectator seats on the ground floor and 4 wheelchair accessible spaces. Plant is located to the rear of the ground floor of the facility. The first floor of the building is largely occupied by the proposed fitness suite, studio and changing facilities.
- 2.7 The proposed new ice rink is located on the second floor of the building, together with changing facilities for teams and a skate changing area for the public. There is additional spectator seating on the upper floors comprising 166 seats and 4 accessible spaces on the second floor, as well as refreshment facilities, and 689 seats and 4 accessible spaces on the third floor. There is lift access to all floors of the building.

2.8 The application is accompanied by a suite of supporting documents including a Design & Access statement, Environmental report, Statement of Community Engagement, Sustainability and Energy Statement, Transport Assessment and Travel Plan and a Ventilation and Extract Statement.

### **3. Relevant History**

3.1 Z0008.12 Screening opinion for current car park to be developed for Leisure Centre to include swimming pool and ice rink. – EIA not required.

3.2 P1537.12 Part demolition and installation of Chaucer House and Hexagon House, construction of 2 new fire escapes, relocation of air handling plant, reconfiguration of existing car parking – not yet determined (reported separately on this agenda).

3.3 The Council is also considering an application for redevelopment of the existing Romford Ice Rink site to provide a supermarket and residential development (P1468.12). This application is also reported separately on this agenda.

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

4.1 A public exhibition of the development was held over a three day period in Romford Central Library during July 2012. Over 300 people attended the exhibition and over 100 feedback forms were received. The Council has also received a petition with over 7,000 signatories. This primarily raises issues relating to the loss of the existing ice rink and interim skating provision and is judged therefore to relate more closely to planning application P1468.12, which is reported separately on this agenda.

4.2 The planning application has been advertised on site and in the local press as a major development and a departure from the LDF. Neighbour notification letters have also been sent to 452 local addresses. 9 letters of representation have been received raising objections on the following grounds:

- No need for a new swimming pool, already in Central Park and Harrow Lodge Park
- Should be individual showers/cubicles for the gym rather than communal
- Should have low entrance fee for over 65's
- The building is considered to be grotesque
- What's wrong with the existing ice rink?
- Why was the Dolphin not kept and refurbished if this is necessary?
- This is a fait accompli, no real consultation
- There should be a 50m pool for Romford, should build it on Homebase site
- The location near South Street is dangerous for youngsters
- Proposal too dense for the local area
- Part of existing office expected to form part of development but does not, only the car park



- Lack of parking facilities for cars and coaches
- Ice pad should be bigger
- Extra traffic
- Development is just 'sandwiched in';
- Impact of construction work on neighbouring businesses
- Noise pollution
- Parking and traffic congestion
- Will encourage anti-social behaviour in locality

4.3 Councillor Curtin, the Cabinet Member for Culture, Towns and Communities, has written in support of the proposals as he considers they meet the Council's planning policies and the aims of the Borough's culture strategy. He considers the proposal to benefit the town centre and enhance the range of sporting opportunities and to guarantee the future of ice sport provision within the Borough. He is supportive of the design of the proposals, including the proposed materials and the 'green' credentials of the development, and the way in which it positively promotes access for disabled users.

4.4 The Greater London Authority (GLA) have advised that the proposals are considered to be generally acceptable in strategic planning terms. The provision of a new leisure facility is strongly supported although the Council is encouraged to continue discussions regarding interim provision of ice rink facilities. The GLA are supportive of the design of the proposals as submitted to them at the time of their Stage I report.

The GLA have however requested that further work be done in respect of climate change mitigation and in respect of the transport related issues raised by TfL (see paragraph 4.5 below).

4.5 Transport for London (TfL) have commented that no adverse impact on the Strategic Road Network is anticipated. However, further information is sought regarding likely trip generation and modal split. The limited level of parking provision is welcomed although further justification for the number of disabled car parking spaces should be provided. One electric vehicle charging point is required and should be secured by condition. The pick up and drop off facility to Grimshaw Way is welcomed but further information is needed to assess the adequacy of the facility. A management plan is recommended, to be secured by condition, to cover the proposed pick up and drop off facility, the off site coach park and on site disabled car parking. TfL are satisfied with cycle parking facilities for staff but that it should be increased for visitors. TfL notes the proposed alterations to Western Road (which are outside of the site) and will respond separately on this point. A Construction Logistics Plan (CLP) should be secured via appropriate planning conditions/ obligations, as should a Delivery and Servicing Plan. A full Framework Travel Plan should be secured through a Section 106 planning obligation.

4.6 Sport England have considered this as a non-statutory consultation. They note the new leisure centre proposed represents a sizeable investment in

sports facilities in the locality and are supportive of the proposals in principle. However, they note the loss of the existing Romford Ice Rink (through a separate but related application) and therefore would like assurance that the new leisure facilities will be delivered, preferably through S106 agreement. Sport England would like to be consulted on the draft legal agreement. A condition for phasing of the development is also requested

- 4.7 Environmental Health raise no objections subject to conditions relating to construction work, noise emission, land contamination and air quality.
- 4.8 Essex & Suffolk Water raise no objection to the development.
- 4.9 Thames Water does not object but requests conditions with regard to the emptying of swimming pools into a public sewer. It also advises a properly maintained fat trap will be required and the applicant must make proper provision for surface water drainage.
- 4.10 The Fire Brigade (water) advise one additional private fire hydrant will be required.
- 4.11 The Environment Agency advise that the proposal is acceptable if the measures set out in the submitted Flood Risk Assessment are adhered to. This should be secured by condition.
- 4.12 The Borough Crime Prevention Design Advisor is satisfied that the proposals have been developed with sufficient regard to crime prevention and community safety. Conditions are requested relating to community safety, including provision of CCTV, if permission is granted.

## **5. Relevant Policies**

- 5.1 The National Planning Policy Framework, specifically Sections 1 (Building a strong, competitive economy), 2 (ensuring the vitality of town centres), 4 (promoting sustainable transport), 7 (requiring good design), 8 (promoting healthy communities) and 10 (meeting the challenge of climate change, flooding and coastal change) are relevant to these proposals.
- 5.2 Policies 2.6-2.8 (Outer London: Vision and strategy, economy and transport), 2.15 (town centres), 3.19 (sports facilities), 4.2 (offices), 4.6 (support for and enhancement of culture and sport provision), , 4.7 (retail and town centre development), 5.1-5.3 (climate change), 5.7-5.9 (renewable energy/energy efficiency, 5.12 (flood risk management), 5.13 (sustainable drainage), 5.18 (development waste management), 5.21 (contaminated land), 6.1 (transport), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.2 (inclusive environment), 7.3 (designing out crime), 7.4 (local character), 7.5 (public realm), 7.6 (architecture), 7.7 (tall buildings), 7.13 (emergency), 7.14 (improving air quality), 7.15 (reducing noise), 7.19 (bio diversity), 7.21 (trees) and 8.2 (planning obligations) of the London Plan are material planning considerations.

- 5.3 Policies CP4 (town centres) , CP5 (culture), CP7 (recreation and leisure), CP9 (reducing the need to travel), CP10 (sustainable transport), CP15 (environmental management) CP16 (bio diversity), CP17 (design), DC15 (town centres), DC19 (location of cultural facilities), DC20 (access to recreation and leisure), DC32-36 (transport), DC40 (waste recycling), DC48 (flood risk), DC49-50 (sustainability), DC52 (air quality), DC53 (contaminated land), DC55 (noise), DC58 (biodiversity), DC60 (trees), DC61 (urban design), DC62 (access), DC63 (safer places), DC66 (tall buildings), DC70 (archaeology) and DC72 (planning obligations) of the Core Strategy and Development Control Policies Development Plan Document are material considerations.
- 5.4 Policies Rom 9 (Metropolitan Shopping Centre), ROM13 (Romford Office Quarter), ROM17 (greening Romford), ROM19 (tall buildings), ROM20 (urban design) and ROM21 (urban design) of the Romford Area Action Plan are material to this application.
- 5.5 The Havering Landscape SPD, Designing Safer Places SPD, Protecting and Enhancing Diversity SPD, Sustainable Design and Construction SPD and Protection of Trees during Development SPD are also supplementary planning documents that are relevant to consideration of this application. Regard should also be had to the Council's Local Implementation Plan which set out the Council's transport policies and programmes and the Havering Culture Strategy (2012-2014).

## **6. Background**

- 6.1 This planning application has been submitted on behalf of the London Borough of Havering in order to fulfil a long term ambition of the Authority to provide a new public leisure facility within Romford. The Council's Corporate Plan 2011-2014 includes a specific objective under the Towns and Communities Goal for the Council to work with the private sector to deliver a new leisure facility in Romford. Such a facility will be in line with the strategic outcome of culture and leisure playing a key part in community life (3.6). A new facility of this type will also assist in achieving the strategic outcome of lower levels of preventable ill-health and people leading healthier lives (4.5).
- 6.2 The land now forming the application site was purchased in 2010, the purchaser's intention then being to develop a new food store, the Council saw this as an opportunity to establish a partnership approach and entered into negotiations with that party whereby an alternative site for a food store was identified, where the existing Romford Ice Rink is currently located, and the Council would be able to purchase the land subject of this application for a proposed new leisure development in the heart of the town centre in line with the Council's objectives and wider planning objectives.
- 6.3 A separate planning application has been received for the proposed new food store development at the existing Ice Rink site in Rom Valley Way. Whilst the respective applications are separate, in view of the background set out above, there are clear linkages between the proposals and in how

they provide a unique opportunity at this stage in the town centre's development for important town centre regeneration objectives to be secured. It is important for the policy issues raised by both proposals to be considered within that context. Staff have therefore sought to ensure that both applications are considered in parallel.

## **7. Staff Comments**

7.1 The issues arising from this application are the acceptability, in principle, of a leisure use in this part of the town centre and the loss of existing uses; the justification for the proposed development and its linkage to the proposed redevelopment of the Ice Rink site at Rom Valley Way; issues of design, appearance and visual impact; environmental issues including bio diversity, flood risk, waste management, land contamination, sustainability, air quality and noise; impact on amenity; transport and servicing.

### **7.2 Principle of Development**

7.2.1 The site is located within Romford Town Centre, which is identified in the London Plan as a Metropolitan Town Centre. It would accord with the Core Planning Principles in the NPPF of promoting the vitality of urban areas, managing patterns of growth to make the fullest possible use of public transport, walking and cycling and focussing development in locations which are or can be made sustainable. The proposal would also accord with the sequential test set out in the Government's NPPF. As the application site lies within the town centre boundaries it is the preferred location for such a development under the provisions of Policy 2.7 of the London Plan and would also accord with the provisions of the NPPF. In principle the development would also meet the requirements of Policy 3.19 of the London Plan, which encourages the provision of new leisure and recreation facilities, as well as Policies 2.15 and 4.6 of the London Plan, which support such facilities in town centres with good public transport, where they are of a scale which supports the vitality and viability of the centre.

7.2.2 In terms of local policy requirements, the proposed establishment of a new public leisure facility within Romford satisfies the Council's Corporate Plan 2011-2014 which provides the Havering 2020 Vision with a more formal basis. Alongside other objectives, these seek to create a thriving, successful and healthy community. The proposal is consistent with the themes of better health and welfare and increased community participation, which underpin the Vision. The LDF Core Strategy looks to focus development in its town centres and seeks to promote and diversify Romford Town Centre. It is committed to making strong and well-developed cultural provision, including opportunities for sport and leisure activities. These form part of the strategic objectives of the LDF and are strongly linked to the Council's high level objectives to regenerate parts of Romford Town Centre in the light of the significant investment that has been made in other existing, and new, centres in the wider region.

- 7.2.3 Work undertaken by GVA for the Council in 2012 linked to the LDF review concluded that despite current performance, Romford will have to face significant challenges in the years ahead. These issues are not exclusive to Romford and include such topics as reduced consumer spending, increased competition from the internet and other prominent 'lifestyle' or discretionary shopping destinations such as Bluewater and Westfield Stratford City. GVA also highlighted that Romford's strong presence from nationally recognised multiple – retailers (which can be a strength in good times) means that Romford is likely to be vulnerable in difficult times as retailers continue to rationalise their outlets and stock. GVA said that even without these closures, Romford may be regarded as lacking a distinct offering and this means that it has little to differentiate itself from other high-profile centres. GVA suggested that Romford needs to develop a 'unique selling point'. Staff suggest that it may be considered that the provision of a modern, state of the art leisure facility in the heart of the town centre providing the scope for shoppers and workers to enjoy active participation in sport and leisure in close proximity to shops and their workplaces may also be a step towards achieving this.
- 7.2.4 The proposal is in accordance with Policies CP4 and DC19 of the LDF, which provides that cultural development will be steered towards town centres using the sequential test. This is further supported by the provisions of Policy CP5, which identifies the role that cultural uses, including leisure facilities, can play in adding to the vitality and viability of town centres, contributing to the economy and diversifying the evening activities in the town centre.
- 7.2.5 However, whilst national and local planning policies steer the provision of such development towards existing town centres, the proposal must be balanced against the resultant loss of existing office floor space (and the opportunity to provide additional office floorspace in the future) and the consequent loss of an existing town centre car park.
- 7.2.6 The site lies within the Romford Office Quarter, designated in the Romford Area Action Plan (AAP). Policy ROM13 of the AAP encourages proposals which will increase the provision of office accommodation within the office quarter and seeks to resist proposals that would result in a net loss of office floorspace. It is acknowledged that this proposal would result in the loss of 658 square metres of office floorspace (demolition of part of Chaucer House is proposed under a separate enabling application reference P1537.12, also reported on this agenda), and would not include the re-provision of any office floorspace within the new development. 1311m<sup>2</sup> of floorspace would however be retained within the building Hexagon House, which has a floorspace of around 3,800 square metres will not be affected.
- 7.2.7 However, economic conditions have changed significantly since the AAP was adopted in 2008 and there has been a decline in the viability of the office market in this location. Commercial information submitted with the application suggests that there is some 4,484 sq.ft of office floorspace available in the Romford office market balanced against a steady decline in

take up, such that it is estimated that there is a 4.6 year supply for office floorspace if future demand continues at the current rate. The Council has seen a similar case advanced for other development proposals in the office quarter of the town centre in recent years (largely applications for change of use) and has accepted the validity of the economic case made for alternatives to office use.

- 7.2.8 Work undertaken in 2012 by consultants URS for the Council to support the review of the LDF has noted that demand in the local office market in Havering has remained at a relatively low level with the existing stock able to satisfy demand albeit with some demand for serviced premises in the Romford Office Quarter. URS consultants noted that where demand has existed it has been for premises from 250m<sup>2</sup> – 2,500m<sup>2</sup>. The GLA London Office Policy review (2009) has noted that changes in working patterns through such initiatives as home working is having an impact on the demand for office space. In regard to trying to assess the likely demand for office space in Romford in the years ahead it is worth reflecting that work undertaken by GVA for Crossrail in 2012 concluded that outside of Central London, Crossrail is likely to have a limited impact in terms of generating additional demand for office space.
- 7.2.9 There has been recognition within the Council of the shifting demands for office floorspace within the town centre and the Council has acknowledged (in the Havering Culture Strategy 2012-2014) that a key objective is to encourage major investment in Romford including, inter-alia, to deliver leisure-led mixed-use development in Romford to supplement the office market as a means of generating footfall.
- 7.2.10 In view of the cultural and economic benefits to the town centre that would be created by the provision of a new public leisure centre and having regard to the well-documented changing market conditions since the adoption of the AAP, it is considered in the light of the current and expected low level of demand for office floorspace in Romford that the modest loss of some office floorspace could be accepted in this location without materially harming the future viability of the Romford office market especially when the significant benefits of the proposal are taken into account. The development itself creates employment opportunities and is expected to generate some 50 new full and part time posts.
- 7.2.11 The proposal will also result in the loss of the existing car park, which is primarily used by employees of Chaucer and Hexagon House, although available for public use on Saturdays. The car park provides 125 spaces.
- 7.2.12 Policy DC33 states that the Council will support development proposals to convert parking areas to alternative uses where private non-residential parking space is not required by genuine operational business users. The traffic assessment submitted with the application indicates that the week day demand for parking by office users can be accommodated in the 72 space car park associated with Hexagon House to the east of the site. On a

Saturday, the traffic assessment indicates a peak usage of 73 vehicles, which is well below the capacity of 125 spaces.

- 7.2.13 The site is within a highly accessible location in the centre of Romford, well served by public transport and a number of town centre car parks. In regard to overall accessibility, Romford Town Centre enjoys very high levels of accessibility and this is reflected in its high PTAL score. Several bus services have stops along Western Road and the site is within walking distance of other stops along Mercury Gardens. The town centre is widely accessible by bus routes from within Havering and also neighbouring boroughs. Some 20 bus routes pass through the town centre. The site is within walking distance of Romford railway station which will be served by Crossrail trains from 2017/18 which will strengthen Romford's position as the gateway to Essex.
- 7.2.14 Having regard to the sustainable location of the site and the current under-capacity use of the car park it is considered that the displaced parking requirement could be absorbed by existing town centre car parks without any material adverse impact on parking in the town centre.
- 7.2.15 Staff are therefore satisfied that the principle of development, in land use terms, is acceptable.

### **7.3 Need for Proposed Development/Loss of Existing Ice Rink**

- 7.3.1 Policy DC19 of the LDF sets an indicative upper limit of 45,000 sq.m. gross leisure floorspace in Romford Town Centre in the plan period to 2020. Therefore, the proposal will meet an identified quantitative need in the town centre. In principle the proposal is compliant with Policy DC19, as well as the requirements of the NPPF and Policy 3.16 of the London Plan.
- 7.3.2 Since the closure of the Dolphin complex in 1995, Romford Town Centre has been without a public leisure centre or swimming pool and the provision of a replacement facility which is reflected in the current Corporate Plan and which is a long held ambition of the Council, which fits with the LDF Core Strategy objectives.
- 7.3.3 The proposal provides a quality leisure development within the centre of Romford, contributing to sustainable living objectives and promoting a healthy lifestyle in line with the Corporate Plan and Core Strategy themes. It is considered the proposal would contribute to the economy of Romford by adding to the vitality of the town centre and improving the character and appearance of this under-utilised car park, as well as provide sporting opportunities through the provision of a 25m, 8 lane swimming pool, learner pool and new ice rink. The proposed development will also create approximately 50 new jobs (full and part time) and would accord with the NPPF overarching objective of strengthening the economy .
- 7.3.4 As previously outlined, this proposal has been enabled by a partnership approach between the Council and the previous owners of the application

site. The Council has negotiated the sale of a site on Rom Valley Way, which currently houses the existing Romford Ice Rink, enabling the purchase of the application site for the proposed new leisure development. A separate planning application has been submitted in respect of the Rom Valley Way site for a new food store and residential development (application reference P1468.12). The proposed new development in Rom Valley Way is the subject of a separate report elsewhere on this agenda. However, there are linkages between this and the leisure centre proposals in that the existing Ice Rink facility is to be demolished. The worst case scenario is that Romford would be without an ice rink facility for up to two years pending the completion and opening of the new facility.

- 7.3.5 The Council has given consideration to the feasibility of retaining and refurbishing the existing ice rink but the costs involved in bringing the existing facility up to standard and maintaining it are not viable or prudent in the current financial climate. It is noted that a number of the letters of representation raise concern about the lack of an ice skating facility within the Borough for this period of time. The Council has completed a feasibility study in to the option of providing a temporary ice rink facility. During the process of completing the Feasibility Study the Council has met with a number of ice rink operators, managers of existing ice rinks in the sub region and local stakeholders who have an interest in the provision of a temporary facility (ie people involved in ice hockey and ice skating).
- 7.3.6 The feasibility study considered a number of different types of facilities and associated costs, as well as potential sites across the borough. It concluded that the Broxhill site in Harold Hill would be the best site for a temporary facility and identified a range of costs from approx. £750k to £1.5m, depending on the type and quality of the facility to be provided. The cost of provision elsewhere would be greater.
- 7.3.7 The Council does not have any identified capital funding for the provision of a temporary ice rink facility, but has nevertheless offered to consider providing a site (rent free) and a serviced building to house a temporary ice rink, providing the stakeholders can find the funding to fit out the facility and are prepared to run it at no risk to the Council. Despite an initial positive response the stakeholders have not yet been able to confirm they have funding or the ability to manage a temporary facility.
- 7.3.8 Whilst, at the time of writing this report, no final decision has been taken on whether to provide a temporary ice facility, or not, it looks increasingly likely that such a facility will not be provided. The Council has however been talking to other ice rink operators in the sub region (Chelmsford, Alexandra Palace and Lee Valley) to explore a transfer of the ice activities currently taking place at Romford. Whilst the concerns of local users of the facility regarding a gap in provision is understandable, this does not of itself constitute material grounds to refuse the development.
- 7.3.9 Policy CP7 of the LDF states that the Council will retain existing facilities where a need exists. The policy also states the aim of addressing



quantitative and qualitative deficiencies in open space and recreation facilities. The proposed development on the ice rink site, under application P1468.12, results in the loss of the existing ice rink facility and will leave the Borough without an ice rink until the new development is constructed and operational. Whilst, in the short term, leisure provision in the Borough will be diminished, it is important to look at the long term objectives of the proposal. The quality and usefulness of the proposed facility will significantly outstrip that of the existing facility meaning that, the overall outcome will be the provision of enhanced recreation and leisure provision within the town centre. The loss of the existing ice rink facilities is a necessity in this case to enable the improved facilities to be provided and in view of the longer term objectives Staff are satisfied that the proposal is consistent with the objectives of Policy CP7. The Council is committed to ensuring that the new leisure facility will be provided and will enter into a legal agreement to ensure this commitment is binding. Meanwhile, the Council is committed to working with the ice rink stakeholders to ensure that, in due course, a new ice rink facility is provided, which will provide top class training and facilities.

7.3.10 The GVA work undertaken to support the LDF review highlighted growing awareness of public health and obesity issues and suggests that together with growing numbers of GP referrals, there are likely to be growth opportunities for fitness and health facilities. It also mentioned that the success of the 2012 Olympics is expected to inspire increased participation in sport and exercise. GVA noted that Romford has a fair range of commercial leisure uses but noted that the provision is fairly basic and only readily addresses the budget family and core youth markets. It noted that there is little leisure offer for a resident older than a young adult or young family in the evening. It concluded that that this has implications for the future role and prosperity of Romford as a shopping centre. GVA concluded that the provision of a new leisure facility in this location has the potential to be well-integrated with the shopping area and considered that it would be a positive contribution to the town centre. Having regard to these matters, it may be considered that the proposed leisure facility has the potential to help secure Romford's longer term future as it looks to respond to the challenges elsewhere.

## **7.4 Design and Visual Impact**

7.4.1 The proposed development occupies a prominent site within Romford Town Centre. The scale, form, massing and appearance of the proposed development are critical to providing a successful development that complements the wider town centre and enhances the economy and vitality of the town centre as a whole. Strong emphasis is given to the quality of design in both the NPPF and within Policies 7.1-7.6 of the London Plan. This is further reinforced by Policies CP17 and DC61 of the LDF. Core Policy 17 requires new development to improve the character and appearance of the local area in respect of scale and design, to provide a high standard of inclusive design so that it is accessible to all and to be safe

and secure and contribute to community safety. These objectives will be explored further below.

- 7.4.2 In terms of site layout, it is acknowledged that the development proposes a high degree of site coverage. This is not unusual in the context of the existing urban grain and is consistent with other development in this part of the town centre, for example 10-14 Western Road. In so far as character is concerned, the extent of site coverage is entirely acceptable. This leaves little scope for public realm improvements within the site but the development does take advantage of the reasonably deep front forecourt to the building of 5m increasing in part to 12m, where there is opportunity to provide new hard landscaping, seating and lighting. The proposed ground floor café is designed with bi-folding doors, which are capable of opening out onto a pavement-café style seating area, which would all contribute to the character and quality of the public realm.
- 7.4.3 It is noted that there is further potential for other public realm improvements in Western Road within the vicinity of the application site and the Council are currently exploring the scope for this with other partners, principally Transport for London. These could potentially include kerb realignments, a zebra crossing and bus stop resiting. A masterplan for the works has already been produced and the Council is now investigating the possibility of additional funding for the project from Transport for London. The initial phase of this is submission of a case to Transport for London demonstrating the need for the works, which is underway and, subject to provisional agreement at this stage, will progress to detailed scheme development and design works around September 2013. These works would be outside of the application site and, whilst are potentially longer term objectives of the Council, do not form part of the consideration of the current application. Officers are meanwhile exploring funding opportunities with Transport for London for these highway and wider public realm improvements along Western Road and Grimshaw Way. These improvements will seek to complement the works being undertaken at the site and as far as is possible would be phased and implemented so as to achieve the best outcomes for the town centre.
- 7.4.4 The development includes some limited on site car parking, which will be for disabled users. Due to site constraints this would be located to the rear of the site which, although not ideal in terms of urban design, is perfectly acceptable providing the spaces are designed to the required standards of accessibility and are safe and secure to use. There will be level access from the parking spaces along the western side of the building to the public entrance of the leisure complex and this is considered acceptable. Details of lighting and security measures will be secured by condition. Issues of community safety are also further addressed elsewhere in this report.
- 7.4.5 Plant and other equipment for the development, including refuse, surface water attenuation and rainwater harvesting equipment, has intentionally been located to the rear of the site, where its degree of public visibility is

limited and the resultant impact on the clean profile, design and visual appearance of the building is reduced.

- 7.4.6 In terms of siting, the position of the building within the site is considered to relate acceptably to neighbouring development. The building does project forward of Sovereign House, to the west and, to a more limited extent, Chaucer House to the east. However, in relation to Sovereign House this is off-set by the intervening approximately 12m wide flank to flank separation across Grimshaw Way. In relation to Chaucer House it is considered that the forward projection of the proposed leisure centre reinforces its position as a civic building and a development that should rightly be the focal point of Western Road. There is a relatively hard urban edge to this part of the town centre in any event, characterised by multi-storey development being sited close to the footway and it is considered that the siting and scale of the proposed development is consistent with this.
- 7.4.7 Turning to scale and massing, the proposed development has a parapet height of 24m and so is taller than both of the neighbouring properties (Chaucer House is some 17.5m and Sovereign House some 18.5m) and is defined, under the provisions of Policy DC66, as a tall building. Tall buildings can be accepted in principle within the town centre under the provisions of Policy DC66 and ROM19 but are required to be of exemplary high quality and inclusive design. It should be noted that there is a clear functional design justification for the height of the building proposed, in order to accommodate the spectator seating for the pool and ice rink, which is an integral requirement of the proposed leisure centre. There are other tall buildings within this part of Western Road and it is considered that the overall scale and massing of the building, although taller than neighbouring development, is of a proportionate scale consistent with adjacent buildings and local character. Under the provisions of Policy ROM19, as also with Policy DC66, the acceptability of tall buildings is also dependent on the quality of the resultant building, as well as inclusivity of design, and these issues are explored further below.
- 7.4.8 The design concept of the building is to create a simple box-like structure supported on a largely glazed plinth, with the detail of the development created by the proposed external cladding materials and lighting system. The concept of the built form is supported in principle. There are a variety of building types and materials displayed in Western Road and it is considered appropriate that this development should set its own architectural character.
- 7.4.9 The design concept of the development has been refined since the proposals were originally submitted, which has resulted in changes to the appearance of the external materials and the lighting scheme for the building. The use of polycarbonate cladding panels is retained in the revised scheme but the colour is adapted from the single shade of blue originally proposed to a combination of four shades of blue, arranged vertically. It is considered this results in a more pleasing design than originally proposed, as it adds a richness of colour and texture to the building that will be particularly noticeable during the daytime and add visual

interest when the building is unlit. Staff have had regard to the longevity of the building and have considered the durability and ease of maintaining the materials proposed. The proposed material is considered to meet these objectives, as well as providing a good thermal performance, and having a quality visual impact.

7.4.10 As originally proposed, the building was to be lit with diagonal LED lights and shadow lines. However, there were concerns as to how this would affect the external appearance of the building during the day. The revised proposals now proposed a system of vertical LED lighting, which has a projection of some 25mm from the face of the cladding. This simplified appearance is considered to relate better to the overall design of the building.

7.4.11 The proposed new leisure centre building is considered to result in a development that is of exemplary high quality. The proportions, massing and relationship to neighbouring development is well suited to the site and surrounding streetscene. The design concept of the development is strong enough to provide an impressive focal point within the Western Road streetscene during the day, whilst the LED lighting will ensure that the building is particularly striking during the evening. It is considered that the proposed development will make a strong contribution to the character and appearance of this part of the town centre. It is considered the proposed development, in conjunction with its landscaped setting will create a well-defined public realm, at a scale that fits well within its context and provides a strong and accessible frontage at street level. The internal and external design of the development pays high regard to inclusivity of access, which is an integral element of the proposals, and can be seen in the detailed design of the sports facilities within the building, as well as the access, parking and landscaping arrangements around the building.

7.4.12 It is noted that the GLA considered the proposals, as originally submitted, to display striking and bold architecture that would be instantly recognisable as a legible and unique town centre building. The GLA have been notified of the revised proposals and Members will be advised if any further comments are received. Staff however consider the refinement of the original design concept to be to the overall benefit of the design and character of the building and judge that the proposal will result in a distinctive, exemplary quality development that will make a strong and positive contribution to this part of the town centre.

7.4.13 Having regard to the factors set out above, it is considered that the proposed development complies with the aims of Policy DC61 in respect of responding to local built form and pattern of development. It would regenerate a prominent, under-used site within the centre of Romford and, through its detailed design, would improve the character and amenity of the existing area.

7.4.14 In terms of accessibility and public realm, issues of site layout have largely been addressed in paragraphs 7.4.2 and 7.4.3 above. It should be noted

that the site is located in an area of high accessibility, both by walking, cycling and public transport and the locality is well served by public car parking. There are five parking spaces within the site for disabled users and the site is in particularly close proximity to Western Road multi-storey car park, which also has parking provision for disabled users. The scheme will also include provision for 41 cycle spaces. The proposal is designed with level access from the rear parking areas to the site frontage and the foyer of the development is also level with the street in Western Road to aid accessibility and to comply with the relevant building regulations standards.

7.4.15 Existing cycle parking is located at several locations along South Street with more stands planned to be installed opposite Romford Station in 2013/14 (subject to approval by Network Rail and Transport for London). With existing and proposed stands, there will be cycle parking for around 50 cycles when these works are finished. The Mayor has announced recently a focus on cycling including specific priority for Outer London. These initiatives are likely to encompass infrastructure works, public realm improvements to facilitate cycling and measures to encourage more people to cycle. Havering will be exploring these opportunities with Transport for London.

7.4.16 Measures aimed at providing inclusivity of access are detailed in the submitted Design and Access statement. Section 8.2 in particular details measures adopted to provide acceptable movement through the site and building for all users. Some of the measures include rotating sliding doors, suitably sized to be used by wheelchair users, buggies etc; the provision of lift access to all floors of the building; provision of spectator seating for wheelchair users; a mix in the size and range of changing cubicles, including larger cubicles suitable for use by wheelchair users and combined wet/dry shower and changing facilities; the use of colour schemes and way-fare signage to aid visually-impaired users of the facility. The extent of consultation with disabled user groups, the issues considered and range of measures adopted to ensure inclusivity of access is integral to the design of the proposals are given in greater detail in the Design and Access statement. However, Staff are satisfied that, in respect of access, the scheme has been designed to meet the objectives of Policies CP17, DC16 and DC62 of the LDF, as well as Policy ROM19 of the Romford Area Action Plan and Policy 7.2 of the London Plan.

7.4.17 The Borough Crime Prevention Design Advisor has liaised with the scheme architects in respect of the detailed security measures to be incorporated within the development and is satisfied that suitable provision has been made to design out crime. The proposal is therefore considered to suitably deal with issues of community safety subject to relevant planning conditions, which will also include a requirement for CCTV.

## **7.5 Environmental Issues**

7.5.1 A sustainability and renewable energy statement has been submitted with this application. This sets out the measures to achieve levels of energy efficiency to comply with the London Plan. The proposed development

includes measures such as the use of a gas-fired combined heat and power (CHP) system within the building and a solar-thermal water heating system. The submitted statement concludes that the development is expected to achieve a BREEAM rating of 'Very Good', which accords with Policy DC49 of the LDF, and that a 20% reduction in carbon emissions would be achieved, which accords with London Plan targets set out in Policies 5.7-5.9 and the Havering Sustainable Design and Construction SPD. Staff are therefore satisfied that the development is on course to meet the required sustainability and energy efficiency standards.

- 7.5.2 The site is located principally in Flood Zone 1 as shown by Environment Agency mapping. This is the lowest risk zone and development of a leisure centre is therefore considered appropriate in accordance with the NPPF. The south eastern boundary of the site is affected by Flood Zone 3 associated with the culverted Black's Brook. A Flood Risk Assessment has been prepared and submitted in support of this application, which includes a proposed drainage strategy for the site, discharging attenuated flows via an existing Thames Water manhole, to the culverted Black's Brook. The ground floor level of the development will be raised to 16.5m AOD at the southern boundary, thereby mitigating against the fluvial flood risk from the Black's Brook through raising of the ground floor level. The Environment Agency have been consulted on the proposals and advise that they have no objections to the development providing it is carried out in accordance with the submitted Flood Risk Assessment. This can be secured by condition and the development is therefore considered to accord with Policy 5.12 of the London Plan and Policy DC48 of the LDF in respect of flood risk.
- 7.5.3 There are a small number of trees within the application site and a further belt of trees to the rear boundary of the site. None of these are subject of a Tree Preservation Order. An arboricultural assessment has been submitted with the application, which looked at 27 individual trees and 2 groups. The assessment found that none of the trees were of high quality or value, and only five were of moderate quality or value. Having regard to the conclusions of the arboricultural report Staff raise no objection in principle to the loss of trees from the site but consider that scope for any replacement planting should be considered in detailed hard/soft landscaping proposals for the site, to be secured by condition. It is however acknowledged that the opportunity for additional landscape works will be limited by the site constraints and degree of proposed site coverage. The Council is working with Transport for London to identify opportunities and funding for more trees to be planted in the vicinity as part of the Mayor's objectives of increasing street trees across London.
- 7.5.4 An Extended Phase 1 ecological study of the site has been carried out. The study found no direct evidence of protected plants or species on the site. In particular it indicated that bats are unlikely to be present on the site or affected by the development. The report does make recommendations for the timing of the works, to avoid nesting birds, and for protection measures for foraging mammals during development. Additionally, it identifies the presence of an invasive plant species (butterfly bush) on the site, which will

need to be removed in a controlled manner. However, there are no ecological grounds why the development is unacceptable and the development accords with Policy DC58 of the LDF. It is however recommended that a condition imposed requiring the development to be carried out in accordance with the recommendations of the submitted Extended Phase 1 ecological study.

- 7.5.5 In respect of noise issues, this is considered principally to evolve from the noise of plant or machinery or break out noise from the use of the premises (primarily from ice disco nights). Technical reports submitted with the application indicate that the noise generated by the proposed development will be within acceptable limits. However, given that the final, technical details of the construction are not finalised, as is common with developments of this scale, it is recommended that conditions be attached in respect of noise breakout from the premises and plant and machinery in order to ensure that acceptable noise levels are maintained. A further condition requiring the submission of a construction method statement and limiting hours of working is also recommended. On this basis the proposal is considered to comply with Policy DC55 of the LDF.
- 7.5.6 Environmental Health have requested a condition relating to contaminated land. Details relating to air quality have been submitted with the application. Environmental Health have also requested that conditions be imposed requiring the fitting of suitable ventilation and extraction equipment in order to avoid odour nuisance.
- 7.5.7 A preliminary site waste management scheme has been submitted with the application. Whilst it is acknowledged that no demolition is proposed by this application (part demolition of Chaucer House is subject of a separate application reference P1537.12) no detail is yet known about the removal of construction materials from the site. It is therefore recommended that this be dealt with by condition.
- 7.5.8 The GLA has assessed the proposals in respect of energy efficiency and use of renewable energy technologies. The GLA notes that the proposed energy strategy will provide for a 28% carbon reduction beyond current building regulations. This is acceptable in principle, although scope for enlarging the combined heat and power unit (CHP) should be investigated as this is preferred to use of solar energy collectors to achieve carbon savings. The proposal is supported in terms of climate change measures.

## **7.6 Impact on Amenity**

- 7.6.1 The proposed development is located to the west of Chaucer House, which is a 4/5 storey office block. Alterations will be required to take place to Chaucer House to facilitate the proposed development, which are subject of a separate planning application (P1537.12). Other than the direct implications of the enabling works to Chaucer House the proposed development is not considered to materially impact on the continued functionality and amenity of this office block. Similarly, Hexagon House,

which is situated slightly further east of the proposed development than Chaucer House, is not judged to be materially adversely affected by the proposals. The impact of loss of the car parking area has already been assessed elsewhere in this report.

- 7.6.2 To the west of the site is Sovereign House, a 4/5 storey office block. Given the nature of the use of this building and its separation from the application site by Grimshaw Way no material adverse impact on this building is considered to occur.
- 7.6.3 Further west is the nearest residential property, Halyards and Eldon Court, located some 70m away from the site. In view of this distance and the orientation no material harm to residential amenity is considered to result from the proposed building. Noise reports have been submitted with the application, which indicate that material harm through noise generated by the building is unlikely to occur. Environmental Health has however suggested conditions so that this can be further addressed when precise construction details are known.
- 7.6.4 Other buildings near to the site include Scimitar House, the Romford and District Synagogue and St. James House. Taking into consideration their degree of separation from the site and their non-residential use it is considered that the relationship between the buildings is acceptable and would not give rise to material harm to amenity. It is acknowledged that the synagogue is a place of worship but having regard to the town centre location and the noise break-out levels the development is expected to achieve, it is not considered that this would give rise to levels of noise and disruption to religious activities that would justify refusal of the proposals.
- 7.6.5 The proposed leisure facility will be a well-used public building. It is expected to attract high volumes of users comprising, not only individuals and families making use of the swimming pool, gym and ice rink facilities, but also various sports clubs and teams and a high volume of spectators watching swimming galas, ice skating shows, hockey matches etc. The facility makes provision for over 800 spectator seats and it should be therefore anticipated that there will be frequent occasions when people will be entering and leaving the building en masse. The transportation issues arising from this are assessed later in this report but consideration also needs to be given to the potential noise from mass dispersal of people from the building and the likely opening times of the facility.
- 7.6.6 In terms of proposed opening hours, the nature of a public leisure facility is that it attracts users at various times of the day. It is common for swimming pools to be open early in the morning from around 5am for general use but particularly for those training in a dedicated sport, such as ice skating. It is also not unusual for facilities to be in use until late into the evening, again particularly for those involved in training for swimming or ice sports, who need to be able to fit intensive training around work, school and other commitments. With this in mind, Members are requested to consider whether it is reasonable to enable the sports facility to open 24 hours a day.



- 7.6.7 Staff consider that, although this would generate some levels of noise and activity locally, particularly within Western Road, the number of individuals using the facility either extremely early or extremely late at night would be expected to be relatively low. Given also the town centre location, where a number of pubs and clubs already stay open until the early hours of the morning and the fact that there would be no parking next to the nearest residential properties, Staff consider that material noise and disturbance to residents would not occur. The Council will not be the operators of the leisure facility. However, as a Council owned building, the Local Authority would be in a position to manage the day to day operation of the facility if general noise and disturbance were to become an issue.
- 7.6.8 Staff do however consider there is potential for unacceptable noise and disruption to local residential amenity if large sports or entertainment events, such as ice hockey matches, shows or galas were undertaken at unsociable hours as this could result in over 800 spectators exiting the building onto Western Road. Staff therefore consider a reasonable balance between the needs of users and the amenities of residents would be to enable general 24 hours opening of the facility but with a limit on the hours that public events can be held. It is considered, in the context of the town centre environment, that opening hours for public events could be accepted up until 1am on Friday and Saturday evenings, as there is generally high levels of late night activity in the town centre on these days. Earlier finishing times for sporting events are suggested on other days of the week.
- 7.6.9 A sunlight/daylight assessment has been submitted with the application. This includes an assessment of the proposal on daylight and sunlight received by neighbouring properties against BRE guidelines. It should be noted that these are not a standard adopted by the Council but are an industry-acknowledged guide to the impact of development on sunlight and daylight. The report assessed the impact on a number of windows to Sovereign, Scimitar, St. James, Hexagon and Chaucer House, as well as on retail development to the north and the synagogue to the south of the site. It concluded that the proposal would result in reduced daylight to all the windows tested, in particular 3 of the windows tested. Sunlight to all but one of the windows (one in Chaucer House) would be above recommended levels. Whilst Staff accept that the reduction in daylight may be perceptible to occupiers of these buildings or require some greater usage of electric light, given the non-residential nature of these buildings it is not considered that the impact would be so severe as to give rise to a material loss of amenity. Much of the building is presently empty so impact on existing occupiers would be limited. Staff do not therefore judge this to be material grounds for refusal.

## **7.7 Highway/Parking Issues**

- 7.7.1 The site is located within the heart of Romford Town Centre. It provides a public leisure facility including a swimming pool, gym and ice rink, with around 210 spectator seats for the swimming pool and 863 for the ice rink

(or 1073 spectator seats in the unlikely event of both the swimming pool and ice rink simultaneously holding major events). The development is largely car-free, with the exception of the provision of 5 parking spaces to the rear of the building for disabled users. In considering the acceptability of the proposals the issues of trip generation and distribution, traffic and impact on capacity, parking and servicing have been taken into consideration against a background of this being a town centre location which accords with the focus in the NPPF of sustainable development.

- 7.7.2 In establishing the level of trip generation a review of similar sites was carried out in both of the main databases TRICS and TRAVL. Neither contained leisure centres that included Ice Rinks. As such it was decided to use the leisure centre sites contained in the TRAVL database (given their locations in London) and estimate the trip generation of the Ice Rink based on the current site in Rom Valley Way and a stand alone Ice Rink in Norwich. In the peak hours the level of vehicle trip attraction, a maximum of 58 vehicles per hour was anticipated. This was shown to have a negligible impact on the surrounding highway network.
- 7.7.3 The level of trip generation highlighted in the Transport Assessment (TA) was demonstrated to be insignificant during peak periods and the impact on the surrounding road network, in particular the Western Road, Mercury Gardens roundabout was shown to be negligible. The Council's highway engineers have advised that they accept the conclusions of the TA in this respect and are satisfied the proposal would not materially add to congestion in the town centre. Following the initial TfL response further clarification on trip generation of the site has been provided and TfL have confirmed that they do not consider the proposal to have any adverse effect on the operation of the Strategic Road Network (SRN).
- 7.7.4 The development relies predominantly on the use of public transport and town centre car parking provision, as well as walking and cycling. The site is in the highest PTAL level of 6-5 and, as such, considered to be in the highest sustainable location within the Borough. The site is within a short walking distance from Romford Train Station and the Atlanta Boulevard Bus Interchange. In principle, the low levels of on-site parking proposed are acceptable. The nearest town centre car parks to the development are Slaney Road Car Park, The Liberty Car Park (served from Western Road opposite the development) and The Mercury Mall car Park (served from Western Road between Mercury Gardens and Junction Road). These are a mixture of privately and publicly owned facilities and Section 106 Agreements exist which oblige the privately owned car parks to permit general Town Centre Parking.
- 7.7.5 Surveys of these car parks have been undertaken and demonstrate that there is sufficient space to accommodate the additional demand especially at the Slaney Road Car Park. Additional investigation into the amount of space required for major Ice Hockey games was considered but it was identified that most league games take place on a Sunday evening away from the major weekend peak for Romford Town Centre, such that this

would not have a significant impact on the existing demand for parking in the town centre and the requirement for car parking for ice hockey spectators could be accommodated without detriment to the town centre

- 7.7.6 The TA demonstrates that the maximum demand, when considering the availability of space for spectators, is an additional 950 persons and / or 238 car borne trips. As previously shown the surrounding car parks can comfortably accommodate this level of demand as well as the day to day functioning of the other uses including the swimming pool and gym. Furthermore, the TA has only considered the closest three car parks and for major events other town centre parks are not an excessive distance away.
- 7.7.7 There are five disabled spaces to the rear of the building. As they are located off the highway they can be retained solely for the use of visitors to the leisure centre. Further spaces are included on the ground floor in the Liberty Car Park. TfL has requested that one electric vehicle charging point be provided and this is since been included within the development, to be secured by condition.
- 7.7.8 A “kiss and ride” or drop off facility is to be provided closer to the entrance. This will provide a convenient place for not only members of the public, but also team or school coaches to drop off customers and / or team members to the facilities. A number of Coach parking facilities exist in the town centre for vehicles to park i.e. Mercury Gardens Service Road and Como Street Car Park. Any changes to parking restrictions will however be subject to a separate statutory process. It is recommended that details of coach parking and management be submitted by condition. TfL have indicated that this is acceptable to them in principle and are supportive of a planning condition setting out how the facility will be managed. TfL have also requested that this area be available prior to the site being brought into use.
- 7.7.9 Cycle provision will be required to be provided on site and it is recommended that details of this be secured by condition. TfL have advised that the development should provide cycle parking spaces for both employees and users of the facility. It is now proposed to secure a total of 41 cycle spaces within the development (31 spaces for visitors and 10 for staff). TfL have confirmed this is acceptable. The cycle parking provision is to be secured by condition.
- 7.7.10 The proposals show a service area at the rear of the building to provide for deliveries and refuse collection. Highways engineers have advised that the proposals are considered to be acceptable in this respect and make adequate provision for the servicing of the development. Details of refuse storage and collection arrangements are recommended to be secured through condition.
- 7.7.11 It is acknowledged that the proposed development will have an impact on Western Road. There will be increased pedestrian footfall to the leisure centre and this will change pedestrian desire lines, in particular between the Western Road multi storey car park and the leisure centre. The carriageway

in this section of Western Road is wide and is a main route into the town centre for a considerable number of buses. The Council is currently considering options for highway improvements works in Western Road, although these do not form part of the current planning application.

7.7.12 It is accepted however that consideration will need to be given as to how pedestrian crossing facilities in Western Road can be improved and it is recommended that subject to funding from Transport for London an investigation into the options for public realm improvement, including improved crossing facilities, in Western Road be secured through a legal agreement. Subject to consultation on a proposed scheme(s) the Council will, as Highway Authority, progress as appropriate the approved scheme. In principle, TfL support the provision of improved pedestrian crossing facilities in Western Road..

7.7.13 TfL have also requested conditions relating to the submission of a construction logistics plan and delivery and service plan. These can be secured as part of any grant of planning permission. TfL have also requested a travel plan for the site, which it was suggested could be secured by legal agreement. Staff agree that a travel plan is required as the site is in a highly accessible location in terms of public transport links and it is appropriate to encourage visitors to the site to use public transport. It is considered that a condition would be sufficient to achieve the submission and implementation of a travel plan in this case.

## 7.8 Referrals

7.8.1 The application has been referred to the Greater London Authority as it is inter-linked with the separate planning application for Rom Valley Way (P1468.12). If Members are minded to grant permission for the development the proposal will need to be referred back to the GLA as a Stage II referral before permission can be issued.

7.8.2 Staff have considered whether the proposal is also referable to the Secretary of State under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009. It is considered that this development does not fall within any of the categories requiring referral but that the planning application for Rom Valley Way (P1468.12) does. It is therefore considered, given the linkages between the two development proposals that both applications should be referred to the Secretary of State together.

## 7.9 Mayoral CIL

7.9.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL). It is also within a part of the Borough which is liable for a Crossrail contribution under the terms of the Mayor's Planning Obligations SPD July 2010.

7.9.2 The Mayor's Planning Obligations SPD relates only to residential, retail or hotel accommodation. It can apply also to certain leisure and entertainment proposals on a case by case basis. Staff take the view that this would only be likely to apply on particularly large or significant leisure or entertainment proposals and note that the GLA have not specifically requested a contribution under the provisions of the SPD. The view is therefore taken that only the Mayoral CIL will be applicable in this case.

7.9.3 The Mayoral CIL requirement is based on the gross internal area (GIA) of the development. The proposal has a GIA of 8,081 square metres. From this, the existing floorspace of 1,385sq.m. from the demolition of Chaucer House may be subtracted, giving a net increase in floorspace of 6,696 square metres. The Mayoral CIL liability is therefore £133,920 (based on 6,696sq.m. @ £20).

#### 7.10 **Legal Agreement**

7.10.1 As the Council holds only an equitable interest in the land the current owners, the Council and the Greater London Authority as the enforcing planning authority will enter into a legal agreement under the appropriate enabling statutory provisions to secure the obligations set out as Heads of Terms in the recommendation.

### 8. **Conclusion:**

8.1 This application relates to a proposed new public leisure development, including a swimming pool and ice rink, on a site located in Western Road, Romford. The proposals are a culmination of long term ambitions to re-introduce a swimming pool and public leisure facilities back into the centre of Romford. The proposals have been made possible through a land swap arrangement involving other land owned by the Council at Rom Valley Way, which currently houses the existing Romford Ice Rink. The Rom Valley Way site is now subject of a separate planning application, reported separately on this agenda, for a new Morrisons food store and residential development. Whilst both applications are separate there is a strong degree of linkage between the proposals, such that each should be considered with regard to the other

8.2 The proposal will introduce a leisure facility within the heart of Romford Town Centre, in an area currently identified as the Office Quarter under the Romford Area Action Plan. However, the proposed location is entirely acceptable for such a facility under the terms of national, regional and local planning policies. The impact of loss of office floorspace has been considered but is judged not to be materially harmful in the current economic climate and having regard to the relatively small overall reduction in office floorspace availability in Romford.

8.3 The proposed leisure centre is judged to be a well designed, high quality facility that will provide a significant boost to the economy and environment of the town centre and complies with all relevant material planning policy objectives. It is acknowledged that significant concern has been raised

regarding the continuity of provision of ice skating facilities in Romford, both by local people and bodies such as the GLA and Sport England, until new facilities are constructed and open for use. Whilst there is genuine appreciation of the concerns and the Council is looking at options with stakeholders to address this issue, it remains the case that this does not constitute material grounds to lose the opportunity to provide this new, valuable community facility.

- 8.4 It is therefore recommended that, subject to no contrary direction by the Mayor for London or the Secretary of State, and the prior completion of an appropriate legal agreement and planning conditions, that planning permission be granted.

## **IMPLICATIONS AND RISKS**

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

Notwithstanding the Council's interest in the site, its decision as a local planning authority is taken solely on the policies in the development plan and other relevant material planning considerations. The Council will be financially affected, directly or indirectly, by planning resolutions. This will have no relevance to the planning decisions taken in respect of these proposals.

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

The proposed development generally accords with the relevant policies of the Council's LDF and the London Plan. It should be referred to the Mayor and the Secretary of State because of the linkage with the proposals for the redevelopment of the current ice rink site. The proposed legal agreement will have to be with the GLA because the Council cannot enter into an agreement with itself as applicant and local planning authority.

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

None arising from this application.

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

The proposal will provide for a new public community facility within the centre of Romford. The proposal is consistent with the themes of better health and welfare and increased community participation, which underpin the Core Strategy Vision. The facility is located within the most highly accessible part of the Borough, thereby encouraging its use by as wide as possible a cross-section of the community.

The proposed development is designed to high standards that complies with legislative requirements aimed at ensuring equality of access for all users of the facility.

**BACKGROUND PAPERS**

Planning application P1492.12 received 29 November 2012 and revised plans received 20 March 2013.

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# REGULATORY SERVICES COMMITTEE

30 April 2013

## REPORT

**Subject Heading:**

**P1468.12: Site at Romford Ice Rink,  
Rom Valley Way, Romford**

**Proposed foodstore within Class A1  
(retail) use, petrol filling station,  
associated parking and landscaping,  
alterations to existing access to Rom  
Valley Way and formation of new  
access/egress onto Rom Valley Way;  
and outline planning application for a  
residential scheme of up to 71 units  
comprising a mix of 3 bedroom town  
houses and two blocks of 1 and 2 bed  
flats (access only to be considered)  
[application received 29 November  
2012]**

**Report Author and contact details:**

**Suzanne Terry, 01708 432800  
suzanne.terry@havering.gov.uk**

**Policy context:**

**National Planning Policy Framework  
London Plan  
Havering Corporate Plan (2011-2014)  
Local Development Framework  
None**

**Financial summary:**

**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 application relates to proposed development on the site of the existing Romford Ice Rink in Rom Valley Way. The proposal is a hybrid application, consisting of a full application for a new supermarket and petrol filling station and an outline application for residential development of up to 71 units. The proposals have been made possible through a land transaction, which enables the Council to separately pursue the redevelopment of a site in Western Road to provide a new public leisure facility, including a swimming pool and an ice rink. Whilst both applications are separate there is a strong degree of linkage between the proposals, such that each should be considered with regard to the other.

The application has been through all of the statutory consultation processes, including referral to the Mayor and Staff are satisfied that the proposed development is acceptable in principle, although this is predicated on ensuring delivery of a leisure facility to replace that being lost from the application site i.e. securing a replacement for the existing ice rink. There is a need for a legal agreement to ensure the delivery of the leisure element. A sequential test approach has been applied to the acceptability of providing a new retail supermarket outside of the existing town centre, in line with the National Planning Policy Framework, and the location of the proposed development is considered to be justified and appropriate.

Consideration has been given to a wide range of planning issues, including factors such as design, layout, parking, access issues, relationship with neighbouring land uses and environmental factors. Detailed consideration has also been given to the loss of the existing ice rink and the consequent impact on the current users of the facility.

Staff are satisfied, having regard to all material factors, that the proposals are acceptable in principle and it is recommended that planning permission be granted, subject to no contrary direction from the Mayor for London or call in from the Secretary of State under the referral procedures, the prior completion of a legal agreement and conditions.

**RECOMMENDATIONS**

That the proposal is unacceptable as it stands but would be acceptable subject to

A: No direction to the contrary on referral to the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008);

B: No direction to the contrary on referral to the Secretary of State under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009: and

C: Prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

\* Provision of the new leisure facility

\* Use of reasonable endeavours by the applicant to negotiate with the NHS Trust to enable provision of a more direct public footpath link to the site from the existing bus interchange at Queens Hospital and should the appropriate owner(s) dedicate the pedestrian route for highway use, that the appropriate owner(s) enter into the appropriate highways agreement under Section 38 or Section 25 of the Highway Act 1980 to secure the provision of a pedestrian link open to the public

\* Provision of a training and recruitment scheme for local people to be employed during the construction period and during the operation of the supermarket and petrol filling station.

\* Payment of a financial contribution of £6,000 per dwelling unit created on the residential element of the site to be paid prior to commencement of construction of the first residential unit in accordance with the Planning Obligations SPD.

\* Payment of a financial contribution (which is still subject to negotiation and will be confirmed on or before the date of the committee) to secure highway and transportation related improvements within the vicinity of Queens Hospital

\* Submission of a travel plan, which shall include provision for monitoring and review

\* Restriction on occupiers of the residential development, save for blue badge holders, from obtaining residential parking permits within any current or future proposed controlled parking zone within which the site is located.

Subject to recommendations A), B) and C) above that planning permission be granted subject to the following conditions:

## **GENERAL**

1. The foodstore development must be commenced within 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. The proposed residential development to which the outline permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Application for the approval of the details of the appearance of the buildings, scale and landscaping of the residential element of the site (hereinafter called the 'Reserved Matters') shall be submitted to the Local Planning Authority with three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans, save for the proposed pedestrian link from the bus interchange within the site of Queens Hospital to the store as set out in condition 5, unless otherwise agreed by the Local Planning Authority:

- Existing Site Plan - E0-100 Rev B
- Proposed Site Plan – P0 – 101 Rev J
- Existing Elevations – E3-100
- Proposed Ground Floor Plan – P1-101 Rev Q
- Proposed First Floor Plan – P1102 Rev J
- Proposed Mezzanine Plan – P103 Rev F
- Proposed Roof Plan – P1-105
- Proposed Sections 2 – P2-101
- Proposed Sections 3 – P2-102
- Proposed Elevations 1 – P3-100
- Proposed Elevations 2 – P3-101
- Proposed Elevations - PFS – P3-102
- Proposed Details 1 – P4 – 100
- Proposed Details 2 – P4 – 101
- Landscape Proposals – SF2065 LL02 - Rev B
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Reason: To accord with the submitted details and LDF Development Control Policies Development Plan Document Policy DC61.

5. The proposed pedestrian link from the bus interchange within the Queens Hospital site to the foodstore shall be as set out on the proposed site plan P0-101 Rev J unless alternative details are submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with such alternative details that may be approved pursuant to this condition.

To ensure that the development provides a high quality pedestrian link into the site and to accord with LDF Development Control Policies Development Plan Document Policy DC61.

## PRE-COMMENCEMENT APPROVALS - GENERAL

6. Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed New Superstore And Residential Development, Rom Valley Way, Romford, RM7 0AE Flood Risk and Drainage Assessment (FRA) (September 2012, Revision B) has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is first brought into use. The scheme shall include a restriction of surface water discharge to greenfield rates and surface water attenuation being provided on site as outlined in the FRA.<sup>1</sup>

Reason: To reduce the risk of flooding on and off site and to ensure that surface water is managed and disposed of appropriately.

7. Prior to the commencement of the development or each phase of development as appropriate approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority no development), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- I. A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- II. A site investigation scheme, based on (I) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- III. The results of the site investigation and detailed risk assessment referred to in (II) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- IV. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (III) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme incorporating the remediation measures shall be implemented as approved.<sup>2</sup>

Reason: This condition is required to protect ground and surface water and to ensure any historic contamination is cleaned up as a result of this development. The secondary aquifer in the drift deposits are in continuity

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<sup>1</sup> As required by EA in letter to LB Havering dated 22 January 2013

<sup>2</sup> As required by EA in letter to LB Havering dated 22 January 2013

with the River Rom, therefore any contamination present may pose a risk to these surface waters so this must be considered as a receptor as part of the risk assessment and remediation.

8. Prior to the commencement of development a scheme to protect and enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall only then be implemented in accordance with the approved scheme.

Reason: To protect groundwater and to ensure that any necessary remediation is carried out appropriately. To ensure that the development does not inhibit remediation of the land.

9. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme for investigation, which has previously been submitted to and approved in writing by the Local Planning Authority. The development shall only then be implemented in accordance with the approved scheme and shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the approved scheme and provision made for analysis, publication and dissemination of the results and archive deposits have been secured. Any archaeological works shall be carried out by a suitably qualified investigating body agreed with the Local Planning Authority.

Reason: heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development (including historic building recording), in accordance with recommendations given by the Borough and in the NPPF.

10. Prior to the commencement of development, details for the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that full details of the relevant phase of the development are submitted for approval.

11. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase II (Site Investigation) Report if the Phase I Report, having previously been submitted by the developer, 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.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a ‘Validation Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

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

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

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

Reason: To protect those engaged in construction and occupation of the development from potential contamination, in accordance with LDF Core Strategy Policy CP15 and Development Control Policies Development Plan Document Policy DC53.

### **PRE-COMMENCEMENT APPROVALS - FOODSTORE SITE ONLY**

12. Prior to the commencement of the foodstore development hereby approved a Construction Method Statement (including Construction Logistics Plan and development phasing plan) shall be submitted to and approved in writing by the Local Planning Authority. This shall include - but not be limited - to the following:

- details of site access arrangements during construction;
- hours of operation – including usage of machinery, power tools and vehicles;
- the parking of vehicles of site operatives and visitors;
- the loading, unloading and storage of plant and materials;
- the erection and maintenance of security hoarding including decorative displays, where appropriate;
- measures to control noise, dust and dirt during construction (including details of wheel washing facilities); and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

The foodstore development shall then be undertaken in accordance with the Construction Management Plan as so approved.

Reason: To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

13. Prior to the commencement of the foodstore development hereby approved, full details of the vehicular and pedestrian accesses to the site from the public highway shall be submitted to and approved in writing by the Local Planning Authority. These should reflect the parameters and principles set out in Mayer Brown Plan Refs CJFRomford.1/11 Rev H and CJFRomford.1/14 Rev B, as well as any revisions to the approved layout submitted pursuant to condition 5 of this permission. The accesses to the foodstore site shall be implemented in accordance with the approved development prior to first occupation of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

14. The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway and /or the adoption of public highway shall be entered into prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

15. The changes to the primary vehicular junction on the Rom Valley Way shall be subjected to the 4-stage full road safety audit procedure as defined in HD 19/03 of the Design Manual for Roads and Bridges, details of which and any recommendations arising from the road safety audit shall be submitted to and agreed in writing by the Local Planning Authority. Any recommendations arising from this shall be reasonably dealt with. A Stage 1/2 RSA shall take place prior to the construction of the new junction, details of which to be submitted to the Local Planning Authority prior to the commencement of construction works on the new junction.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

16. Prior to the commencement of the foodstore development details and samples of the external materials to be used in the construction of the foodstore building shall be submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details unless agreed in writing with the Local Planning Authority.



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.

17. Prior to the commencement of foodstore development and notwithstanding the illustrative landscape scheme submitted with the application and hereby approved, a detailed scheme for the hard and soft landscaping of the foodstore site shall be submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:
- Planting plans including species, numbers size and density of planting;
  - Details and samples, where appropriate, of hard surfacing
  - Boundary treatment; and
  - An implementation and future maintenance programme.

The scheme shall be then carried out as approved no later than the first planting season following first occupation or completion of the development, whichever is the sooner.

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

18. Prior to the commencement of the foodstore development a detailed Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. This Assessment shall include - but not be limited - to noise associated with operation of the service yard (including vehicle engines, reversing beepers, loading and unloading activities) and noise impacts of the proposed ventilation systems and extraction plant. The report shall clearly set out any mitigation measures necessary to reduce identified noise impacts to acceptable levels on noise sensitive receptors - including the amenity of existing residents and potential future residents of the proposed residential scheme. The mitigation measures in the approved Noise Impact Assessment shall be implemented in their entirety before the foodstore opens for trading and retained thereafter in accordance with the approved details.

Reason: To protect the amenities of neighbouring properties, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC55.

19. Prior to the commencement of the foodstore development details of the Sustainable Energy Programme (including full details of the energy and sustainability measures to be incorporated in the development) shall be submitted to and approved in writing by the Local Planning Authority. This Programme shall be in accordance with the parameters and principles set out in the Sustainable Design and Construction Statement and the

Sustainable Energy Statement prepared by b:ssec that accompanied the application and shall (as a minimum) achieve the carbon emissions savings indicated in these documents consistent with the relevant policies in the Development Plan. The foodstore development shall be implemented in accordance with the approved Sustainable Energy Programme.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

20. Prior to the commencement of the foodstore and petrol filling station development hereby approved, details of existing and proposed ground levels of the proposed foodstore and petrol filling station shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development has a satisfactory appearance and to accord with Policy DC61 of the LDF Development Control Policies Development Plan Document.

21. Prior to the commencement of the foodstore and petrol filling station development hereby approved, details of the proposed fire strategy for the site shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the London Fire and Emergency Planning Authority. This shall include, but not be limited to:
- details of fire appliance access routes around the store
  - location of fire mains
  - fire fighting arrangements within the service yard/loading bay
  - access arrangements
  - provision of water supply

The development shall then be carried out in accordance with the approved details.

Reason; To ensure that the proposed development makes acceptable provision for fire safety.

- 22 Before the commencement of the foodstore development or of any phase of the foodstore development hereby permitted, as appropriate, a detailed Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include a detailed strategy for waste management and minimising of waste, including recycling of waste and for managing the associated impacts of construction related traffic. The development shall be operated in accordance with the approved Site Waste Management Plan.

Reason: In the interests of amenity and sustainability and to reduce the impact of the construction on the local road network.

## **PRE-COMMENCEMENT APPROVALS - RESIDENTIAL SITE**

23. Prior to the commencement of the residential development a Construction Method Statement (including Construction Logistics Plan and development phasing plan) shall be submitted to and approved in writing by the Local Planning Authority. This shall include - but not be limited - to the following:
- hours of operation – including usage of machinery, power tools and vehicles;
  - construction traffic management plan – including parking of vehicles of site operatives and visitors;
  - the loading, unloading and storage of plant and materials;
  - the erection and maintenance of security hoarding including decorative displays, where appropriate;
  - measures to control noise, dust and dirt during construction (including details of wheel washing facilities);
  - a scheme for recycling/disposing of waste resulting from demolition and construction works.

The residential development shall then be undertaken in accordance with the Construction Management Plan as so approved.

Reason: To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

24. Unless satisfactory details are approved as part of the appearance reserved matters submission/approval, prior to the commencement of the residential development details and samples of the materials to be used in construction of the development shall be submitted to and approved in writing by the Local Planning Authority. The Development shall thereafter be implemented in accordance with such details unless agreed in writing with the Local Planning Authority.

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.

25. Prior to the commencement of the residential development hereby approved, full details of the vehicular and pedestrian access to the site shall be submitted to and approved in writing by the Local Planning Authority. These should reflect the parameters and principles set out Mayer Brown Plan Refs CJFRomford.1/13 Rev B. The access shall be implemented in accordance with the approved development prior to first occupation of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

26. The necessary agreement, notice or licence to enable the proposed alterations to the Public Highway and/or adoption of public highway shall be entered into prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

27. The landscape scheme to be submitted as a Reserved Matter shall include – but not be limited to – the following:
- Proposed finished ground and building slab levels;
  - Planting plans including species, numbers size and density of planting;
  - Details, and samples as appropriate, of proposed hard surfacing; and
  - An implementation and maintenance programme.

The scheme shall be carried out as approved no later than the first planting season following first occupation or completion of the development whichever is the sooner.

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

28. Prior to the commencement of the residential development a scheme for the provision of playspace to be provided on site in line with prevailing local and regional policies shall be submitted to and approved in writing by the Local Planning Authority. The development shall only then be implemented in accordance with the approved scheme.

Reason: To ensure that adequate provision for play space is provided within the site, in order to accord with the policies of the London Plan.

29. Prior to the commencement of the residential development a scheme for reducing crime and the fear of crime shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Crime Prevention Design Advisor. The development shall only then be implemented in accordance with the approved scheme, which shall be retained thereafter in accordance with the approved details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17, DC33 and DC63 LDF Core Strategy and Development Control Policies Development Plan Document.

30. Prior to the commencement of the residential development, details of existing and proposed ground levels and the finished floor levels of the proposed dwellings and flats shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure that the development has a satisfactory appearance and to accord with Policy DC61 of the LDF Development Control Policies Development Plan Document.

31. The number of units within the residential development hereby approved shall not exceed 71. Of these a minimum of 35% of the total number of units shall be 3 or 4 bedroom single family dwelling housing.

Reason: To accord with the provisions of the Design & Access statement (Section 6.1), to ensure a suitable density of development and to create an acceptable unit mix on the site in accordance with Policies DC2 and DC3 of the LDF Development Control Policies Development Plan Document.

32. In submitting details pursuant to condition 3, the maximum height of development shall not exceed three storeys, with the exception of development on that part of the site adjoining Rom Valley Way, extending not more than 25m back into the site (westwards) from the eastern site boundary, as set out in condition 33 below.

Reason: To accord with the provisions of the Design and Access Statement (Section 6.1) and to ensure the development has a satisfactory impact on local character and amenity and to accord with Policy DC61 of the LDF Development Control Policies Development Plan Document.

33. In submitting details pursuant to condition 3 development on that part of the site adjoining Rom Valley Way, extending not more than 25m back into the site (westwards) from the eastern site boundary, shall not exceed 5 storeys and 16 metres in height.

Reason: To accord with the provisions of the Design and Access Statement (Section 6.1) and to ensure the development has a satisfactory impact on local character and amenity and to accord with Policy DC61 of the LDF Development Control Policies Development Plan Document.

34. Prior to commencement of the residential development hereby approved, details of the proposed car parking provision, including details of parking for blue badge holders, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

35. In submitting details pursuant to condition 3, the internal layout of the proposed dwellings shall comply with the internal size standards set out within Policy 3.5 of the London Plan, unless acceptable alternative details are otherwise submitted to and approved in writing by the Local Planning Authority. Detailed justification for non-compliance with the provisions of the London Plan will be required to be submitted.

Reason: To ensure the proposed residential units are of satisfactory design and living quality and to accord with Policy 3.5 of the London Plan.

36. In submitting details pursuant to condition 3, all proposed dwellings and flats within the site will be required to be constructed to Lifetime Homes standard, unless otherwise submitted to and justified in writing to the Local Planning Authority.

Reason: To ensure the proposed residential units are of satisfactory design and living quality and to accord with Policy DC7 of the LDF Development Control Policies Development Plan Document

37. In submitting details pursuant to condition 3, a minimum of 10% of the proposed new homes shall be designed to be wheelchair accessible or easily adaptable to residents who are wheelchair users.

Reason: To ensure that provision is made within the development for wheelchair users and to accord with Policy DC7 of the LDF Development Control Policies Development Plan Document.

### **CONDITIONS TO BE DISCHARGED PRIOR TO FIRST OCCUPATION**

38. No occupation of any part of the foodstore development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation in that part of the site has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.<sup>3</sup>

Reason: To protect groundwater and to ensure that any necessary remediation is carried out appropriately. To ensure that the development does not inhibit remediation of the land.

39. The foodstore development shall not open for trading until the car parking provision has been laid out in accordance with the approved site plan,

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<sup>3</sup> As required by EA in letter to LB Havering dated 22 January 2013

including the provision of 26 spaces for disabled users, one of which as a minimum shall be retained for the use of disabled store employees.

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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

40. The foodstore shall not be open for trading unless and until a scheme for the management of the store car park has been submitted to and agreed in writing with the Local Planning Authority. The foodstore development shall then be operated and managed in accordance with the approved car park management scheme 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC32 and DC33.

41. The foodstore development shall not open for trading until at least 40 parking spaces equipped with Electric Vehicle Charging Points (EVCPs) have been provided, of which 10 shall be active and the remaining 30 passive. Subsequent usage of these spaces must then be monitored by the applicant and a report submitted to the Local Planning Authority on an annual basis for three years after opening and the additional passive spaces made active if justified by the submitted report.

Reason: To encourage more sustainable travel in accordance with LDF Core Strategy Policy CP10 and in order that the development accords with London Plan Policy 6.13.

42. The foodstore development shall not open for trading unless and until a detailed scheme for the provision of a minimum of 40 on-site cycle parking spaces has been submitted to and approved in writing by the Local Planning Authority and such provision as approved has been provided.

Reason: In the interests of providing a wide range of facilities for non-motor car using residents, in the interests of sustainability and to accord with the Development Control Policies Development Plan Document Policy DC35.

43. The foodstore development shall not open for trading unless and until a Delivery and Servicing Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. The proposals in relation to delivery hours shall have regard to the conclusions of the Noise Impact Assessment, which is required to be undertaken and submitted pursuant to the requirements of condition 18. The foodstore development shall then be operated and managed in

accordance with the approved Delivery and Servicing Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the development does not have an adverse impact on the environment, road network or neighbouring amenity and to accord with Policy 6.14 of the London Plan and Policy DC61 of the LDF Development Control Policies Development Plan Document.

44. The foodstore development shall not open for trading until a scheme for the collection and storage of refuse is submitted to and approved in writing by the local planning authority and the refuse storage is provided in accordance with the approved scheme. Refuse collection and storage arrangements shall be maintained in perpetuity in accordance with the approved scheme.

Reason: To ensure that refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Development Control Policies Development Plan Document Policy DC40.

45. The foodstore development shall not open for trading unless and until details of all permanent external lighting and a schedule for its control and use has been submitted to and agreed in writing by the Local Planning Authority. The lighting then installed shall be implemented, used and maintained in accordance with the approved details.

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

46. The foodstore development shall not be open for trading unless and until a scheme to minimise crime and the fear of crime has been implemented in accordance with a scheme to be previously submitted to and approved in writing by the Local Planning Authority in consultation with the Crime Prevention Design Advisor. This scheme shall be in accordance with the parameters and principles set out in Section 10 of the Design and Access Statement submitted in support of the application.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17, DC33 and DC63 LDF Core Strategy and Development Control Policies Development Plan Document.

47. The foodstore development shall not be open for trading unless and until a scheme of CCTV has been installed across the site of the store, petrol filling station and associated car parks in accordance with a scheme to be previously submitted to and agreed in writing by the Local Planning Authority in consultation with the Crime Prevention Design Advisor. The CCTV scheme shall be retained thereafter in accordance with the approved details.



Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in the National Planning Policy Framework, Policy 7.3 of the London Plan, and Policies CP17, DC33 and DC63 LDF Core Strategy and Development Control Policies Development Plan Document.

48. The proposed foodstore development shall meet the 'Very Good' standard using the generic Building Research Establishment Environmental Assessment Method (BREEAM). Design stage certification of this standard shall be provided to the Local Planning Authority prior to the occupation of the foodstore.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

### **Prior to Occupation conditions - Residential**

- 49 No occupation of any of the residential dwellings shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation in the residential part of the site has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.<sup>4</sup>

Reason: To protect groundwater and to ensure that any necessary remediation is carried out appropriately. To ensure that the development does not inhibit remediation of the land.

50. The residential element of the proposed development shall meet the Code for Sustainable Homes Level 4. Certification of this standard shall be provided to the Local Planning Authority prior to first occupation of the residential development.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 of the LDF Development Control Policies Development Plan Document.

51. The residential development shall not be occupied or brought into use until a scheme for the collection and storage of refuse is submitted to and approved in writing by the local planning authority and the refuse storage is provided in accordance with the approved scheme. Refuse collection and storage arrangements shall be maintained in perpetuity in accordance with the approved scheme.

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<sup>4</sup> As required by EA in letter to LB Havering dated 22 January 2013

Reason: To ensure that refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Development Control Policies Development Plan Document Policy DC40.

52. The dwellings hereby approved shall not be occupied unless and until a scheme for the allocation and management of the car parking has been submitted to and agreed in writing with the Local Planning Authority. The residential development shall then be managed in accordance with the approved car park management scheme 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

53. The dwellings hereby approved shall not be occupied, until external lighting has been installed and made operational on the residential site, in accordance with details which shall previously be submitted to and agreed in writing by the Local Planning Authority. The lighting shall then be maintained in accordance with the approved details.

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

54. Prior to the first occupation of the dwellings hereby approved details of proposed treatment to all boundaries of the residential site and the boundaries between properties shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the boundary treatment is installed in accordance with the approved details which shall thereafter be maintained as approved.

Reason: To protect the visual amenities of the development, create a safe living environment and to prevent undue overlooking of adjoining properties, and to accord with Policy DC61 of the LDF Core Development Control Policies Development Plan Document.

55. Prior to the first occupation of the dwellings hereby approved, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car using residents, in the interests of sustainability.

56. The residential development hereby approved shall not be occupied until the parking spaces for at least 20% of the dwellings have been equipped with active Electric Vehicle Charging Points (EVCPs). The parking spaces for a further 20% of the units are to have passive provision of EVCP's.

Reason: To encourage more sustainable travel in accordance with LDF Core Strategy Policy CP10 and in order that the development accords with London Plan Policy 6.13.

### **General Conditions – Foodstore**

57. The net retail sales area of the foodstore hereby approved shall not exceed 3,760 square metres, of which not more than 20% shall be used for comparison goods sales. (For the purposes of this condition the net retail sales area comprises all internal areas accessible to the customer and excludes the area in which checkouts, lobbies, concessions, restaurants, customer toilets and walkways behind the checkouts that are sited where these are not used for the sale of groceries).

Reason: In order to control the amount and range goods sold from the premises, and maintain the primary function of the premises as a retail food store, in the interests of maintaining retail vitality and viability.

### **Informatives**

Thames Water advise that devices to avoid the risk of backflow are incorporated into the development. The developer is also advised to contact Thames Water Development Services on 0845 850 2777 to obtain the necessary consents for discharge of surface water drainage from the site. The use of petrol/oil interceptors across the site is recommended.

The Fire Brigade (water team) recommend the provision of 4 private fire hydrants on the site to be sited within the footpath (further information is available from the LPA).

The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed.

The developers is advised that this permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including any temporary works) required during construction of the development.

In aiming to satisfy conditions 29, 46 & 47 above, the applicant should seek the advice of the Police Crime Prevention Design Advisor. The services of the local Police CPDA are available free of charge through Havering Development and Building Control Service. It is the policy of the Local Planning Authority to consult with the Borough CPDA in the discharging of community safety conditions.

## **CIL informative**

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 £[CIL AMOUNT] (to be confirmed) 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.

## **Informative re. negotiation**

Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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.

## **Reason for Approval**

This decision to grant planning permission has been taken:

- (i) having regard to the provisions of the National Planning Policy Framework, specifically Sections 1, 2, 4, 6, 7,10 and 11; Policies .6-2.8, 3.3, 3.4, 3.5, 3.6, 3.8, 3.9, 3.10-13, 3.16, 3.19, 4.1, 4.6, 4.7, 4.8, 5.1-5.3, 5.7-5.9, 5.12, 5.13, 5.18, 5.21, 6.1-5, 6.9, 6.10, 6.11, 6.12, 6.13, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.13, 7.14, 7.15, 7.19, 7.21 and 8.2 of the London Plan; Policies CP1, CP2, CP4, CP5, CP7, CP9, CP10, CP15, CP16, CP17, DC2, DC3, DC6, DC7, DC15, DC18, DC19, DC20, DC32-36, DC40, DC48, DC49-50, DC51, DC52, DC53, DC55, DC58, DC60, DC61, DC62, DC63, DC66, DC70 and DC72 of the Core Strategy and Development Control Policies Development Plan Document, as well as Policy SSA7 of the LDF Site Specific Allocations Development Plan Document.
- (ii) for the following reasons:

The proposed development is in an out of town centre location and, in line with the provisions of the National Planning Policy Framework, a 'sequential test' of alternative town centre sites and a retail impact assessment has been submitted with the application. Based on independent analysis of these reports, the Council is satisfied that the location of the proposed store and its impact on Romford Town Centre is acceptable and policy compliant.

The proposal will involve the loss of an existing ice rink building from the site but the development also enables the provision of a major new leisure facility elsewhere within the centre of Romford, which is the subject of a separate but related planning application. This new leisure facility is considered to mitigate for the loss of the existing ice rink and will be secured through a legal agreement. On this basis, the proposal is considered to be compliant with policy. The temporary loss of the existing facility is not material grounds on which to refuse the proposals.

The proposed foodstore development is a high quality, architect-designed scheme, which contributes to local character. It is considered acceptable in all key respects, including highway and parking related issues, impact on amenity and environmental impacts.

The proposed residential development is in outline form but is for a quantum of development that is considered to be acceptable in terms of density and unit mix. The indicative scale of development is in keeping with local character and the proposal is considered acceptable in all key respects, including highway and parking issues, the impact on amenity and environmental issues.

There is judged to be no material conflict with any national, regional or local planning policies.

## REPORT DETAIL

### 1. Site Description

- 1.1 The application site is located on the western side of Rom Valley Way and occupies an area of 2.9 hectares. Existing development on the site consists of the Romford Ice Rink, which is housed in a substantial, single storey building on the northern half of the site and associated surface car parking on the southern half of the site. The site itself is relatively level, although there is a slight slope from north-west to south-east and the site is higher than the adjacent pavement level in Rom Valley Way. The site is largely hard surfaced, although there are grassed areas within the site and some trees and other vegetation, mainly around the site edges.
- 1.2 The site is presently accessed from a signal controlled junction on Rom Valley Way. This junction also provides general pedestrian and vehicular access to Queens Hospital, which is sited to the western side of the application site. There is a roundabout set approximately 60m in from the junction with Rom Valley Way, from which it is possible to turn right to enter the ice rink site or proceed straight ahead to the hospital.
- 1.3 To the Rom Valley Way frontage of the site, the character is predominantly formed by large retail buildings, such as Homebase and Mothercare World. To the north/north-west of the application site is a car park, which also has an east/west public right of way between the hospital site and Rom Valley Way. This extends to the west into a linear park, which includes the helicopter landing area for the air ambulance. Beyond the car park, to the north, is a residential development (Blade Court) and adjacent to this, extending west, a terrace of houses fronting onto Oldchurch Road. Planning permission has recently been agreed for a residential flatted development (the issuing of planning permission is awaiting the completion of a Section 106 legal agreement) on the site of the former Paynes warehouse, which lies on land between the car park and the terraced housing to the north of the site.

## **2. Description of Proposal**

2.1 The proposed development of the site has been submitted as a hybrid application, comprising of two elements – a full application for the construction of a new supermarket, with associated petrol filling station and an outline application for residential development on the northern part of the site of up to 71 units, with access only to be considered at this stage.

### **2.2 Proposed foodstore development:**

2.2.1 This is a full application for a new foodstore, which will be located towards the centre and southern end of the application site. A petrol filling station is also proposed to the south of the foodstore building. The existing ice rink building will be removed from the site.

2.2.2 The existing vehicular access to the site from Rom Valley Way will be retained but will be modified by replacement of the existing signal controlled junction between the site and Rom Valley Way with a roundabout. There would be three lanes of entry into the site from the proposed new Rom Valley Way roundabout. The existing roundabout leading off the principal access road will also be modified. The right hand turn from the roundabout, that currently leads to the ice rink building, would effectively be retained but improved to form vehicular access and egress to the proposed new foodstore, with a third lane giving vehicular access to the petrol filling station.

2.2.3 The proposed new foodstore is effectively built on a podium, with the frontage of the building elevated above street level in Rom Valley Way, such that the ground floor of the development is primarily given over to car parking, servicing and access. A total of 400 customer parking spaces are proposed, which include 26 wheelchair accessible spaces, 12 parent and toddler spaces and 10 electric vehicle charging spaces. Pedestrian access to the store is from the front of the site in Rom Valley Way and also from the western side of the site, where an existing bus station is located, by utilising a proposed pedestrian route crossing the site in an easterly direction. Servicing and delivery vehicles would enter the site from Rom Valley Way. A proposed enclosed service ramp to the north side of the building provides vehicular access to an elevated service yard located towards the rear of the building. Plant rooms would also be located to the rear of the building.

2.2.4 The sales floor of the proposed store is situated at first floor level, reached by internal travelators located towards the front of the building. The store also includes a mezzanine floor level and provides an overall 3,760 square metres of (tradable) retail floor area.

2.2.5 The proposal will provide employment opportunities for local residents, both during the construction and operational phases. The store is expected to provide around 300 new job opportunities, in both full and part time

positions, across a range of roles. The company also offers a range of training programmes for employees across the workforce.

- 2.2.6 The proposed store has a primary frontage on to Rom Valley Way and will present a double height glazed atrium to the front façade, which wraps around the north and south facing return elevations of the atrium. Whilst pedestrian access to the store from Rom Valley Way will be provided at grade, the atrium is supported on a raised podium that sits between 900mm to 1200mm above street level in Rom Valley Way, necessitating a sloped access to the travelators housed within the atrium. This change in levels is managed through the provision of a stone clad plinth with a black, powder-coated woven mesh style balustrade, together with the provision of hard and soft landscaping. From within the atrium there is opportunity to reach the first floor retail area by the travelators, lift or stairs.
- 2.2.7 The store is designed with a striking, undulating roof form. The roof overhangs the atrium to the store frontage, before rising and falling in height as it extends towards the rear of the site. The roof of the building is proposed to be constructed of grey cladding (Kingspan or similar) with aluminium flashing/trim and the use of LED lighting strips (yellow) to the building perimeter around the soffits. The proposed store would also have distinctive glass fins to the glazed front façade of the atrium, which would project from the building at upper floor level. A digital clock would also form part of the detailing of the upper floor level.
- 2.2.8 The building is predominantly glazed where viewed from public vantage points in Rom Valley Way. The proposed roof line dips lower further back from the site frontage (some 19m back from the front façade of the store) and this sets the predominant character of the flank elevations of the store. To the northern side and rear of the store the edge of the development will be formed by proposed yellow coloured acoustically insulated panels, which will clad the proposed service yard. These elevations will also be detailed with vertical larch battens, such that the service yard areas have a distinctive architectural treatment from the store itself.
- 2.2.9 Detailed landscaping proposals have been submitted with the application. Towards the southern elevation of the proposed building a relatively formal landscaping scheme of false acacias is proposed, with more informal arrangements elsewhere in the site. At the proposed roundabout junction the proposed scheme of planting includes a group of fastigiated beech, with the intention of creating a visually conspicuous junction. Boundary planting of hedges and trees are proposed to the boundaries that do not have a frontage on to Rom Valley Way.
- 2.2.10 The proposed petrol filling station is located to the south of the proposed new foodstore. It will also be accessed from the existing roundabout, from which a separate filter lane into the filling station will be created. The petrol filling station will provide 6 no. double pumps, together with jet wash and air/vacuum facilities. It is designed to complement the appearance of the

proposed store, constructed in matching grey panels with yellow LED lighting strip and replicating the undulating roof design. The petrol filling station will include a sales kiosk.

### 2.3 **Proposed residential development (outline application)**

2.3.1 The residential development is proposed on the northern part of the application site. The application is in outline form with all matters other than access reserved. The proposal is for a development of up to 71 residential units, to comprise up to 25 no. 3 or 4 bedroom houses and 46 no. 1 or 2 bed apartments, together with 54 residential parking spaces.

2.3.2 Access to the residential development is proposed from Oldchurch Rise, off Oldchurch Road. There are no detailed layouts or elevations of the proposed residential development submitted as part of the scheme, commensurate with its outline nature. However, illustrative proposals have been provided to demonstrate the manner in which the quantum of development sought, could be achieved on the site. These illustrative proposals have been arrived at in response to a number of key considerations, which include:

- a need (identified by the Council) for a varied unit mix, including the provision of family housing
- the provision of a public pedestrian route through the development connecting Rom Valley Way with Oldchurch Rise and routes beyond including to Romford Town Centre
- options for providing vehicular access
- providing a suitably strong urban edge to the site, as viewed from Rom Valley Way
- site constraints and relationship with neighbouring land uses
- parking and amenity space requirements

2.3. The illustrative layout indicates a development comprising a five storey (36 unit) apartment block at the eastern end of the site fronting on to Rom Valley Way. A further apartment block, three storeys high and providing 10 units, is indicated at the western end of the site, adjacent to the proposed vehicular access. The remaining units within the indicative layout are shown as an arrangement of terraced dwellings, all with private rear amenity space. A pedestrian link running west/east through the site is shown at the northern end of the layout, adjacent to the existing car park north of the site.

### 3. **Relevant History**

3.1 The site has been used for a number of years in connection with the Rom Valley Ice Rink. Other applications of relevance to the current proposals are as follows:

F0002.12 Prior approval request for the proposed demolition of Rom Valley Ice Rink – granted.



Z0010.12 Screening opinion for mixed use development – EIA not required.

Z0011.12 Screening opinion for Environmental Impact Assessment for demolition of Rom Valley Ice Rink – EIA not required.

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

4.1 The application has been advertised on site and in the local press and neighbour notification letters have also been sent to 1280 local addresses. A petition containing over 7,000 signatures has been received by the Council. This raises a number of issues not all of which are directly related to this application. Matters raised of particular relevance to these proposals relate to the loss of the existing ice rink, the timing of demolition of the existing facility and the lack of continuity of ice rink provision in the Borough. Additionally 49 letters of representation have been received objecting to the proposal on the following grounds:

- Queens Hospital already affects amenity, this will make it even worse
- No need for another food chain, should have more parking for hospital
- Will give no chance for Queens to expand if needed in future
- Proposal will encourage car use in this location
- Council has shown it is unable to run and maintain such facilities (refers to former Dolphin site)
- Proposal will add to financial difficulty in town centre for other traders, leisure centre operators etc.
- Proposal reduces parking available locally
- Morrisons should be sited at the junction with Crow Lane, not here.
- Closure of ice rink for a period of some 18 months with no alternatives provided
- Parking problems and issues of traffic and congestion in the locality
- Impact on local school admissions
- Impact on local facilities
- Will it affect helicopter landing facilities at Queens
- Opinion that planning department will ignore objections.
- Oldchurch Gardens section of the park (comprising 7 blocks) should be bought and redeveloped
- Overdevelopment of land with no green open areas or native trees
- Shop sited very close to footpath and carriageway and feels overcrowded
- Will glazing result in glare that distracts motorists
- Will snow/rain run-off front roof slope onto pedestrians and motorists?
- Housing element looks cramped, little civic space and facing A&E access is unappealing

4.2 Objections to the proposals have been made on behalf of the NHS Trust, who are responsible for the operation of Queens Hospital, on the following grounds:

- adverse impact on emergency, patient and visitor access to the hospital
- lack of public open space and consequent impact on usage and maintenance of linear park. S106 contributions needed to pay for this.
- contrary to Policy SSA7 as no leisure provision on site
- TA does not consider location of hospital and bus station
- insufficient pedestrian linkage
- no queue length information, affects accuracy of traffic impact assessment
- blocking back of existing internal roundabout not adequately taken into consideration
- potential for hospital parking to use Morrisons car park not fully considered, potential knock on effect on hospital access arrangements
- residential access adequate but details needed, including pedestrian access
- development turns its back on the hospital

Following receipt of initial representations from the NHS Trust further discussions have been ongoing in respect of the issues raised and outcome of this will be addressed in later in this report.

4.3 Councillor Curtin, the Cabinet Member for Culture, Towns and Communities, has written in support of the proposals on the basis that the development supports policies CP3 (places to work) and CP17 (design). He is supportive of the new employment opportunities arising from the proposal and considers the proposed development to be a pleasing and attractive design

4.4 Staff have worked closely with the Greater London Authority (GLA) on the development of the overall package of proposals encompassed within this application and that for the leisure development in Western Road to assist in ensuring they are acceptable in terms of the GLA's planning policies. The GLA has advised that it considers the proposal to be generally acceptable in strategic planning terms. It recognises that the proposals are linked with a separate application, submitted by the Council, for a new leisure facility which, in principle, provides mitigation for the loss of the existing ice rink. The mitigation would justify the proposal in terms of the requirements of Policy SSA7 of the Site Specific Allocations DPD and Policy CP8, which supports the retention or re-provision of community facilities. The GLA would support measures to ensure that continuity of provision is maintained in the intervening period between the closure of the existing facility and the provision of the new leisure centre. However, it acknowledges that the long

term benefits of the new facility outweigh the temporary loss of ice skating provision and accepts the Council's position that any temporary facility would have to be undertaken with the input of the local community, particularly in the current economic climate. The proposal is considered acceptable in terms of strategic planning policy.

The GLA identified in their Stage I response the following issues that required further consideration:

- A review of the viability submission needs to be completed by the GLA, both in terms of affordable housing provision and wider development contributions by the applicant;
- A strategy for child play space within the residential development is required
- Further work required to ensure the pedestrian environment around the site functions efficiently
- Climate change mitigation is still under review by GLA officers
- Transport issues require further work (see detailed TfL comments below).

Further work has been undertaken to address the issues raised in the GLA's consultation response and this will be explained in detail later in the appropriate sections of this report.

4.5 Transport for London (TfL) have expressed concern regarding potential impact on local road network and some aspects of the modelling work undertaken. Further work has been requested in this respect. Principally comments may be summarised as follows:

- There is a strong desire to create a pedestrian link from the bus station to the site and would like to see what options there are for trying to secure this.
- Further detail of proposed pedestrian routes through the site should be provided and there needs to be clarification of the design and management of such routes in order to create acceptable standard of pedestrian accessibility.
- Concern regarding the trip generation methodology used - the principle of a revised access junction is acceptable but needs to be further supported in planning terms
- No need for a separate petrol tanker egress
- Risk of pick up/set down occurring on Rom Valley Way rather than within site
- Amount of parking is excessive and not justifiable in this location

- Needs to be parking provision for disabled employees too
- Insufficient electric vehicle charging points provided
- More cycle parking required
- Improvements to bus infrastructure will be welcomed and a financial contribution secured by legal agreement has been requested
- Request conditions relating to Construction Logistics Plan, Delivery & Servicing Plan and also detail of how travel plan will be secured and delivered.

Following receipt of the applicants response to these issues a further response from TfL has been received since receipt of the above comments. This will be addressed in the highway section of this report.

- 4.6 Sport England have considered this as a non-statutory consultation. They note the new leisure centre proposed represents a sizeable investment in sports facilities in the locality and raise no objection in principle. However, would like to be assured it is delivered, through S106 agreement and would like to be consulted on the draft legal agreement. A condition for phasing of the development is also requested.
- 4.7 The Fire Brigade (access) is not satisfied with the proposals and queries provision for fire appliance access routes and fire fighting arrangements. Access around the premises and to the petrol filling station appears satisfactory. In respect of water provision an additional 4 hydrants are required. Staff suggest these issues could be subject of a planning condition.
- 4.8 The Environment Agency have no objection to the proposals subject to planning conditions.
- 4.9 English Heritage (Archaeology) advise some parts of the site have higher archaeological potential than other parts and request planning conditions for further site investigation.
- 4.10 Thames Water raise no objection but advise measures will be needed to avoid sewerage surcharge to ground level; developer is responsible for making provision for surface water drainage, and consideration should be given to use of petrol/oil interceptors. These are not material planning issues but should be identified to the developer by way of informatives
- 4.11 Network Rail have no comments on the application.

- 4.12 The Borough Crime Prevention Design Advisor notes that crime prevention measures have been taken into consideration in the design of the proposals. It is recommended that the detailed boundary treatment proposals, when submitted, are adequate alongside the eastern boundary of the proposed car park. This, along with other community safety issues, can be dealt with by condition
- 4.13 Environmental Health have requested conditions relating to land contamination and air quality.
- 4.14 LBH Highways have raised no objection to the proposals. They have been involved with discussions regarding the highway implications with both the developer and TfL at pre-planning stage and are supportive in principle of the changes to the junction arrangements on to Rom Valley Way. They have considered the submitted traffic modelling data and raised no objection to the conclusions of this. Highways consider the proposal to be acceptable in terms of both public transport accessibility and parking/cycling provision. No objections are raised in principle to servicing arrangements. Planning conditions and a restriction on the ability of residents of the development to apply for parking permits (through S106 agreement) are requested if permission is granted.

## **5. Relevant Policies**

- 5.1 The National Planning Policy Framework, specifically Sections 1 (Building a strong, competitive economy), 2 (Ensuring the vitality of town centres), 4 (Promoting sustainable transport), 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 10 (Meeting the challenge of climate change, flooding and coastal change) and 11 (Conserving and enhancing the natural environment) are relevant to these proposals.
- 5.2 Policies 2.6-2.8 (Outer London: Vision and strategy, economy and transport), 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.6 (play and informal recreation), 3.8 (housing choice) 3.9 (mixed and balanced communities), 3.10-13 (affordable housing), 3.16 (protection and enhancement of social infrastructure), 3.19 (sports facilities), 4.1 (developing London's economy), 4.6 (support for and enhancement of culture and sport provision), 4.7 (retail and town centre development), 4.8 (supporting a successful and diverse retail sector), 5.1-5.3 (climate change), 5.7-5.9 (renewable energy/energy efficiency, 5.12 (flood risk management), 5.13 (sustainable drainage), 5.18 (development waste management), 5.21 (contaminated land), 6.1-5 (transport), 6.9 (cycling), 6.10 (walking), 6.11 (traffic flow), 6.12 (road network capacity), 6.13 (parking), 7.1 (building neighbourhoods & communities), 7.2 (inclusive environment), 7.3 (designing out crime), 7.4 (local character), 7.5 (public realm), 7.6 (architecture), 7.7

(tall buildings), 7.13 (emergency), 7.14 (improving air quality), 7.15 (reducing noise), 7.19 (bio diversity), 7.21 (trees) and 8.2 (planning obligations) of the London Plan are material planning considerations.

5.3 Policies CP1 (housing supply), CP2 (sustainable communities), CP4 (town centres), CP5 (culture), CP7 (recreation and leisure), CP9 (reducing the need to travel), CP10 (sustainable transport), CP15 (environmental management), CP16 (bio diversity), CP17 (design), DC2 (housing mix & density), DC3 (housing design and layout), DC6 (affordable housing), DC7 (lifetime homes) DC15 (town centres), DC18 (protection of open space, sports, leisure and recreation facilities), DC19 (location of cultural facilities), DC20 (access to recreation and leisure), DC32-36 (transport), DC40 (waste recycling), DC48 (flood risk), DC49-50 (sustainability), DC51 (water supply), DC52 (air quality), DC53 (contaminated land), DC55 (noise), DC58 (biodiversity), DC60 (trees), DC61 (urban design), DC62 (access), DC63 (safer places), DC66 (tall buildings), DC70 (archaeology) and DC72 (planning obligations) of the Core Strategy and Development Control Policies Development Plan Document are material considerations.

5.4 Policy SSA7 of the Havering Local Development Framework Site Specific Allocations Development Plan Document is relevant to consideration of this application. In the context of the 'sequential test' undertaken to assess the acceptability of the proposal, the Romford Area Action Plan of the Local Development Framework is also relevant.

5.5 The Havering Landscape SPD, Designing Safer Places SPD, Protecting and Enhancing Diversity SPD, Sustainable Design and Construction SPD and Protection of Trees during Development SPD are also supplementary planning documents that are relevant to consideration of this application. Regard should also be had to the Council's Local Implementation Plan which set out the Council's transport policies and programmes and the Havering Culture Strategy (2012-2014).

## **6. Background**

6.1 The application site has been allocated for redevelopment for a mix of uses comprising residential, leisure and retail facilities under Policy SSA7 of the Site Specific Allocations DPD. As part of the Council's long held ambition to provide a new public leisure facility within Romford this site has been the subject of discussions for redevelopment in the past. The site had been the subject of a tender process in 2007/2008 aimed at achieving the Council's objective of funding the provision of a new leisure centre on part of the site, from the proceeds of a high density residential scheme developed alongside the proposed new leisure facility. As a result of the subsequent economic downturn these proposals became unviable and the Council was forced to abandon this particular project.

6.2 The Council's aim to provide a new leisure centre however remained. The Council's Corporate Plan 2011-2014 includes a specific objective under the

Towns and Communities Goal for the Council to work with the private sector to deliver a new leisure facility in Romford.

- 6.3 In the meantime the applicant had obtained a site in Western Road, with the intention of developing the site to form a new food store. The Council recognised this as an opportunity to establish a partnership approach and entered into negotiations with the owners of the Western Road site to acquire that site for the development of a new leisure centre, with an alternative site (i.e. the Romford Ice Rink site) identified for a potential new food store development.
- 6.4 A separate application has been submitted for the development of a new public leisure facility on the site in Western Road. Whilst the respective applications are separate, there are clear linkages between the proposals, in particular the key opportunity that is presented for important town centre regeneration objectives to be secured. The proposals, in tandem, are able to facilitate the Council's long-held aspirations to develop a new leisure centre in Romford, and the economic benefit that this brings to the town centre and it is important for the policy issues raised by both proposals to be considered within that overarching context.

## **7. Staff Comments**

- 7.1 The proposals have been submitted as a hybrid application, comprising a full application for a new foodstore with associated development, including a new petrol filling station and an outline planning application for residential development. Whilst they form part of one planning application the commercial and the residential elements of the proposal will be addressed separately in this report.

### **7.2 Foodstore development (including petrol filling station)**

- 7.2.1 The issues arising from this application are the principle of the development in this 'out of town centre' location, including issues relating to retail impact and the viability of the town centre; the loss of the existing leisure facility from the site; matters relating to the impact on the public highway, including on strategic road networks, access and egress arrangements, site accessibility and sustainable transport links, functioning and servicing of the development; the design and visual impact of the proposed development; the impact on the functioning of the adjacent Queens Hospital and the impact on neighbouring amenity generally; environmental issues, including sustainability and ecological impact.

### **7.3 Principle of Development**

- 7.3.1 The application site has been allocated for redevelopment for a mix of uses comprising residential, leisure and retail facilities under Policy SSA7 of the Site Specific Allocations DPD in the Havering Local Development Framework. However, it is acknowledged, under the definitions set out in the National Planning Policy Framework (NPPF), to be outside of Romford

town centre. Paragraph 24 of the NPPF requires local planning authorities to apply a sequential test to applications for "main town centre uses" that are not within a designated centre and are not in accordance with an up-to-date development plan. This is essentially supported by the provisions of Policy 4.7 of the London Plan and Policy CP4 of the LDF Core Strategy.

- 7.3.2 Whilst the site is outside of the town centre it does have a strong degree of connectivity, being some 750 metres walking distance from the train station and the Brewery retail park. Staff are currently developing proposals with Transport for London to enhance pedestrian links alongside Romford Brewery (known as The Battis) with the objective of enhancing pedestrian connectivity between areas beyond Waterloo Road and Romford Town Centre. It is therefore relevant in undertaking the "sequential test" in this particular instance to recognise, if the absence of suitable town centre sites can be demonstrated, the degree of preference the NPPF gives to edge of centre and then out of centre sites that are well connected to an existing town centre over locations elsewhere.
- 7.3.3 The Council has previously commissioned GVA to undertake a Retail and Commercial Leisure Needs Assessment (RCLNA), linked to the LDF review and on-going work which will inform planning and regeneration policies and strategies for Havering. This was completed in 2012. It provides the most up to date evidence of shopping patterns in the Borough. With regards to convenience goods, the Study identified global capacity to support approximately 1,675 sqm net of additional convenience goods floorspace by 2017; increasing to 3,762 sqm net by 2022, and 5,746 sqm net by 2027. It was identified that this capacity is largely generated by the strong performance of out-of-centre Tesco stores at Gallows Corner and Hornchurch Road. For comparison goods, the Study identified capacity to support c.2,781 sqm net additional floorspace by 2017, increasing to c.14,968 sqm net by 2022; and to c.28,080 sqm net by 2027.
- 7.3.4 With specific reference to Romford town centre, the Study found the centre to be performing well and fulfilling its role as a Metropolitan centre, as defined in the London Plan. However, moving forwards the centre will face a number of challenges, including increased competition from rival destinations, such as Lakeside and Bluewater (both of which are earmarked in the future through planning applications and planning policies for further significant expansion in terms of their retail floorspace). Responding to these issues, the Study recommended a strategy for Romford Town Centre which seeks to differentiate Romford's offer and raise the diversity and quality of retail and leisure provision and the quality of its environment. The provision of a new leisure centre within the town centre could therefore play a part in achieving this objective and this would conform to Policy CP4 of the LDF, which seeks to promote and enhance Romford and the network of centres across the Borough by directing retail, cultural and service development towards town centres in line with national policy. Reflecting the principles of sustainable development, the Council's aim is also to minimise the need to travel, to provide a diverse range of services in the one central location and to make facilities accessible to all. This



approach is intended to sustain and enhance the vitality and viability of town centres.

#### 'Sequential Test' consideration

7.3.5 In line with the advice in the NPPF, the applicant has submitted a sequential test and have looked at three alternative sites. The scope of the sequential assessment and the sites to be assessed was discussed with the Council as part of pre-application discussions. When considered alongside the background of this application and the opportunity to secure a new leisure facility within the centre of Romford, Staff consider that the alternative sites considered are appropriate and, to the best knowledge of the Council, are the only sites which would reasonably fit the sequential test criteria. In looking at alternative sites the applicant has have looked at other town centre locations where the proposed foodstore may be accommodated, separate to any residential development which forms part of the submitted scheme. The sites have been identified based on size and proximity to the town centre and have been appraised on the basis of their availability, suitability and their viability. The Council has had the sequential test independently appraised by GVA. The GVA appraisal accepts the method of looking at alternative sites and the sites chosen for further consideration and considers that the sequential test undertaken accords with the requirements of the NPPF. Staff are therefore satisfied that the proposals adequately respond to the provisions of the NPPF in terms of methodology.

7.3.6 The three alternative sites considered are referred to as Mercury Gardens (land at the junction of Western Road and Grimshaw Way); Angel Way and Como Street, which vary in size and which were in the course of the sequential test examined in terms of suitability, viability and availability.

#### a) Mercury Gardens site

7.3.7 In respect of the Mercury Gardens site, this is located in the Romford Office Quarter (as defined in the Romford Area Action Plan) and comprises offices and a surface level car park. This is the site currently owned by the applicant, where the Council is seeking separately to obtain planning permission for the new Romford leisure centre. The site is edge-of-centre in policy terms. Owing to contract arrangements with the Council the whole of the site is not necessarily available for development. The remainder of the site has an area of 0.6 hectares and the case is made that this is not a sequentially preferable site as the remaining site area would be unable to accommodate the proposed retail unit, even allowing for reasonable flexibility, and so is unsuitable for the proposed foodstore development. The proposed foodstore has a net floorspace of 3,760 square metres, which it is not considered could fit on the remaining 0.6 hectare site. The proposed store is already significantly smaller in terms of net floorspace than other town centre competitors, such as Sainsbury and Asda and it is considered that the site area that is available for development would not be sufficient to support a viable development. Consequently, the size of the

site and its impact on retail viability of the proposed store is judged to render the site unsuitable for the development proposed.

7.3.8 This is considered to be a reasonable approach and in line with the provisions of NPPF and established case law. Furthermore, as an edge-of-centre site, the Mercury Gardens site is suitable for both retail and leisure uses and it is reasonable for the Council to consider its priorities for town centre development. Through the Corporate Plan (including the 'Living Ambition') and its planning and regeneration strategies, the Council has a clear vision that, as well as other objectives, seeks to promote Romford town centre as a cultural destination and a preference to encourage cultural use within the centre of Romford. As such, the promotion of part of this edge of centre site for a leisure-led development is entirely appropriate and in accordance with the Council's adopted strategy. The site is also located within the Romford Office Quarter as defined by Policy ROM13 of the Romford Area Action Plan and commercial evidence would need to be submitted that would justify pursuing use of the remainder of the site for retail rather than office purposes. The Council's legitimate decision to pursue planning permission for a leisure centre on this site effectively renders the site unavailable for alternative development and the remainder of the site of inadequate size to accommodate a foodstore, the site is considered to fail the three criteria of availability, suitability and viability. In accordance with the NPPF, it is considered this site may be justifiably dismissed as a preferable alternative in terms of the sequential test.

#### b) Angel Way site

7.3.9 The Angel Way site is situated to the north of the town centre, within the boundary of the ring road but just beyond the defined Retail Core. The site is therefore regarded as edge of centre in retail policy terms. The site is allocated under Policy ROMSSA1 of the Romford Area Action Plan for a mix of residential, retail, leisure and commercial development and there is an extant planning consent to deliver a residential-led mixed use scheme including a hotel and ground floor retail uses which has yet to be implemented. There is a condition on the planning consent restricting the gross floor area of any single retail unit to no more than 750 sqm. This is partly owing to concerns regarding the manner of servicing and delivery arrangements if the site were to be developed to form a large retail store, as the approved development relies on a relatively tight access via Angel Way. The development included a hotel and concerns were raised regarding conflict with the servicing arrangements of the hotel development taking place alongside the operational needs of a major retail store. These constraints may well affect the degree to which the site can be considered to be suitable.

7.3.10 On the basis of its location and proximity to the defined Retail Core, this site would be regarded as suitable for retail development. However, in terms of scale, at just 0.8ha, it is judged that this would be too small to accommodate the scale of foodstore proposed at 3,760 sqm net) without a significant and

impractical degree of flexibility and compromise on the part of the retailer. In terms of flexibility of approach, the applicant has already disaggregated the proposed residential element of the submitted scheme. However, a further reduced scheme in respect of smaller retail floorspace is likely to mean that the proposed development could not effectively compete with existing foodstore provision in the town centre, which includes the 5,667 sqm net Sainsbury's at The Brewery and the 4,745 sqm net Asda at Dolphin Approach. The store, as proposed, is already c.30-40% smaller than the existing town centre stores and, given it is unlikely a further reduction in the scale of the proposed foodstore would be feasible, the Angel Way site is judged to be an unsuitable alternative. Furthermore, there is no evidence that this site is actually available, in policy terms. given the existing extant residential-led planning permission. The site is not obviously available and owing to size is considered to be neither suitable or viable. In accordance with the NPPF, it is considered this site may be justifiably dismissed as a preferable alternative in terms of the sequential test

#### c) Como Street site

- 7.3.11 The third site considered is that of the Como Street Car Park, which is situated to the north of the town centre, beyond the boundary of the ring road but within less than 100m from the defined Retail Core. The site is therefore regarded as edge of centre for the purposes of the NPPF. The site is allocated within the Romford Area Action Plan under Policy ROMSSA3 for residential development with ancillary fringe retail uses along North Street. The site specific allocation for the site for residential use may preclude use of the site for retail purposes and, to this extent, it may be judged that the site is both unavailable and unsuitable for the proposal.
- 7.3.12 The site comprises 0.6ha and therefore, like Angel Way and the residual part of the Mercury Gardens site, may be regarded as unsuitable, by virtue of its limited size, to accommodate the proposed foodstore. As explained in paragraph 7.3.10 above, the proposed foodstore at 3,760 square metres is already c30-40% smaller than that of its competitors (Sainsbury at The Brewery and Asda at Dolphin Approach). The proposed store size would have to be reduced further to be accommodated on the Como Street site, which is judged to be unviable and thereby requiring an unreasonable degree of flexibility on the part of the applicant. The size of the site therefore renders the site unsuitable for the proposed development.
- 7.3.12 Having regard to the factors considered above, Staff consider that it has been adequately demonstrated that there are no sequentially preferable sites available to accommodate the proposed foodstore development. It is considered that, in terms of the availability of other sites and the Council's wider regeneration objectives for the town centre, the proposed location of the new foodstore is acceptable in principle under the provisions of the NPPF and Policy CP4 of the LDF. The proposal is also consistent in principle with the London Plan, which encourages "a proactive partnership approach" to identifying, and then bringing forward, town centre-related uses within, or on the edges of, existing centres as a means to support and

develop the role of town centres. This proposal, in combination with the separate leisure centre application, could be considered to fulfil this objective.

7.3.13 In terms of impact on the viability and vitality of the town centre, the Council has had the retail impact assessment submitted with the proposals independently assessed. The appraisers (GVA) are well aware of the health of the town centre having recently undertaken the Council's Retail Study, in connection with the future LDF/new Havering Local Plan, and conclude that the proposal is likely to contribute to the level of investment in main town centre uses within and on the edge of the town centre. This conclusion is drawn from the absence of other new food retailing proposals in the locality and the financial benefits overall to the town centre that would accrue through the investment in a new public leisure facility. Taken in the round, it is judged that, on balance, the proposals are likely to contribute to the level of investment in main town centre uses within, and on the edge, of the town centre.

7.3.14 The appraisal finds that the applicant's assessment of impact on town centre vitality and viability is informed by up-to-date health checks of those centres which are most likely to be affected by the application proposals. It is judged that the greatest level of trade diversion from existing stores would be from the catchment areas closest to the site, potentially affecting stores such as Sainsbury's, The Brewery; Asda, Dolphin Approach; Tesco, Hornchurch Road; and Tesco, Gallows Corner. Clearly some of these stores are located out-of-centre for the purposes of the NPPF and impact on these stores is not therefore a material consideration. Therefore the main concern would be the impact on the town centre stores in Romford.

7.3.15 The appraisal of the Retail Impact Assessment assumes that there would be a reasonable degree of trade diversion from the main foodstores in Romford town centre, potentially more so even than identified within the applicant's assessment. However, in judging the significance of this impact it considers it reasonable to have regard to the wider role of Romford town centre, in particular its prominent comparison shopping function but also its role as a leisure and cultural destination. Having regard to this wider role, it is judged that the centre is likely to be resilient to the effects of the proposal. Even allowing for a greater level of impact on the convenience role than estimated in the RIA, the overall impact is still likely to be less than 5%. Furthermore, it is concluded that whilst there will inevitably be some loss of linked trips between the Asda and Sainsbury's and the rest of the town centre, there is potential for this to be offset by additional footfall attracted to the Council's proposed leisure scheme. Increased choice and competition will also be a matter for consideration as this has potential to stimulate improvements in the existing stores in the town centre and to drive down prices which will benefit local consumers.

7.3.16 Overall, on balance, staff support the conclusion in the appraisal that the benefits associated with the proposals in terms of increased choice and competition and enabling the delivery of the Council's leisure scheme in an

accessible town centre location, will contribute towards offsetting any negative impact on the town centre's convenience turnover. The introduction of the proposed leisure scheme will add to the centre's diversity which is consistent with local policy objectives. The proposal is therefore judged to be acceptable in principle in land use terms and consistent with the NPPF, the London Plan and Policy CP4 of the LDF.

#### **7.4 Loss of Existing Leisure Facility**

- 7.4.1 As previously identified, the site has been allocated for mixed use development consisting of residential, leisure and retail under Policy SSA7 of the Site Specific Allocation DPD. The written justification for Policy SSA7 recognises that there are limited opportunities to provide new leisure facilities within the Borough and that this site offered the opportunity to do this, in conjunction with an enabling residential development. The justification further identifies that this site may create the opportunity to provide a replacement swimming pool (for the Dolphin site closed in 1995).
- 7.4.2 The principle of retail development on this site has been addressed under Section 7.3 above and the principle of residential development will be covered later in this report. The proposal will involve the loss of the existing ice rink facility on the site. There will be no replacement leisure facility on the application site although, as already identified in this report, a separate planning application has been submitted on behalf of the Council for the provision of new leisure facilities, including a new ice rink in Romford, at Western Road.
- 7.4.3 National and local planning policy seeks to retain and improve the provision of sports and recreation facilities. Policy 4.6 of the London Plan supports the provision of such facilities, whilst Policies CP7 and DC18 of the LDF state the Council's commitment to retention and enhancement of sports and leisure facilities. The Council recognises the role that the facilities provided by the existing Romford ice rink plays in the lives of local residents, as well as other users of the facilities who travel from outside the Borough to use the ice rink. The existing ice rink is home to the Romford Raiders ice hockey team and is well used for a variety of ice sports, including hockey and figure skating. It is acknowledged that this is a popular and well supported venue within the community.
- 7.4.4 However, the current ice rink is an ageing building and is no longer fit for purpose in the long term. The Council has actively explored the possibility of retaining the existing ice rink but the costs of doing such work are prohibitive, both in terms of the short term work and ongoing maintenance. The Council is therefore satisfied that the only feasible option, long term, is a new purpose-built leisure facility, which would include new, state of the art, ice skating facilities. Whilst there would be a period of time during which the Borough would be without an ice rink, provided a replacement facility is provided, Staff consider that the proposal would be acceptable within the terms of Policies CP7 and DC18.

- 7.4.5 The Council has had a long-standing commitment to the provision of a new public leisure facility in Romford. This forms part of the Council's Corporate Plan 2011-2014, which is the formal basis of the Havering 2020 Vision and underpins many of the themes in the LDF Core Strategy. However, it is considered for a number of reasons that such development should rightly be located within the heart of Romford Town Centre. In policy terms, this is consistent with the sequential test set out in the NPPF, as well as the provisions of Policies 2.7, 3.19 and 4.6 of the London Plan and Policies CP4 and DC19 of the LDF. Furthermore, it fits with the Council's objective of strengthening the vitality and viability of Romford town centre, making it better able to compete with other shopping centres on an economic basis, improving the character and quality of the town centre, the night time environment of the town and promoting regeneration. The location of such development in the centre of Romford is also consistent with sustainability objectives, benefitting from the strong public transport links within the town centre.
- 7.4.6 This application has been submitted alongside proposals for a new public leisure facility in Western Road, which is being considered concurrently with these proposals. The provision of a new leisure facility in the form of a pool and ice rink at Western Road was identified in the GVA study as a positive contribution to the town centre. Staff note that, if the proposed leisure facility in Western Road is approved, then it will be in the heart of the town centre and have greater accessibility than a leisure proposal at Rom Valley Way. It will have the potential to complement other town centre uses and enable town centre users to make linked trips within the heart of the town centre, which will add to the vitality and viability of Romford and should improve its economy. Staff consider that, on balance, in the context of these linked proposals, these advantages provide compelling reason to discount the conflict that the application proposal has with Policy SSA7 in so far as it does not include a leisure use.
- 7.4.7 It is acknowledged that, to satisfy the requirements of Policies CP7 and DC18, as well as London Plan Policy 3.16, the acceptability of the loss of the existing ice rink is dependent on ensuring that replacement facilities will be secured. The Council is committed to the provision of the new facilities, which will significantly improve upon the quality and range of facilities being provided by the current ice rink site. It is intended that this be achieved by a legal agreement.
- 7.4.8 It is further accepted that the proposal would see the Borough without ice rink facilities for a period of some 18 months. However, the existing ice rink requires significant work and financial investment in its current condition, which is simply not viable. The current proposals represent an opportunity to secure a state of the art facility that will serve Romford for the future. The existing ice rink operator has agreed to vacate the site by the end of May, which means the rink will need to close during April. Planning permission is not required for the demolition of the ice rink building. The applicant need only obtain prior approval from the Council in respect of the method of

demolition and restoration of the site. Such approval has previously been given under application reference F0002.12

- 7.4.9 The Council has explored the feasibility of providing a temporary ice rink facility. During the process of completing the Feasibility Study the Council has met with a number of ice rink operators, managers of existing ice rinks in the sub region and local stakeholders who have an interest in the provision of a temporary facility (i.e. people involved in ice hockey and ice skating).
- 7.4.10 The feasibility study considered a number of different types of facilities and associated costs, as well as potential sites across the borough. It concluded that the Broxhill site in Harold Hill would be the best site for a temporary facility and identified a range of costs from approx. £750k to £1.5m, depending on the type and quality of the facility to be provided. Other possible sites would have been more expensive. The facility would also need to be the subject of a planning application.
- 7.4.11 The Council does not have any identified capital funding for the provision of a temporary ice rink facility and has concluded that the costs of providing a temporary ice rink would place an unreasonable burden on tax payers, particularly in the current climate of financial austerity. It is noted that the GLA acknowledges this position and is supportive of the Council's stance in this respect. Nevertheless, in recognition of the impact on existing users of the ice rink, the Council has offered to consider providing a site (rent free) and a serviced building to house a temporary ice rink, subject to planning permission being secured, providing the stakeholders can find the funding to fit out the facility and are prepared to run it at no risk to the Council. Despite an initial positive response the stakeholders have not yet been able to confirm they have funding or the capacity to manage a temporary facility.
- 7.4.12 Whilst, at the time of writing this report, no final decision has been taken on whether to provide a temporary ice facility, or not, it looks increasingly likely that such a facility will not be provided. The Council has however been talking to other ice rink operators in the sub region (Chelmsford, Alexandra Palace and Lee Valley) to explore a transfer of the ice activities currently taking place at Romford. Whilst the concerns of local users of the facility regarding a gap in provision is understandable, this does not constitute material grounds to object to the proposals for a new leisure development and ice rink facility. Meanwhile, the Council is committed to working with the ice rink stakeholders to ensure that, in due course, a new ice rink facility is provided, which will provide top class training and facilities.
- 7.4.13 In summary, it is considered that the loss of the existing ice rink that the current proposal entail is acceptable in principle provided the loss is mitigated. Such mitigation is provided by virtue of the proposed replacement leisure centre facility in Romford and would be sufficient to ensure that the provisions of local planning policies, specifically SSA7 and CP7, and London Plan policies are addressed. The interim absence of an ice rink facility in Romford is regrettable but is unavoidable in this instance.

The proposals will however make it possible to achieve a high quality replacement leisure facility for the Borough.

## **7.5 Highway and Parking Issues**

- 7.5.1 The development proposes alterations to the existing junction access to the site from Rom Valley Way, which is currently a traffic signal controlled junction. This would be altered to form a roundabout. There would be three lanes of entry into the site from the proposed new Rom Valley Way roundabout extending to an existing 'internal' roundabout. This existing roundabout leading off the principal access road is also proposed to be modified, so that the right hand turn from the roundabout, that currently leads to the ice rink building, would effectively be retained but improved to form vehicular access and egress to the proposed new foodstore, with a third lane giving vehicular access to the petrol filling station.
- 7.5.2 TfL and the Council's Highway Engineers are satisfied in principle with the proposed alterations to the Rom Valley Way junction and the change from a signal controlled access to a roundabout. The Council's Highway Engineers advise that the ARCADY modelling results demonstrate that the roundabout offers significantly improved capacity compared to the existing signalised junction and this will accommodate significant background traffic growth and / or increased demand caused by the hospital or retail park opposite the site in Rom Valley Way. They advise that the proposals have been road safety audited and no major problems have been highlighted. However, when notified about the proposal, concerns have been raised by the NHS Trust regarding the impact of the access arrangements on the effective functioning of the hospital. In particular, the Trust refers to the 'blocking back' of the secondary, internal roundabout, which it considers will be exacerbated by the additional traffic connected with the proposed foodstore. The NHS Trust consider that the inclusion of an additional lane, providing access to their car park, would alleviate these problems.
- 7.5.3 Modelling of the junction arrangements has been undertaken by transport consultants acting on behalf of the applicant and also by separate consultants acting on behalf of the NHS Trust. While both consultants recognise that some queuing back currently occurs within the site, the impact of the development on these queues is disputed. The Council's Highway Engineers support the view that queuing from the internal roundabout towards Rom Valley Way tends to occur occasionally during peak times of patient and visitor use of the hospital on midweek mornings, rather than due to a conflict with rush hour traffic, and is predominantly symptomatic of a general shortage of public car parking within the hospital grounds and the time required to clear the hospital barrier system.
- 7.5.4 TfL, in its most recent response, has indicated that there is benefit to the alternative put forward by the NHS Trust i.e. the provision of an additional lane. TfL considers that such changes would reduce the risk of congestion associated with the development, impacting upon hospital operations, bus



operations and the wider highway network, as well as shoppers at the new supermarket. Whilst the proposals are considered to be acceptable in their current form, Staff acknowledge that the opportunity should be taken to see to what extent the Trust's concerns should be addressed and, if so, how. Discussions in this respect have been ongoing and are not yet completed. Members are requested to note that options for enabling an additional lane to be provided are still being considered.. Through ongoing discussions TfL have indicated that they may reconsider their position in respect of the scheme in the event that the scheme delivers the preferred additional lane. At the time of writing this report there are no detailed amendments to the access arrangements on which to consult TfL but Staff will provide Members with an update on this position and the on-going negotiations at the meeting.

- 7.5.5 In terms of the design of the site layout and accessibility, TfL are keen that the development takes advantage of its relationship with Queens Hospital and the public transport interchange that exists within the site. Staff acknowledge the importance of this objective but remain supportive of the design of the scheme, including how it relates to the hospital and the Rom Valley streetscene. Nonetheless, the quality and safety of public accessibility to the store and the option to use a range of modal access remains a high priority.
- 7.5.6 There is a public transport interchange that is located just west of the proposed store. Passengers arriving at the site by bus looking to use the store will need to cross the internal access road from the bus stops and reach the store from through/adjacent to the parking area. The proposed footpath link is considered to be staff to be acceptable although not the most direct route possible. This is a result of land ownership issues as some of the land that would be required to enable that direct link to be created is in the ownership of the NHS Trust rather than the applicant. It is understood that there have been discussions between both parties to try to reach agreement on the use of this piece of land as part of the footpath but these are not, at the time of submission of the application, successfully concluded.
- 7.5.7 The applicant has explained that it has always been the intention to create as direct a link as possible between the bus interchange and the store and that works has been done to improve the quality of pedestrian linkages, namely the removal of 50 parking spaces from their original pre-submission proposals, which enables provision of a 5 metre wide tree-lined pedestrian boulevard; the provision of a wide raised at-grade crossing over the store access road and a re-design of the petrol station to remove pedestrian desire lines from the forecourt.
- 7.5.8 Staff recognise the importance of providing a strong pedestrian link to the store from within the hospital site and share the aims of TfL and the applicants to ensure the best possible pedestrian linkage is provided. However, it is mindful of the fact that agreement must be reached with the NHS Trust in order to provide the more direct link, as the NHS Trust are owners of the land in question. This issue is also recognised by TfL.

- 7.5.9 Whilst TfL, in their latest correspondence, suggest that a condition could reasonably be imposed requiring that prior to the opening of the food store a direct link including a safe crossing between the food store and bus interchange is provided, Staff are not convinced that it is reasonable to impose a condition affecting land which is outside of the applicants direct control. Staff consider that the access arrangements currently proposed, although not the optimal solution, are nonetheless well considered, safe and provide an acceptable and convenient standard of public accessibility to the store. The proposal is therefore considered to be capable of approval in its current form and without the planning condition suggested by TfL. Recent communication suggests that the NHS are willing to work with the applicant and TfL to provide a direct link between the proposed food store and the bus interchange. In turn, the applicant has confirmed that they are willing to use 'reasonable endeavours' to secure the preferred route of pedestrian access across the land owned by the NHS Trust. In the circumstances therefore Staff consider it appropriate that the applicants be required to enter into a legal agreement obligating them to use 'reasonable endeavours' to achieve this (as set out in the recommendations to this report). A condition is also recommended that allows a degree of flexibility regarding the detailed layout of this part of the site, so that the layout can be revised with minimal difficulty if the preferred pedestrian access route can be secured.
- 7.5.10 TfL, in their most recent response, requested a capped contribution of £50,000 to facilitate the upgrade of existing bus shelters at the Interchange which operates on the NHS site. TfL have indicated that they may be prepared to reconsider this position, depending on the outcome of related discussions in respect of the site access arrangements. Members will be updated on the matter verbally at the meeting.
- 7.5.11 TfL have not raised any detailed objections to the day to day operation of the proposal, for example issues relating to deliveries, servicing, refuse collection etc. The Council's Highway Engineers, advise that although the servicing entrance and exit are combined with the customers exit, given the relatively low number of vehicles serving the store they are satisfied with the proposals in this respect. Details of waste management, delivery and servicing strategies should be secured by condition, as requested by TfL. Staff consider that consideration of delivery hours can be undertaken when details are submitted pursuant to the relevant condition. A separate condition requires the submission of a detailed noise impact assessment, which can be used to inform a final decision about appropriate delivery hours to the store.
- 7.5.12 TfL has advised it does not support the location of the proposed egress point for petrol tankers on to Rom Valley Way on the basis that this creates a further access on to this road (part of the Strategic Route Network), which can lead to further disruptions to the flow of traffic. Whilst Staff acknowledge that it is preferable not to create additional accesses where possible, it is difficult to route tankers through the site or back out to the main access due to manoeuvring constraints within the layout. This

would result in a significant, and in the opinion of the Highway Engineers unnecessary, re-design of the proposals. Given also that the number of vehicle movements created by petrol tankers is expected to be very low, it is not considered that this would have a significant impact on the functioning of the SRN and therefore a requirement to re-design the proposals is not justified.

7.5.13 The store would have 400 parking spaces of which 26 are for disabled users and 12 are parent and child spaces. The store is on the boundary of the Romford 5-6 PTAL zone. The parking provision for the new store has been proposed by the applicant on the basis of using the District Centre approach rather than the Romford Town Centre standard in Appendix 2 of the Local Development Framework. Staff are satisfied with this approach given the proximity of the site to the boundary of the Romford high PTAL zone; the local environment and parking attraction levels caused by nearby uses, especially Queens Hospital. On this basis the level of parking provision is judged to be under the maximum parking standards in the LDF for a new food store, which would allow up to 437 spaces (based on one space per 18 square metre of floorspace maximum) .

7.5.14 It is acknowledged that this exceeds the maximum level of provision specified by the London Plan. The number of parking spaces has been reduced from that originally required by the applicants. However, TfL consider that the provision of 400 spaces remains too high and should be reduced to no more than 314. TfL also consider that the parking accumulation study submitted does not provide a valid analysis of likely car parking demand, as it should demonstrate the build up and turnover of vehicles arriving / leaving the site across the day, based upon the floorspace of the store.

7.5.15 Staff have considered the points raised by TfL but note that levels of parking within the development have been reduced from that originally proposed prior to submission. Furthermore, given demand for parking locally, the location of the site outside of the town centre and the particular relationship of the site with Queens hospital Staff consider that the level of parking proposed is acceptable. It is noted that the NHS Trust has raised concerns about the adequacy of parking provision and potential knock on demand from hospital patients and visitors that cannot find a parking space at the hospital, leading to further congestion of the circulation routes around the hospital. Whilst it is considered that pressure for parking spaces by users of the hospital can be controlled through the store's own management of the car park, details of which can be secured by condition, it is considered that this presents further justification for the amount of parking proposed. No objection is therefore raised in this respect, although it is judged that in addition to a condition relating to the management, operation and charging procedures for the car park, there should be a requirement for a travel plan, to reduce the level of vehicular trip attraction especially by members of staff, which should be secured through legal agreement.

- 7.5.16 The proposal provides acceptable levels of parking for disabled users and at least one space is retained for a disabled employee, as requested by TfL. The applicant has also confirmed that, through their own store management procedures there is scope to provide more parking for disabled staff members if the need arises..
- 7.5.17 TfL consider the proposed ratio of Electric Vehicle Charging Points (EVCPs) unacceptable and advise that the London Plan requires 10 per cent of all parking spaces to be provided with active provision (i.e. 40 spaces), with a further 10 per cent of spaces (a further 40 spaces) to be provided with passive provision. The applicants propose to provide a total of 40 EVCP's within the site, which equates to 10% provision. Of these, 10 would be provided as active EVCP's before the store opens for trading. The remaining ECVP's would be passive (i.e. not fully operational) but the applicant is committed to a regular review of the need for further active provision. Staff consider this to be a reasonable approach to the provision of EVCP's within the site and raise no objection on these grounds subject to a suitable condition.
- 7.5.18 The application provides 22 cycle storage spaces. TfL requires the provision of 63 cycle spaces, although it is noted this is based on the town centre rather than out of town centre standards. Staff note that the site is served by a dual use footway / cycle track on the west side of the Rom Valley Way and the new roundabout will include a toucan crossing to ensure cycle access to the store is provided for. Additionally, the Authority requires a number of secure cycle parking facilities be provided as close to the store entrance as reasonably practical. Based on the Council's cycle parking standards, the amount of cycle parking exceeds that required for an out of town retail food store (approx. 11 spaces) but is less than that required for a town centre store (around 30 spaces). Based on consideration of the location of the store, staff have requested that the applicants provide a total of 40 cycle storage spaces which is considered sufficient to meet the likely demand for cycle parking and it is proposed that this be secured by condition.
- 7.5.19 TfL have requested conditions relating to a Construction Logistics Plan, Construction Management Plan and Delivery and Servicing Plan. These will be included in any permission granted, as referred to in paragraph 7.5.11 above.
- 7.5.20 The Fire Brigade have commented that they are not presently satisfied with the fire strategy for the site, although the access around the premises and to the petrol filling station appears to be acceptable. Additional water hydrants are also needed. It is not uncommon for the fire strategy for major developments to require further detailed design at this stage in the application and it is therefore suggested that a condition be imposed that requires further details of the fire access strategy to be submitted for approval.

7.5.21 Staff therefore conclude that the proposed new access arrangements are acceptable and that the proposal is acceptable in terms of parking and cycle storage provision. Further work is however ongoing to see if the provision of an additional lane into the site can be secured. No objection is raised in principle to the detailed layout and functioning of the site in highway and accessibility terms, although it is acknowledged that there is potential to create better pedestrian linkage to the store from the western side than currently proposed. Subject to the applicants being required to proceed with efforts to secure an improved pedestrian access, reasonable endeavours for which can be secured by legal agreement, it is considered that the proposal is acceptable in terms of its highway and access implications.

## **7.6 Design and Visual Impact**

7.6.1 In terms of the scale, bulk and massing, the proposed architect-designed food store is considered to work well within the streetscene. The store is raised above pavement level by a podium that ranges from approximately 900 mm to 1200mm above the street. This change in levels, designed to reflect the existing on site levels, is managed through the provision of sloped accesses to the store created by a combination of hard and soft landscaping. This is considered to provide an attractive setting to the development. The design of the store is particularly well designed in that, although from the rear it is designed to sit over the proposed customer car park, from the site frontage it relates well to the pedestrian environment and contributes strongly to the Rom Valley Way streetscene. It is acknowledged that criticism has been made, in representations from the NHS Trust, that the development unreasonably 'turns its back' on the hospital. Staff however consider that the greater priority should be for the building to address Rom Valley Way and are keen that the development takes the opportunity to significantly improve the character and visual interest of its streetscene, which is currently considered to be relatively poor for such a primary access route into the town centre. Staff are therefore supportive of the design principles adopted for the development.

7.6.2 The front entrance to the site leads into a double height glazed atrium, which provides access to stairs, lifts and travelators, leading to the first floor sales area. A customer café is also proposed at first floor looking out towards Rom Valley Way. In addition to the attractive glazed frontage, the development has a very distinctive undulating roof profile. This is considered to add a welcome degree of visual interest to the development such that it is judged to create a strong architectural statement in the streetscene. The roof is designed to have a low profile in Rom Valley Way, which further integrates the scale of the building into the streetscene; the roof then rises and further dips in height setting the predominant character of the flank elevations of the building. Viewed in the round therefore the store is considered to relate well to its surroundings in respect of bulk, scale and massing.

7.6.3 In terms of detailed design, the proposed external materials are relatively simple grey, micro-rib cladding but this is considered to work well with the

detailed feature elements of the design, which include aluminium flashing/trim and the use of yellow coloured LED lighting strips to the building perimeter around the soffits. The proposed store would also have distinctive glass fins to the glazed front façade of the atrium, which would project from the building at upper floor level and a digital clock would also form part of the detailing of the upper floor level. The quality of the materials are considered to give rise to a development that would make a positive contribution to the character and quality of the Rom Valley Way streetscene. The building has the potential to be particularly striking at night due to the use of LED lighting and views into the building through the glazed atrium. Details of store advertising have not been submitted at this stage but it is envisaged this could be sensitively designed, including the potential for the use of 'super graphics' which would be displayed within the store but visible through the glazing.

- 7.6.4 Whilst the return and rear elevations of the store effectively provide a screen for the service areas, they are nonetheless finished in a manner which is aesthetically pleasing. To the northern side and rear of the store the edge of the development will be formed by proposed yellow coloured acoustically insulated panels, which will effectively clad the proposed service yard. These elevations will also be detailed with vertical larch battens, such that the service yard areas have a distinctive architectural treatment from the store itself.
- 7.6.5 The proposed petrol filling station is located adjacent to the main site entrance so will have a visual impact in Rom Valley Way. The petrol filling station is considered to incorporate a degree of architectural interest as it has been designed to complement the character and appearance of the retail store, in terms of its orientation on site, the use of a similarly sloping roof profile and the use of complementary materials. This degree of assimilation between the design of the store and the associated petrol filling station is unusual and is considered to reflect the overall high quality design of the proposed new development.
- 7.6.6 The GLA has commented that the architecture of the store is generally supported and Staff would concur with this view. The proposed built form of the new development is considered to be entirely acceptable in terms of scale, bulk and mass and creates a visually attractive development that will enliven the character and appearance of this part of the Borough.
- 7.6.7 A detailed landscape strategy has been prepared and submitted in connection with the development. This proposes a mix of both formal and informal arrangements of tree planting within the site. It is recommended full details of the proposed planting be secured by condition.

## **7.7 Impact on Neighbouring Amenity**

- 7.7.1 The development site does not have any immediately neighbouring development to its southern side, with the nearest residential properties some considerable distance from the site boundaries.

- 7.7.2 To the eastern side of the site lies the Rom Valley Way Retail Park, which predominantly consist of retail warehouse style buildings. It is not considered these buildings, given the nature of their use and separation from the site across Rom Valley Way would be materially affected by the proposals.
- 7.7.3 The proposed development will have a direct relationship with the residential development proposed on the northern side of the site. The consequences of this for the residential amenity of future occupiers of the new residential units is addressed in Section 8.5 of this report.
- 7.7.4 There is also existing residential development and a live planning application(which has a Committee resolution to approve subject to prior completion of a S106 agreement) for residential development on land to the north of the application site (beyond the proposed new residential units). It is not considered these would be materially affected by the proposed new foodstore and petrol filling station due to their degree of separation from the site, the measures incorporated into the design of the northern boundary of the foodstore to provide acoustic screening and the routing of all customer and servicing traffic via Rom Valley Way (as opposed to using Oldchurch Rise). Having regard to these factors, no material harm to nearby residential amenity is considered to occur.
- 7.7.5 In terms of relationship with Queens Hospital, which lies to the west of the site, the proposed development is not considered to have a material impact in terms of size, scale and massing. The proposals (including the residential element) have been designed having regard to the operational requirements of the hospital, including the need to ensure continued accessibility for the air ambulance. The hospital is a 24 hours A&E and it is not considered that noise or activity resulting from the operation of the store and petrol filling station, even if trading 24 hours a day, would be materially harmful.
- 7.7.6 It is acknowledged that concerns have been raised by the NHS Trust in respect of the proposals. However, these largely centre around matters of site layout, access issues and open space requirements, which are addressed elsewhere in this report.

## **7.8 Environmental Issues**

- 7.8.1 In terms of sustainability, a detailed sustainable design and construction statement has been submitted with the application, which indicates that the commercial element of the development will achieve a BREEAM rating of 'Very Good'. At the time of writing this report the GLA were still reviewing the technical data. It is acknowledged that the GLA have initially raised concern regarding the loss of opportunity to connect to the existing district heating network at Queens Hospital. The submitted energy statement indicates that the Queens hospital energy centre and distribution network sizes are optimised for the expected demand from the residential development and that it is estimated that the capital cost of connection from

the proposed Morrisons store to the Oldchurch site's energy centre would exceed that of the alternative technologies available, rendering it non cost-effective. Members will be updated if any further comments are received from the GLA's technical team. Staff however consider the proposals acceptable in principle and recommend that a condition be imposed requiring the development to achieve a BREEAM standard of 'Very Good'. This shall be evidenced prior to first occupation of the development.

- 7.8.2 Other environmental matters, relating to issues such as land contamination, air quality, flood risk, archaeology and ecology are covered in Section 8.8 of this report below. It should further be noted that the site has previously been subject of a screening opinion request for under Environmental Impact Assessment regulations and the Council has determined that no significant environmental effects associated with the development are likely to occur.

## **7.9 Referrals**

- 7.9.1 The application has been referred to the Greater London Authority under the provisions of the Mayor of London Order 2008. If Members are minded to grant permission for the development the proposal will need to be referred back to the GLA as a Stage II referral before permission can be issued.

- 7.9.2 The retail element of the application is also referable to the Secretary of State under the provisions of the Town and Country Planning (Consultation) (England) Direction 2009. If Members are minded to grant permission the Secretary of State is required to be notified under the provisions of the 2009 Direction and will have a period of 21 days (or such extended period he considers necessary) in which to decide whether to call in the proposals for determination or to enable the LPA to determine the application.

## **7.10 Mayoral CIL**

- 7.10.1 The proposed development is liable for the Mayor's Community Infrastructure Levy (CIL). 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.

- 7.10.2 The Mayor's Crossrail SPD applies to retail, office and hotel development. Therefore, the retail element of the proposed development will be liable to the Mayoral SPD. The contribution is calculated on new retail floorspace over 500 square metres, at a currently discounted rate of £16 per square metre. At the current rate the SPD liability would be £149,200 (based on a GIA of 9825 less the first 500 square metres, charged at £16 per sqm).

- 7.10.3 The Mayoral CIL requirement is based on the gross internal area (GIA) of the development. The retail element of the development has a GIA of 9,825 square metres. From this, the existing floorspace of the ice rink building to be demolished may be subtracted as it has been used for at least 6 of the 12 months prior to determination of this application. The ice rink has a GIA of 4,652 square metres, giving a net increase in floorspace of 5,173 square



metres. The Mayoral CIL liability is therefore £103,460 (based on 5,173 sq.m. @ £20).

7.10.4 The Mayor is able to charge both CIL and the Crossrail tariff in tandem but has indicated that, where relevant, the CIL payment will be treated as a credit towards the Crossrail payment.

7.10.5 The residential element of the development will also be subject to Mayoral CIL (see calculations set out in paragraph 8.10.1 below). At the time of writing this report Staff are still assessing the overall Mayoral CIL and Crossrail SPD liability for the development as a whole and Members will be advised of the amount verbally at the meeting.

## **8. Residential Development**

8.1 The issues arising from this element of the proposals are the principle of development; the density and site layout, the bulk, scale and massing of the proposed development and likely visual impact; quality of the residential environment, impact on amenity, parking and highway issues, affordable housing and environmental issues.

### **8.2 Principle of Development**

8.2.1 In respect of the principle of residential use, the application site is allocated for mixed use development of retail, residential and leisure use under Policy SSA7 of the Site Specific Allocations DPD. Residential use on the site is therefore accepted in principle.

8.2.2 It is acknowledged that the site specific allocation encourages residential as part of a mixed use development, largely to enable the provision of the other land uses (i.e. retail and leisure) referred to in Policy SSA7. The proposed residential development does form part of a wider mixed use on the site but, for reasons explained earlier in this report, this proposal does not include leisure development. The Council considers the balance of the advantage lies in securing leisure uses on an alternative site, which is located within the town centre.

8.2.3 Accordingly, the proposed residential use on the site is considered to be acceptable in principle and it also conforms to the objectives of the NPPF, as well as Policy 3.3 of the London Plan and Policy CP1 of the LDF, aimed at increasing the supply of housing in the Borough.

### **8.3 Density and Site Layout**

8.3.1 The Site Specific Allocation sets out a preferred density of development, which is 167-275 units per hectare. Although the application is in outline form it does specify the quantum of development, 71 units, which gives a development density of 81 units per hectare on this 0.88 hectare site. This is below the range indicated within the site allocation.

- 8.3.2 The density of the proposed development is reflective of the fact that the proposed unit mix consists of both flats and family housing, recognising the particular need for the provision of family housing within the Borough. It is welcome that 25 of the proposed 71 units are family units, with private rear gardens, albeit that this reduces the ability of the site to achieve the stated densities in Policy SSA7. Staff consider this to be acceptable in principle and consider that the proposal reflects the variety of housing need required within the Borough. The density proposed, at 81 units per hectare, still represents a sustainable form of development that will contribute to a mixed and balanced housing stock. In principle this is consistent with Policies 3.4 and 3.8 of the London Plan, as well as Policies CP1 and CP2 of the LDF.
- 8.3.3 The layout of the proposed development is indicative but responds to a number of key design criteria, including the location of the proposed access (which is fixed), a requirement for a varied unit mix, connectivity through the site, creating a strong urban edge to Rom Valley Way, site constraints and relationship with neighbouring land uses and parking and amenity space requirements.
- 8.3.4 Access to the site is taken from Oldchurch Rise. The northern part of Oldchurch Rise is part of the adopted highway and provides connectivity to the existing Council-owned car park to the north of the existing ice rink building. Access to the proposed residential development would take place from the car park. In principle, access from this location is acceptable. The detailed highway and parking considerations are addressed further later in this report.
- 8.3.5 Although the layout is indicative, Staff consider that the proposal demonstrates an ability to develop the site in a manner that responds positively to the design criteria explained above, whilst achieving the quantum of development applied for.
- 8.3.6 The proposal provides a building, up to five storeys, to the site frontage on to Rom Valley Way. This would not be judged to constitute a 'tall building' in the context of Policy DC66 of the LDF, as these are defined as buildings or structures of 6 storeys or 18m in height or greater. This is considered appropriate in terms of urban design principles and would provide a strong urban edge to the development. The scale and massing of the building, at up to five storeys, is considered appropriate in principle in this location and would sit comfortably with the scale of the proposed food store as well as that of the existing Blade Court to the north, which rises to a maximum of five storeys, as well as proposed development ranging between three and four storeys high, on the former Paynes site, which has a resolution by the Council to approve but is subject to prior completion of a Section 106 agreement before permission can be issued.
- 8.3.7 The remainder of development within the site is indicated at being two to three storeys high which would sit comfortably within the context of surrounding development.

- 8.3.8 The layout of the site provides a good degree of connectivity between Rom Valley Way and Oldchurch Rise and includes a direct pedestrian route running between the two at the northern edge of the site. This is particularly important given the linkages of the site with the town centre and to benefit from the short walking distance between the site and town centre amenities, as well as Romford station.
- 8.3.9 Although detailed consideration will be required for a number of elements of the layout, which can be secured through the reserved matters submission, Staff are satisfied that the indicative layout pays due regard to issues such as a pedestrian linkage, creating a strong urban edge to the site boundaries, promoting defensible public realm and consideration of public safety and amenity issues.
- 8.3.10 The indicative layout provides for a mix of private and communal amenity space within the development. There are a number of houses (21) within the overall scheme and the indicative layout suggests each of these could have private rear gardens that would accord with the Residential Design SPD. Communal space can also be provided to the apartments that is capable of being well landscaped, forming a good quality setting for the development and functioning well as an amenity area. The individual design of flatted units is not known at this stage but Staff consider there would also be opportunity to seek the provision of private balconies for each flatted unit.
- 8.3.11 It is noted that the GLA have raised concerns regarding the absence of a playspace strategy for the site. The NHS Trust has also raised objection to the proposal in this respect and are concerned that a shortfall in play space provided on site will have a consequent impact on demand to use the Oldchurch linear park, thereby increasing maintenance costs for which the Trust has a responsibility. The Trust has requested that the applicants be required to make a financial contribution towards these costs. Whilst noting that the residential scheme is in outline form, an assessment has been made of the child yield anticipated by the illustrative proposals, based on the methodology set out in the Mayor's Supplementary Planning Guidance. This is calculated to be some 10 children under 5; 4 children between 5-11 and 2 children older than 12 equating to a play space requirement of 165.6 square metres over and above any local requirement.
- 8.3.12 Given the amount of open space available within the development, together with the fact that the majority of the family housing has private rear gardens, and the availability of open space in the wider area (including the Oldchurch Linear Park) it is questionable whether there is a demonstrable need for further on site play provision. However, in recognition of the outline nature of the scheme, it would be reasonable to condition the development so that play space provision is required to comply with the Mayor's SPG. In such circumstances, and given that the extent of the shortfall is currently estimated to be in the region of 165 square metres, Staff do not consider that, at this time, there would be justification in requiring a financial contribution towards the maintenance of the Oldchurch Linear Park.

8.3.13 The indicative layout demonstrates that it would be possible to create a suitable road layout which could also enable the provision of parking to a ratio of 0.75 spaces per unit. Detailed parking and highway issues will be considered later but, in principle, this would be acceptable for a site in this highly accessible location.

8.3.14 Whilst Members are reminded that only access and quantum of development are fixed, Staff consider that the indicative layout does show that the number of units proposed could be achieved in a manner that would result in an attractive and acceptable form of residential development on the site.

#### **8.4 Massing, Scale and Design**

8.4.1 In terms of design and visual impact, as referred to above, the massing of the development at predominantly 2-3 storeys, rising to a maximum of 5 storeys is acceptable in principle in this location and having regard to local context. A condition could be applied to restrict the maximum height of new buildings on the site.

8.4.2 The visual impact of the proposed residential development would be seen in the context of the proposed new foodstore to the southern side of the site and the existing development at Blade Court to the north. There is also a planning application for the Paynes site directly north of the Council-owned car park, which will be approved once the required legal agreement is completed.

8.4.3 In relation to the scale and massing of existing and possible future development to the north of the site, it is not considered the scale of the proposal would be out of character with this. There is scope to ensure that the new development relates acceptably with nearby building lines, including that which will be set by the new foodstore. The indicative layout also suggests that it would be possible to achieve a reasonable degree of set in from the boundaries of the site, thereby improving the relationship with neighbouring development.

8.4.4 The design and external appearance of the proposed residential development is a reserved matter so not known at this stage. It is considered that there is no strongly prevalent local character or building style, particularly as there is a lot of relatively new development locally, for example on the former Oldchurch hospital site, and likely to take place in the short term on the former Paynes site. Therefore it is not considered that any planning permission granted should seek to be unduly restrictive in terms of the design or architectural style of new development and the reserved matters submission should be considered entirely on its own merits.

8.4.5 In terms of scale and massing, the proposed frontage block is the highest element of the development at 5 storeys. This would be compatible with the height of the proposed new foodstore and existing development at Blade

Court. Development within the remainder of the site is indicated to be between 2 and 3 storeys. Again, this is compatible with existing development at Blade Court and that recently approved on the former Paynes site. Staff therefore judge that the quantum of development proposed and its likely scale, bulk and mass could be accommodated within the site without detriment to the character and amenity of the locality.

## **8.5 Quality of Residential Environment**

- 8.5.1 The layout of the site is indicative. However, the known factors affecting the development site are the proposed residential foodstore to the south, the existing Council-owned car park to the north and the residential development (both existing and proposed) to the north of that.
- 8.5.2 In terms of how these affect the quality of the resultant living environment, the indicative layout has attempted to respond to these issues by creating strong boundaries to the site and providing an internal layout which includes the provision of private, defensible amenity space.
- 8.5.3 The indicative layout positions housing on the south side of the site some 13m in from the boundary with the site of the proposed foodstore development. The proposed foodstore has the servicing and delivery ramp adjacent to this part of the site. However, as explained in the previous section of this report, measures have been adopted within the design of the foodstore and the service ramp to protect the adjacent residential boundary from undue noise disturbance. Staff consider, having regard to the detailed design of the food store proposals and the scope to set dwellings within the residential part of the site away from the southern boundary, an acceptable degree of residential amenity could be provided and maintained.
- 8.5.4 To the west of the site is the Council car-park, from which access to the site will be taken. There will need to be consideration of how to provide a defensible edge to the residential aspect of the development, given it is next to the car park and also a footpath linking Rom Valley Way with Oldchurch Rise. The indicative layout suggests that new dwellings could be positioned so as to overlook the footpath, providing a degree of security and natural surveillance.
- 8.5.5 In principle it is considered that the indicative layout works but in any detailed proposals careful consideration would need to be given to the design of boundary treatment and lighting in order to ensure the footpath is suitably safe and that the amenity of residents adjacent to the footpath and car park is not compromised.
- 8.5.6 The western boundary of the site onto Oldchurch Rise is also potentially vulnerable to crime. Again, the indicative layout suggests development could face out over Oldchurch Rise to improve on natural surveillance but care would need to be taken with boundary treatment as there is a balance to be struck between connectivity through the site and providing secure boundaries.

- 8.5.7 The Borough Crime Prevention Design Advisor (BCPDA) has been involved in pre-application discussions. No objections are raised in principle to the development on a community safety basis, although the treatment of the site boundaries is a particular issue that will require detailed consideration at the detailed planning stage. Conditions relating to community safety issues are requested by the BCPDA if permission is granted.
- 8.5.8 On balance, and recognising that the layout of the development is potentially subject to change, Staff consider that the residential element of the site is capable of providing a suitably high quality living environment that would accord with the objectives of the LDF.
- 8.5.9 Matters such as detailed layout, hard and soft landscaping, lighting, distribution of parking spaces and the detailed relationship between dwellings within the development, for example in respect of matters such as privacy and light, will require further consideration when a reserved matters or discharge of condition submission is made.

## **8.6 Impact on Amenity**

- 8.6.1 In terms of impact on amenity, given the location of the site to the north of the proposed foodstore, west of the Rom Valley Way retail park and east of Queens Hospital, and the distance of the development from the respective neighbouring buildings, the impact on the amenity of these existing developments would be acceptable.
- 8.6.2 The impact of the development on the amenity of existing and proposed residential properties to the north of the site is therefore the key consideration.
- 8.6.3 The existing dwellings closest to the development are at Blade Court, which is a residential block rising up to 5 storeys located north of the site beyond the existing car park. The south facing elevation (towards the application site) includes French doors leading out onto balconies. These currently look out across the Council-owned car park at Oldchurch Rise.
- 8.6.4 The proposed development will change the outlook from these properties although, given that the proposed layout is indicative, to what extent cannot be fully addressed in this report. The factors that will remain constant is the distance of the site from the Blade Court properties, which is a minimum of approximately 38m, the maximum height of the proposed dwellings and location of the access. Having regard to these two factors, Staff consider that it is possible to develop the adjacent site in a manner which, although changing the living environment for existing residents, would not materially harm it.
- 8.6.5 The relationship between the proposed flats and Blade Court will need to be looked at in greater detail at reserved matters stage and it is possible that a sunlight/daylight assessment will be needed, having regard to the

orientation of the site south of Blade Court, although this will depend on the details of the layout and built form.

8.6.6 Turning to the relationship with the development recently proposed on the site of the former Paynes Brothers site (located immediately north of the Council car park). The proposal would have no material adverse impact on the amenity of the commercial building that currently exists. This site has a resolution for approval of residential development (application reference P1020.12) subject to prior completion of a legal agreement, which has not yet been completed. It is recognised that there is no certainty that this development will go ahead on the adjacent site. Nonetheless the impact on this scheme, or a future alternative redevelopment of the Paynes site, must be considered.

8.6.7 As with Blade Court, the only certainties of the proposed development with regard to amenity is the distance of the site from the boundary with Paynes and the height of development. The proposed site is a minimum distance of 24m from the nearest part of the proposed flats submitted under application P1020.12.

8.6.8 The development proposed on the Paynes site varies between 3 and 4 storeys in height; that proposed within the rear part of the application site is 2 to 3 storeys high. The proposed development on the Paynes site does include habitable room windows and balconies on the south facing elevations towards the development site. In principle, given the separation distance of at least 24m and the proposed 2/3 storey height of new development, it is considered that a relationship could be achieved that maintains a suitable degree of privacy and amenity between the relative sites. However, as with Blade Court, the detail of this would require closer scrutiny at reserved matters stage. It is recommended that this also includes a requirement for a sunlight/daylight assessment

## **8.7 Parking & Highways**

8.7.1 Access to the proposed housing development is not a reserved matter. The application indicates that access to the development will be taken from Oldchurch Rise, off Oldchurch Road via the existing Council-owned car park.

8.7.2 In terms of access arrangements, it is acknowledged that the proposal would therefore add to traffic already using Oldchurch Rise to access Queens Hospital, as well as potentially that arising from the redevelopment of the former Paynes site, if implemented.

8.7.3 Highways staff have identified that this particular junction can get congested but have also taken into consideration the relatively low additional trip rates that are likely to be generated by the proposed new residential development.

- 8.7.4 The Council is also separately considering a range of junction improvements, including the junction of Oldchurch Road/Oldchurch Rise and funding to achieve this is potentially available through part of the planning obligation for Queens Hospital. It should be noted that these proposals do not form part of this planning application. They are in an early stage and dependent on input from other stakeholders, such as London Transport and the London Ambulance Service. However, there is clearly scope to consider junction improvements in the locality of the site and Highways currently advise that despite localised congestion this is not seen as materially affecting the highway to an extent that would justify refusal. No specific objection to the proposal has been raised in this respect by TfL.
- 8.7.5 The application proposes a total of 54 parking spaces for a development of up to 71 units. This equates to a parking ratio of 0.76 spaces per dwelling. Staff consider this to be an acceptable standard of parking provision in this location, given its proximity to the town centre, and in accordance with the requirements of Policy SSA7 which is for 0-1.5 spaces per unit. TfL have not objected to the parking ratio for the site, although provision of Electric Vehicle Charging Points is requested by condition. It is nonetheless recommended that a parking allocation and management strategy be required as a condition of any approval so that the functionality of the detailed parking layout can be managed. TfL have also requested details of Blue Badge parking for disabled users to be provided, which can also be secured through condition.

## **8.8 Environmental Issues**

- 8.8.1 In terms of sustainability, information submitted with the application indicates that the residential development will achieve a Code for Sustainable Homes rating of 4. At the time of writing this report the GLA were still reviewing the technical data and Members will be updated if there is any further response. As the application is in outline stage it is recommended that conditions be applied to ensure that the resultant development achieves the required standards of sustainability and use of renewable energy.
- 8.8.2 The site is within an area of potential contamination. A phase 1 contaminated land assessment has been undertaken and a condition is recommended for further works relating to land contamination. The site is also within an air quality action management area and conditions relating to air quality are also recommended.
- 8.8.3 The site has potential for the existence of remains of archaeological importance and a condition is therefore recommended in respect of a programme of archaeological investigation.
- 8.8.4 The Environment Agency initially objected to the proposals as they were not satisfied with the proposals for Sustainable Urban Drainage (SUDS). However, following the submission of additional information, the EA has now



advised that the proposals are considered to be acceptable subject to the imposition of a number of planning conditions.

8.8.5 An ecological assessment of the site has been undertaken, including an extended Phase I habitat survey. Given the location, public use and managed nature of the site no significant ecological impacts are considered to occur. The site has the potential to support nesting birds but no presence of bats or other protected mammals. The development is not therefore considered to have a significant ecological impact although it creates the opportunity to enhance the ecology of the site through new landscaping. The proposal is therefore considered acceptable in terms of ecological impact subject to meeting the recommendations in the submitted ecological report regarding the timing of works to avoid impact on nesting birds.

## **8.9 Affordable Housing**

8.9.1 The proposal results in development for which affordable housing provision is required in accordance with the National Planning Policy Framework. The London Plan and Policies CP2 and DC6 of the LDF set out a borough wide target of 50% of all new homes built within the Borough to be affordable. The applicant has provided a financial appraisal with the application which, in the applicants view, justifies no affordable housing provision within the proposed development.

8.9.2 An independent economic viability assessment has been commissioned by the Council of the submitted appraisal. The appraisal has been carried out by GVA, who have carried out an appraisal of the whole scheme comprising the food store and residential units in line with the planning application. Whilst different assumptions have been made in both appraisals, GVA calculations of the value of the land accord with that set out in the submitted viability appraisal. GVA conclude that the residual land value remains significantly less than the agreed purchase price, which itself is not seen as unreasonable in the context of the proposals and current economic climate, and that therefore the scheme cannot viably support the provision of affordable housing.

8.9.3 At the time of writing this report it is noted that the GLA had not completed its own review of the submitted viability appraisal and the GVA assessment. However, based on the information available to Staff it is considered that the absence of affordable housing provision within the development is justified both by the submitted viability appraisals and the wider community benefits made possible by the proposed development.

## **8.10 Mayoral CIL**

8.10.1 The residential element of the development indicates a gross internal area of 6,849 square metres. The proposed development is liable for Mayoral CIL. Based on the current charges of £20 per square metres the residential development would attract a Mayoral CIL contribution requirement of

£136,980. The final amount to be paid would however depend on the floorspace of the proposed development as approved at reserved matters stage.

## **8.11 Planning Obligations SPD**

8.11.1 The proposed development will be liable to pay an infrastructure contribution under the provisions of the Planning Obligations SPD, which is currently £6000 per residential unit. This will require a maximum contribution of £426,000 and accords with the provisions of Policy DC72. This should be secured through legal agreement. As the residential element of the proposals is in outline form the precise amount to be paid will be dependent on the final nature of the scheme and it is recommended that the legal agreement enable this contribution to be paid only upon commencement of the residential element of the development.

## **9. Conclusion:**

9.1 This application relates to a hybrid application, which proposes a new supermarket and petrol filling station, together with outline proposals for a new residential development of up to 71 units. The proposals have been made possible through a land transaction, which has enabled the Council to submit a separate planning application for the construction of a new public leisure facility on land at Western Road, Romford. The Western Road site is now subject of a separate planning application, reported separately on this agenda. Whilst both applications are separate there is a strong degree of linkage between the proposals, such that each should be considered with regard to the other

9.2 The development site is identified in the Site Specific Allocations DPD as being suitable for a mix of uses comprising residential, leisure and retail facilities under Policy SSA7. At the heart of this was a notion that this site could enable the provision for a new public leisure facility to replace the previous Dolphin centre. This has not come to fruition, largely due to the recent economic downturn. This proposal does however, in part, due to a land deal that has been able to be achieved by the Council, enable the provision of a new leisure centre on a more central site in Romford town centre. This means that, providing the new facility is secured, there is justification in planning policy terms for not providing recreational or leisure facilities on the application site and also for a temporary interruption in the provision of leisure facilities. It is the Council's intention to enter into a legal agreement in respect of its own application for the Western Road site (P1492.12, reported separately on this agenda) with the Greater London Authority (GLA) to secure the provision of the replacement facility, such that the loss of the existing ice rink and replacement on an alternative site is considered to be justified.

9.3 The application site is outside of Romford town centre but, in terms of the location of the site for a new retail development, this is considered to be justified by a sequential test and retail impact assessment undertaken by the

applicant and independently verified by consultants employed by the Council. The approach to the development is in accordance with the provisions of the National Planning Policy Framework and the impact of the development on the vitality and viability of the town centre considered to be justified. The proposal will however be referred to the Secretary of State under the statutory departure regulations.

- 9.4 It is acknowledged that significant concern has been raised regarding the continuity of provision of ice skating facilities in Romford, both by local people and bodies such as the GLA and Sport England, until new facilities are constructed and open for use. Whilst there is genuine appreciation of the concerns and the Council is looking at options with stakeholders to address this issue, it remains the case that this does not constitute material grounds to refuse the application as replacement facilities are proposed via a separate application submitted by the Council and considered in tandem with these proposals. As referred to previously, safeguards can be put in place through the completion of appropriate legal agreements to ensure that the replacement facilities are provided.
- 9.5 The proposals are considered to be acceptable in all other material respects and it is therefore recommended that, subject to no contrary direction by the Mayor for London or the Secretary of State, and the prior completion of an appropriate legal agreement and planning conditions, that planning permission be granted.

## IMPLICATIONS AND RISKS

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

Notwithstanding the Council's interest in the site, its decision as a local planning authority is taken solely on the policies in the Development Plan and other material considerations. The Council will be financially affected, directly or indirectly, by planning resolutions. This will have no relevance to the planning decisions taken in respect of these proposals.

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

Legal resources will be required to complete the necessary legal agreements. The acceptability of the scheme is dependent on the legal agreement which, amongst other things, will bind the Council to undertake the construction of the associated leisure centre development if work subject of this application (P1468.12) is commenced.

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

None arising from this application.

**Equalities implications and risks:**

The application will involve the loss of an existing public leisure facility from this site but it is possible to secure replacement facilities which, in terms of location, accessibility and detailed design will provide a significantly more inclusive facility, particularly with regard to the need of users with disabilities.

The proposed new supermarket is designed to enable use by all members of the community and offers high standards of inclusive access.

The proposed new residential buildings consist of a mix of accommodation types, designed to respond to the housing needs of the Borough, particularly the need for family housing, helping to provide for mixed and balanced communities. The dwellings will be constructed to the required standards for accessibility, as well as the provision of wheelchair accessible units and Lifetime Home units.

**BACKGROUND PAPERS**

Application P1468.12 received on 29 November 2012