



# REGULATORY SERVICES COMMITTEE

17 May 2012

# REPORT

**Subject Heading:**

**P0350.11 – 19-21 Eastern Road,  
Romford**

**Demolition of existing building and  
erection of six storey mixed-use  
building comprising Class B1 office  
space with associated reception area  
and seven residential apartments  
(Application received 3<sup>rd</sup> March 2011)**

**Report Author and contact details:**

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Manager) 01708 432800**

**Policy context:**

**Local Development Framework  
London Plan  
National Planning Policy**

**Financial summary:**

**None**

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

|  |     |
|--|-----|
| Clean, safe and green borough  | [X] |
| Excellence in education and learning                                 | [ ] |
| Opportunities for all through economic, social and cultural activity | [ ] |
| Value and enhance the life of every individual                       | [ ] |
| High customer satisfaction and a stable council tax                  | [ ] |

**SUMMARY**

The application relates to the proposed construction of a new mixed use building within the Office Quarter of Romford Town Centre. The proposed six storey building would include new office floor space, together with seven residential apartments.

This application was initially considered by the Regulatory Services Committee on 9 June 2011. The application was deferred, at Member's request, for Staff to seek an increase in the Section 106 contributions proposed in connection with the development. Since the application was deferred there have been a number of material changes in national and local planning policies that significantly affect the way in which the cost of infrastructure requirements arising from the development are calculated and the financial liabilities of the development.

The previous report to Members is re-produced below but has been updated to reflect the recent changes in planning policy. It is recommended that planning permission be granted subject to conditions and a Section 106 Agreement.

## **RECOMMENDATIONS**

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

- A financial contribution of £42,000 to be used towards infrastructure costs in accordance with the Planning Obligations Supplementary Planning Document.
- A restriction on residents of the development, save for blue badge holders, applying for parking permits within the local area.
- The provision and implementation of a workplace travel plan for the office floor space in accordance with Transport for London guidelines.
- All contribution sums shall be subject to indexation on the basis of the Retail Price Index or an alternative index acceptable to the Council from the date of the agreement to the date of payment.
- All contribution sums once received shall include any interest accrued to the date of expenditure.
- The Council's legal fees for preparation of the agreement shall be paid prior to completion and the Council's planning obligation monitoring fees shall be paid as required by the agreement.

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

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

Reason: To comply with the requirements of Section 91 of the Town and Country 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 accordance with the approved plans, particulars and specifications.

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

3. Car parking - Before the building hereby permitted is first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

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.

4. Materials - Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the buildings shall be submitted to and approved in writing by the Local Planning Authority. 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Landscaping - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. 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 LDF Development Control Policies Development Plan Document Policy DC61.

6. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle storage - Prior to completion of the development hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided 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 in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. Secure by Design - Prior to the commencement of the development hereby approved a full and detailed application for the Secured by Design award scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor the development shall be carried out in accordance with the agreed details.

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

9. External lighting - Prior to the commencement of the development a scheme for the lighting of external areas of the development shall be submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed

details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

10. Biodiversity – Prior to the commencement of the development a method statement shall be submitted to and approved in writing by the Local Planning Authority outlining details of how the proposed ecological report recommendations and associated habitat enhancement measures will be implemented. The development shall thereafter be carried out in accordance with the agreed 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.

11. 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 agreed in writing with the local planning authority. No construction works or construction 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 LDF Development Control Policies Development Plan Document Policy DC61.

12. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

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.

13. 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 authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) 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 with the LDF Development Control Policies Development Plan Document Policy DC61.

14. Land 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 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 Statement 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 included 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. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

15. Sustainability - No development shall be commenced until a sustainability statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall outline how the development will meet the sustainable design and construction of both the London Plan and Local Planning Authority. No occupation of the development shall take place until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall be carried out in full accordance with the agreed Sustainability Statement. Before the development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved. Also no occupation shall take place until the developer provides a copy of the final Building Research Establishment (BRE) certificate confirming that the development design achieves the minimum BREEAM rating required of "Very Good". The development shall be carried out in full accordance with the agreed Sustainability Statement and a BREEAM Post Construction Assessment shall be carried out on all or a sample of the development to ensure that the required rating has been achieved.

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

16. Renewable energy - Prior to the commencement of the development hereby approved, details of measures to ensure an energy efficient development, including details of any proposed roof mounted solar panels, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then be carried out and completed in accordance with the agreed details to the satisfaction of the Local Planning Authority

prior to the occupation of any part of the development. Thereafter, it shall be permanently retained.

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

17. Sound insulation - Prior to the first occupation of the commercial elements of the development shall be insulated in accordance with a scheme which shall previously have been submitted to and approved in writing by the Local Planning Authority in order to secure a reduction in the level of noise emanating from the building.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

18. Sound attenuation - The residential apartments hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

19. Assessment of noise from adjacent plant - Prior to the commencement of the development an assessment shall be undertaken of the noise from plant and equipment on adjacent buildings and a scheme for protecting the proposed residential apartments from such noise shall be submitted to and approved in writing by the Local Planning Authority. Any works which form part of the scheme shall be implemented in accordance with the agreed details before the first occupation of the residential apartments.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

20. Railway noise assessment - Prior to the commencement of any development, an assessment shall be undertaken of the impact of:
- a) railways noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995); and
  - b) vibration from the use of the railway lines

Upon the site.

Following this, a scheme detailing the measures to protect residents from railway noise and vibration is to be submitted to and approved in writing by the Local Planning Authority and implemented prior to the first occupation of the development.



Reason: To protect residents from transportation noise and vibration in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

21. River corridor enhancement - No development shall take place until a scheme for the provision and management of compensatory river corridor habitat enhancement has been submitted to and agreed in writing by the local planning authority and implemented as approved. Thereafter the development shall be implemented in accordance with the approved scheme. The scheme shall include:

- details of the planting scheme (native species only within the buffer zone)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc.

Reason: Development that encroaches on the Black's Brook has a potentially severe impact on its ecological value, and past developments adjacent to the brook have shown this. Government policy in Planning Policy Statement 9 states that where proposed development would cause significant adverse impacts on biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensatory measures should be sought.

22. Opening hours of offices - The office floor space hereby approved shall not be used for the purposes hereby permitted other than between the hours of 07:00 and 20:00 on any day without the prior consent in writing of the Local Planning Authority

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

23. Restriction of use - Notwithstanding the provision of the Town and Country Planning (Use Classes) Order 1987 (as amended), the B1 office floor space as indicated on the approved plans shall remain as such unless and until an application to change its use is permitted by the Local Planning Authority.

Reason: To restrict the use of the building to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application.

24. Accordance with Flood Risk Assessment - The development permitted by this planning permission shall only be carried out in accordance with the approved Rainham Flood Risk Assessment (FRA) revision B compiled by Tully De'Ath consultants dated 7<sup>th</sup> January 2011 and the mitigation measures detailed within the FRA.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

## **INFORMATIVES**

1. The applicant is advised that this development will be liable for the Mayor's Community Infrastructure Levy.
2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway approval will only be given after suitable details have been submitted, considered and agreed. 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 the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.
3. In aiming to satisfy condition 8 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ.
4. Under the Water Resources Act 1991 and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for certain works or structures in, over, under or within 8 metres of the top of the bank of Blacks Brook, designated a 'main river'.
5. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP4, CP9, CP15, CP17, DC2, DC3, DC7, DC12, DC20, DC21, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies ROM13, ROM14, ROM15, ROM17, ROM19, ROM20 and ROM21 of the LDF Romford Area Action Plan Development Plan Document. The proposal is also considered to be in accordance with the provisions of Policies 2.7, 2.15, 3.3, 3.4, 3.5, 3.8, 4.1, 4.2, 4.3, 4.7, 5.2, 5.3, 5.7, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 7.3, 7.4, 7.6, 7.15 and 8.2 of the London Plan and the National Planning Policy Framework, specifically Sections 1, 2, 4, 6 and 7.

### **Planning Obligations**

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

## REPORT DETAIL

### **1. Site Description**

- 1.1 The application site is located on the north west side of Eastern Road within Romford Town Centre. The site is situated 130 metres to the west of Mercury Gardens which forms part of the town's ring road. The site is presently occupied by two inter-linked former residential properties which are presently in office use. There is an area of hard surfacing to the front and rear of the building both of which are presently used for parking. The site is broadly rectangular in shape with a width of 15 metres by 38 metres in depth. The site has an area of 0.06 hectares. To the rear of the site (north) is an open portion of Blacks Brook a small river channel which is culverted for the majority of its length. There is a change in ground levels across the site with the ground gently sloping away from the site frontage towards the rear (north). The change in level is approximately 0.6 metres.
- 1.2 The immediate area along Eastern Road predominantly comprises a collection of office buildings all of around five stories in height. The majority of the buildings are finished in either red facing brickwork with large areas of glazing or white render with horizontal or vertical strip glazing. The only exceptions to this are the buildings presently on the application site, a building on the adjoining site at 21a Eastern Road and the Romford Old Folks Club. 21a Eastern Road comprises a two storey flat roof brick building which appears to be presently vacant. The Romford Memorial Old Folks Club is a single storey brick building with timber cladding with a shallow pitched roof finished in corrugated panels.

### **2. Description of Proposal**

- 3.1 This application seeks planning permission for the demolition of the existing building on site and the construction of a new six storey building. The proposed building would provide 962 square metres of class B1 office space and seven residential apartments (4 no. two bedroom and 3 no. three bedroom). At ground floor would be an undercroft parking area, a reception for the office accommodation and a separate entrance for the residential apartments. The first and second floors of the building would comprise of office space. The third floor of the building would comprise office space and a single three bedroom residential apartment. The fourth floor would comprise 2 no. three bedroom apartments and 1 no. two bedroom apartments. The fifth floor of the building would comprise 3 no. two bedroom apartments.

3.2 The proposed building would be 14.3 metres in width by a maximum depth of 28.5 metres. The proposed building would be of flat roof design with a maximum height of 18.2 metres. The building would be finished in a white render with grey aluminium windows and black UPVC rainwater goods. To the front façade the central portion of the building would feature full height glazing separated by a natural coloured weatherboarding. At ground floor level the proposed office and apartment entrances would feature full height glazing and grey blue facing brickwork. The top floor of the building would be recessed and feature full height glazing to the front and rear elevations. To the rear elevation the proposed building would have a staggered façade which would enable the provision of external terrace areas to the fourth, fifth and sixth floors. The external terrace areas would feature dark grey powder coated steel railings.

### **3. Relevant History**

3.1 There is no relevant planning history.

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

4.1 The application was advertised and neighbour notification letters sent to 59 adjoining addresses with no letter of representation being received.

4.2 The Environment Agency raises no objection in principle to the proposed development subject to the imposition of a planning condition.

4.3 Thames Water raises no objection with regard to sewerage infrastructure.

### **5. Relevant Policies**

#### **5.1 National Planning Policy Framework**

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) and 7 (requiring good design) of the NPPF are of particular relevance.

#### **5.2 Regional Planning Policy**

Policies 2.7 (outer London economy), 2.15 (town centres), 3.3 (increasing housing supply), 3.4 (optimising housing potential), 3.5 (quality and design of housing developments), 3.8 (housing choice), 4.1 (developing London's economy), 4.2 (offices), 4.3 (mixed use developments and offices), 4.7 (retail and town centre developments), 5.2 (minimising carbon dioxide emissions), 5.3 (sustainable design and construction), 5.7 (renewable energy), 5.21 (contaminated land), 6.1 (strategic transport approach), 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.3 (designing out crime), 7.4 (local character), 7.6 (architecture),),

7.15 (reducing noise and enhancing soundscapes) and 8.2 (planning obligations) of the London Plan are material considerations.

There is also a range of Supplementary Planning Guidance to the London Plan.

### 5.3 Local Planning Policy

Policies CP1, CP2, CP4, CP9, CP10, CP15, CP17, DC2, DC3, DC7, DC12, DC20, DC30, DC32, DC33, DC34, DC35, DC36, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC59, DC61, DC62, DC63 and DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD) are material considerations.

The Romford Area Action Plan SPD is a material consideration, specifically policies ROM13, ROM14, ROM15, ROM17, ROM19, ROM20 and ROM21.

In addition, Residential Design Supplementary Planning Document (SPD), Designing Safer Places SPD, Protecting and Enhancing the Borough's Biodiversity SPD, Protection of Trees During Development SPD, Heritage SPD and Sustainable Design and Construction SPD are material considerations.

## 6. **Staff Comments**

6.1 The issues arising from this application are the principle of development, the layout and density of the development, design and street scene issues, impact on amenity, parking and highway issues, sustainability and community safety.

### 6.2 **Background**

6.2.1 This application was previously considered by the Regulatory Services Committee on 9 June 2011. At that time, the application was recommended for approval subject to planning conditions and a Section 106 contribution of £20,000 for cycling and pedestrian improvements and a contribution of £15,000 for local tree planting and landscaping works. The Committee resolved to defer the application to enable Staff to seek an increased Section 106 contribution from the development.

6.2.2 Since the application was deferred there have been a number of changes in national and local planning legislation. The London Plan was revised in July 2011 and on 1 April 2012 the Mayor's Community Infrastructure Levy was introduced. The Council's Planning Obligations Supplementary Planning Document is also out to public consultation and is a material consideration in the determination of this application. The National Planning Policy Framework has also recently come into force.

6.2.3 The previous report to Members has been updated to reflect these policy changes. However, of particular significance are the changes to the financial liabilities of this development following the introduction of the Mayoral CIL and the Council's Planning Obligations SPD. The Mayoral CIL liability has been calculated as £27, 560 (details of this are set out below). The Planning Obligations SPD sets a tariff of £6,000 per residential unit, resulting in a required Section 106 contribution of £42,000 (i.e. 7 units @£6k per unit). The developers have confirmed that they are prepared to accept this requirement. The Section 106 contribution, at £42,000 is higher than the sum of £35,000 originally requested and, in combination with the Mayoral CIL liability, results in a total CIL/S106 requirement of £69,560. Staff consider the proposal to be entirely compliant with policy in respect of the Section 106 contributions offered and that the proposal is now acceptable in this respect.

### **6.3 The Mayor's Community Infrastructure Levy**

6.3.1 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.

6.3.2 Under the terms of the Mayor's Planning Obligations SPD, a contribution of £12,600 would have been payable. This is payable on new office floorspace over 500 square metres, at a discounted rate of £24 per square metre (£24 x 525 sq.m.).

6.3.3 The Mayoral CIL requirement is based on the gross internal area (GIA) of the development. The proposal has a GIA of 1,815 square metres. From this, the existing floorspace of 437 sq.m. may be subtracted, giving a net increase in floorspace of 1,378 square metres. The Mayoral CIL liability is therefore £27,560 (based on 1,378 sq.m. @ £20).

6.3.4 The Mayor is able to charge both CIL and the Planning Obligations tariff in tandem but has indicated that, where relevant, the CIL payment will be treated as a credit towards the Planning Obligations payment. In this case, the CIL requirement is greater than that of the Planning Obligations payment, and a liability notice in respect of the CIL requirements will be issued at the appropriate time.

### **6.4 Principle of Development**

6.4.1 The application site is located in part of Romford Town Centre known as the 'Office Quarter' in the Romford Area Action Plan. The Office Quarter is bounded by Western Road to the north, Mercury Gardens to the east, Chandlers Way to the west and the railway line to the south. Whilst the Office Quarter is regarded by the Council as an important office location in east London it is acknowledged that the existing office stock is becoming dated and may not meet the needs of current and future potential occupiers. In order to replenish the existing stock and help meet the forecast need for

new office space, the Council has adopted policy through the Romford Area Action Plan to allow for more intensive forms of development. The Council's aspirations for the Office Quarter are to see the creation of a high quality business district incorporating new public open spaces, cafes and restaurants.

6.4.2 Policy ROM13 of the Romford AAP is seen as the key policy for development proposals in this part of the town centre. Policy ROM13 advises that proposals to increase the office accommodation in the Office Quarter will be encouraged. In order to increase the vitality and viability of the Office Quarter higher densities will be allowed and residential and Class A3 uses encouraged provided that:

- There is no net loss of office space in any redevelopment of existing sites;
- New developments include a significant element of new office space within the scheme; and
- In line with ROM17 and ROM21, new developments incorporate tree planting and green amenity space, and new hard landscaped public spaces

6.4.3 The proposal would result in the demolition of the existing two storey building on the site which provides 437 square metres of class B1 office space. The proposed development would see the construction of a new mixed use building comprising 962 square metres of class B1 office space and seven residential apartments. Staff are of the view that the proposed development would include a significant element of new office space as sought by Policy ROM13. The inclusion of seven residential units is considered to be acceptable in principle and would help to improve the vitality and viability of the Office Quarter.

6.4.4 The Council recognises that there are issues about the quality of the environment in the Office Quarter and the wider town centre. To address these concerns the Council's objectives for the town centre include proposals to increase the quality of public open space and to plant additional trees. One such project is 'Greening the Ring Road', which is one of the Mayor of London's 100 Public Spaces Programme. The application includes a requirement for a Section 106 contribution of £42,000 in accordance with the Council's draft Planning Obligations SPD which can be used for appropriate infrastructure works.

6.4.5 Government planning policy within the NPPF seeks to secure economic growth and the proposal is consistent with this in principle. It also seeks to ensure the vitality of town centres and this proposed mixed use development of offices and residential is considered to accord with this objective. The proposal creates new housing where jobs are created and encourages the provision of a mixture and range of housing. The proposal is also consistent with London Plan objectives to support town centres and to provide additional housing. Staff are therefore of the view that the proposed mixed use development is acceptable in principle having regard to both local and national planning policies.

## 6.5 Residential:

- 6.5.1 The proposed mixed use development would incorporate seven residential apartments to the upper floors of the building. Within Romford Town Centre Policy DC2 of the LDF anticipates a residential development density of 240-435 units per hectare. Disregarding the non-residential floor space that is proposed as part of the proposal, this represents a residential density of approximately 116 units per hectare. Having regard to the fact that the proposal is for a mixed used redevelopment of the site staff are of the view that the density of development is acceptable. Staff are of the view that the proposal would make efficient use of the site and accord with the objectives of Policy 3.3 of the London Plan to increase housing supply.
- 6.5.2 Policies DC2 and DC6 seek to ensure that residential development proposals provide a good mix of unit sizes in accordance with local housing need surveys. This proposal would provide 4 no. two bedroom and 3 no. three bedroom apartments. As recognised by Policy ROM15 there is a need for larger family units within Romford Town Centre therefore staff consider that the mix of apartment types within the scheme is acceptable. The proposed apartments would be arranged across the third, fourth and fifth floors of the building. The proposed apartments would be arranged around an internal stair and lift well. The size of the apartments would be between 64 and 76 square metres for the two bedroom apartments and between 82 and 95 square metres for the three bedroom apartments. The proposed apartments are considered to be adequately sized and are self-contained. The relationship between each of the proposed apartments and their stacking is considered to be acceptable.
- 6.5.3 The proposed flat to the third floor of the building (labelled plot 1 on the submitted plans) would be sited on the same floor as some of the proposed office space. Whilst it is unusual to have a situation where a residential accommodation is provided immediately adjacent to office space, staff are of the view that the relationship would not be harmful to future occupiers. The operation of the proposed office during the daytime would be unlikely to disturb future occupiers of the proposed flat given the existing background ambient noise levels to be expected in a town centre location. In the later evening and overnight period when a future occupier would expect a reduced level of noise the proposed office accommodation is likely to be closed. Future occupiers would however be aware of this relationship prior to occupying the flat and the attractiveness of the flat as living accommodation would be a matter of choice for the prospective occupiers. Nevertheless a sound proofing condition and a restricting on the opening hours of the offices is recommended to ensure that amenity is safeguarded. Users of the proposed office accommodation would not be materially affected by the residential use.
- 6.5.4 The design of the proposed apartments is such that they would be fully accessible to those with disabilities, with each of the units being built to meet the Lifetime Homes standard. The proposal is considered to accord with Policy DC7 in this respect and would provide residential



accommodation to meet the needs of individuals throughout their lives through changing circumstances.

6.5.5 In respect of amenity space Members will be aware that the Council has adopted a Supplementary Planning Document (SPD) for Residential Design which unlike previous guidance does not prescribe fixed standards for private amenity space. Instead the SPD places emphasis on new developments providing well designed quality spaces that are usable. In the case of flatted schemes the SPD advises that both balconies and communal amenity space will be expected. The proposed development would see the provision of external terrace areas for each flat. The terraces would vary in area between 4 and 14 square metres. Staff are of the view that the proposed terrace areas are acceptable. Given the location of the application site and the mixed use nature of the proposed development no communal amenity space would be provided. Members will be aware that in order to include an element of housing within town centres Government guidance encourages local authorities to take a flexible approach with amenity space standards. Staff consider that the absence of communal amenity space from within the development is acceptable and would not be unacceptably harmful to local character of future occupiers of the development. The absence of amenity space from the development is consistent with other recent planning decisions for flatted development within Romford Town Centre.

## 6.6 Site Layout and Design

6.6.1 The proposed development would cover the majority of the site area however development which is close to site boundaries is common within a built up urban environment such as Romford Town Centre. The Eastern Road street scene is drawn by a variety of office buildings which are for the most part constructed tight to the site boundaries. The extent of site coverage and the position of the proposed building within the site is not therefore materially out of keeping with surrounding development. The existing building on site sits roughly 5-6 metres from the back edge of the footway which is in contrast to the majority of adjacent and newer developments within the street which maintain a front building line of about 4 metres from the back edge of the footway. The proposed building would therefore be sited closer to the front site boundary than the existing building in order that the building line of adjoining buildings is continued.

6.6.2 Romford Town Centre is characterised by a variety of building forms and heights. Within the Romford Office Quarter the scale of development is currently predominantly four storeys however in order to increase the development potential of sites and enable mixed use development Policy ROM13 advises that buildings of between six and eight storeys will be encouraged. Policy ROM19 relating specifically to tall buildings acknowledges that high buildings may be acceptable in principle within the office quarter. For the purposes of the Local Development Framework tall buildings are defined as buildings of 6 storeys or greater or buildings over 18 metres in height above ground level. All tall buildings should be of

exemplary high quality and inclusive design and must comply with policy guidance as set out in Policy DC66. This Policy advises that tall buildings should preserve or enhance the natural environment, the historic environment, local amenity and the local character of the area. Policy DC66 also seeks to ensure that new development is suited to the site and to the wider context in terms of proportion, composition and relationship to other buildings.

- 6.6.3 The proposed building would be six storeys in height, although the visual impact of this would be mitigated by the recessed nature of the top floor and the use of full height glazing giving the top floor a lightweight appearance. The proposed building would take a contemporary form, particularly evidenced by the chosen palette of external materials and flat roof design. The bulk and massing of the proposed building would be broken down by the use of a range of external materials. The ground floor of the building would be formed of grey blue facing brickwork with full height glazing to provide an active frontage to the street. The façade of the building would be formed of two vertical rendered bays interspersed by large window openings and weatherboarding. The central section of the building's façade would be formed of full height glazing interspersed by weatherboarding. Staff are of the view that the bulk and massing of the building is acceptable and that the proposal would have an acceptable relationship with the street scene and adjoining buildings. The materials chosen for the proposed development are contemporary and durable and would require minimal maintenance. Staff are of the view that the proposed materials would provide a suitably high quality appearance for the development. The proposed materials would give the development an attractive and distinctive character which staff consider would be complimentary to the local area. Further details of materials including samples can be requested via condition.
- 6.6.4 The proposed building has been designed with the majority of window openings facing the street or towards the rear. The reasoning behind this is to prevent the proposed development from prejudicing the redevelopment of adjoining sites in the future. The limited number of window openings in the flank walls of the proposed building would result in these elevations appearing somewhat unrelieved. In street scene terms the flank wall of the building facing west would be screened by the adjoining building at nos. 9-17 Eastern Road. To the east of the site however the adjoining site at 21a Eastern Road is presently occupied by a two storey flat roof building. The height of the adjoining building would result in the majority of the proposed building's east facing elevation being visible from within the street scene. Members are therefore invited to exercise their judgement in respect of the appearance of the flank wall within the street scene. The need to ensure that the proposed building does not prejudice the redevelopment of the adjoining site has to be balanced against the impact of the proposal in design terms. As a matter of judgement staff are of the view that the impact of the flank wall would be acceptable in the street scene.
- 6.6.5 The forecourt area of the proposed development onto Eastern Road would feature two parking spaces, access paths for the building and a central

roadway area providing access to an undercroft parking area. The forecourt would be predominantly block paved with planting beds provided against either flank boundary. Members are invited to exercise their judgement in respect of the visual impact of the proposed forecourt layout in the street scene. Although the proposal would result in a fairly large area of hard surfacing the existing forecourt area is entirely hard surfaced with tarmac. The proposal would therefore provide an opportunity to introduce better quality surfacing materials and some areas of landscaping. Staff are of the view that the proposal is acceptable and would not appear out of character with the street scene.

## 6.7 Impact on Amenity

- 6.7.1 To the west of the application site is a five storey office building at nos. 9-17 Eastern Road. This building is effectively a T shape and projects towards the rear for almost the entire depth of its plot. Given the configuration of the building on the site there are a number of windows facing towards the application site. The portion of the neighbouring building nearest to Eastern Road and the party boundary with the application site contains only one small window which is understood to serve a stairwell. The rear portion of the neighbouring building is set 9.5 metres from the party boundary with the application site. The proposed building would be set off the boundary by 2.9 metres resulting in a separation distance between the two buildings of 12.4 metres. Although the proposed building may reduce the light received given that the neighbouring building is in office use this is not judged to be harmful.
- 6.7.2 To the east of the application site is a two storey commercial building at 21a Eastern Road which appears to be presently vacant. The building has a number of flank windows facing the application site however these each contain frosted glass and are understood to serve kitchens and toilets. Although the proposed building would be significantly taller and deeper than the adjoining building this is not judged to be harmful given that it is in commercial use.

## 6.8 Parking and Highway Issues

- 6.8.1 Access into the application site would continue to be taken from Eastern Road via the existing vehicular crossover which runs across the width of the site. Two frontage parking spaces would be provided necessitating the reversing of vehicles out into the highway. This situation is however no different to the current arrangement and as such is judged to be acceptable. The proposed building would have a gated undercroft parking area which would be accessed via a central drive. The configuration of the proposed front forecourt is such that cars would be able to pull off the highway whilst the gates are opening. Staff are of the view that access to the proposed undercroft parking area is acceptable and that sufficient manoeuvring space would be provided to enable cars to turn within the site and leave in a forward gear.

- 6.8.2 Policy DC33 seeks to ensure that new developments provide sufficient off street car parking to prevent overspill onto the public highway. The proposed development does not propose to provide any car parking for the proposed residential units. Within Romford Town Centre Policy DC2 of the LDF anticipates a low of parking provision of less than one space per residential unit. Members will be aware that Government guidance contained in the London Plan encourages Local Planning Authorities to seek a greater intensity of development at places with good public transport accessibility and to reduce parking in these locations to encourage alternatives means of transport. The NPPF also seeks to promote sustainable transport. The application site is considered to be well served by public transport in being located within a short walk of the railway station and bus interchange. In addition the streets adjoining the site are restricted with parking controls with Eastern Road covered on one side by a yellow line restriction Monday to Saturday 08.30 till 18.30 and a double yellow line no stopping restricting on the other. Having regard to Government guidance staff are of the view that the reliance on no off street car parking within the development for the proposed residential units can be accepted. In order to prevent an overspill of vehicles onto the highway it is recommended that future occupiers of the residential apartments be restricted from applying for parking permits through an obligation within the legal agreement.
- 6.8.3 The proposed development would see the provision of ten parking spaces for use by future occupants of the proposed offices. Annex 5 of the LDF advises that for offices 1 parking space should be provided per 100 square metres of floor space. In this case the proposed building would contain 962 square metres of floor space resulting in a requirement for 10 parking spaces. The proposal would see the provision of two frontage parking spaces and eight under croft. Three of the parking spaces would be extra wide to enable disabled access.
- 6.8.4 The proposed development would include an internal secure storage area for bicycles with one space per residential unit and four spaces proposed for the office space. Staff are of the view that the proposed development would make adequate provision for bicycles and that this would in turn encourage cycling. The proposal is considered to comply with Policy DC35 of the LDF and Policy 6.9 of the London Plan in this respect.
- 6.8.5 The likely trip generation from the proposed development would be unlikely to have a significant impact on local traffic conditions. In order to ensure that any traffic impact arising from the development is limited and to encourage alternative means of transport to the site staff recommend that a workplace Travel Plan is secured via legal agreement in accordance with Transport for London guidelines. This would also accord in principle with the requirements of the NPPF.
- 6.8.6 Servicing of the proposed development would take place from the street. At the present time there is a loading bay directly outside the adjoining building at nos. 9-17 Eastern Road which could be utilised for the proposed development. The proposed development would see the provision of a

secure refuse and recycling store on the ground floor adjacent to the undercroft car parking entrance. The proposed store area would be divided into two so that commercial and residential waste is separated. On collection days bins would be wheeled out of the site to a waiting refuse vehicle parked on street. Staff are of the view that the proposal makes adequate provision for the storage of waste in accordance with Policy DC40 and that the proposed servicing arrangements are acceptable.

## 6.9 Flood Risk and Drainage

6.9.1 Havering's Strategic Flood Risk Assessment (SFRA) identifies that the application site is situated within fluvial flood zone 3 due to its close proximity to Black's Brook. Approximately the rear 75% of the site is designated as being flood zone 3b (functional flood plain) with the remainder of the site being flood zone 3a (high probability). Section 10 of the NPPF requires a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property.

6.9.2 Staff have applied the sequential test process to this application and have concluded that despite the site being within a zone of flood risk, the site is the most suitable within the vicinity for the nature of development proposed. The Environment Agency have been consulted on this application and advise that the sites current flood zone classification is based upon national modelling software rather than detailed modelling of Black's Brook itself. The Environment Agency's national modelling software assumes that a river is in natural channel whereas Black's Brook is a manmade culvert channel. The Environment Agency has advised that in their view, based upon modelling and historic data, the application site is highly unlikely to be at risk of flooding from Black's Brook. Given this the Environment Agency has raised no objection to the proposals subject to the development being constructed in accordance with the mitigation measures outlined in the applicant's Flood Risk Assessment. The submitted Flood Risk Assessment outlines a number of measures to ensure that the proposed building would be safe and would not increase the likelihood of flooding. These measures include the provision of a buffer zone with Black's Brook, raised internal floor levels and the use of flood resistant materials. Staff are of the view that the proposal is acceptable and complies with Policy DC48 of the LDF in respect of flood risk.

6.9.3 Policy DC48 of the LDF requires that Sustainable Urban Drainage Systems (SUDS) are considered as part of development proposals. SUDS aim to limit the outflow of run-off water from new development. The submitted Flood Risk Assessment identifies that the proposed parking areas would be constructed using permeable paving and that soakaways could be used if the ground is found to have a reasonable soakage rate.

## 6.10 Biodiversity

6.10.1 Policy DC57 of the LDF advises that where a site is located in close proximity to a river, the Council will in appropriate circumstances seek river

restoration. Through consultation with the Environment Agency the proposed building has been carefully designed in such a manner as to minimise impact on the adjacent Black's Brook and to enhance the quality of this watercourse. The rear portion of the application site adjacent to Black's Brook presently comprises an area of hard standing and a single storey outbuilding. The proposed development would see the creation of a 5 metre buffer zone between the southern bank of Black's Brook and the rear of the new building. Within the proposed buffer zone the ground level would be reduced in order that a more naturally shaped bank is provided with the Brook. The proposed buffer zone would be left clear of any obstructions and planted with native wild flower and grassland mix. Staff are of the view that the proposed works to the bank of the watercourse are acceptable and complies with the objectives of LDF Policy DC57.

6.10.2 The proposed building would be taller and nearer to the Brook than the building it replaces and as such could cause additional shading of the watercourse. This in turn has the potential to be harmful to any aquatic plants or animals. In order to minimise any possible shading of Black's Brook the proposed building has been designed with a staggered rear elevation so that as the building becomes taller the upper floors are set back further into the site. Staff are of the view that this arrangement is acceptable.

6.10.4 Artificial lighting can cause disruption to a range of wildlife using and inhabiting the river and its corridor habitat. In order to prevent light spill into the Brook the proposed building has been designed with minimal exterior lighting to the rear and with brise soleils or louvered sun breakers affixed to the rear façade of the building to reduce light spill from windows on the upper floors. Staff are of the view that it would be reasonable to require further details of the proposed external lighting via planning condition.

6.10.5 Policy DC59 of the LDF advises that enhancements to biodiversity will be sought through new development proposals. A portion of the roof area of the proposed building would accommodate a 'brown roof'. The purpose of a brown roof is to introduce many of the characteristics of a typical brownfield site. The proposal would see different substrates provided over the roof area such as gravel, crushed concrete and logs. While no plants would be provided the concept of a brown roof is to allow the roofs to self-colonise. The proposed development would create a new habitat within the town centre for insects and provide a feeding site for birds. A 'green wall' is also proposed on the north facing side of the building. A green wall is a living cladding system which utilises climbing plants, supported on a trellis system attached to a wall. In this case the proposed green wall would support plant species native to Essex and would provide a benefit to wildlife through opportunities such as feeding. The proposed green wall would also assist in reducing surface water run off. Having regard to the quality of the existing site and the biodiversity enhancement measures outlined above staff are of the view that the proposal would result in suitable biodiversity enhancements as advocated by local and national planning policies.

## 6.11 Sustainability

6.11.1 Council policy advises that planning permission for major developments will only be granted where they are built to a high standard of sustainable construction. Furthermore in line with the London Plan Council policy requires that major development proposals incorporate on-site renewable energy equipment to reduce CO<sub>2</sub> emissions by at least 20%. The proposed mixed use building would adopt a number of sustainable construction techniques which would ensure that it meets the required planning standards for a major development. The proposed building would incorporate features designed to maximise CO<sub>2</sub> savings, as well as delivering cost savings to future residents of the development. A 20% improvement on the predicted CO<sub>2</sub> emissions over Building Regulations would be delivered from on-site generation of renewable energy through the provision of solar panels to the roof of the building. The applicant has indicated a commitment to achieving a BREEAM 'Very Good' rating for the office component and Code for Sustainable Homes 'Level 4' for the residential element which could be secured via planning condition. Having regard to the above staff are of the view that the proposal complies with Policies DC49 and DC50 and the contents of the Supplementary Planning Document for Sustainable Design and Construction.

## 6.12 Other matters

6.12.1 Policy DC53 requires that development proposals have regard to whether an application site is contaminated and to identify any potential risks to human health, flora or fauna or the water environment. In the event that planning permission is granted a condition is recommended to secure a full investigation of the site.

6.12.2 Policy DC55 advises that planning permission will not be granted if a proposal would result in exposure to noise or vibrations above acceptable levels. The application site is sited on the northern side of Eastern Road and as such is removed from the railway line on the southern side of the street. The proposed development would however be within approximately 40 metres of the railway line. In order to protect the amenity of future residential occupiers the Council's Environmental Health Service recommend that a condition is imposed requiring the submission of an assessment of potential noise and vibration prior to the commencement of the development. This condition would enable any necessary mitigation measures to be built into the detailed design stage of the building.

6.12.3 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect subject to planning conditions recommended by the Borough Crime Prevention Design Advisor, namely conditions in respect of the Secure by Design award scheme and CCTV. Staff are of the view that the mixed use nature of the proposed development would ensure that during periods when the offices are closed the residential element of the scheme would ensure natural surveillance of both the site and the surrounding area.

## **7. Conclusion**

- 7.1 There is no objection in principle to the redevelopment of the application site with a mixed use building having regard to Policy ROM13. The proposal would provide a contemporary six storey building of flat roof design, finished in white coloured render. The proposal is considered to be acceptable in terms of design, layout and visual impact. Staff are of the view that the proposal would have an acceptable relationship to adjoining properties and would not prejudice the redevelopment of adjoining sites. Staff consider that the proposal is acceptable in respect of flood risk subject to a condition requested by the Environment Agency. The proposal would provide for a range of biodiversity enhancement measures and comply with current policy in respect of sustainability objectives. The proposal would not result in any parking or highways issues. It is concluded that the proposal, in staff's view, complies with local and national planning policy requirements. Staff recommend approval of the application subject to the completion of a legal agreement and the imposition of planning conditions.

### **IMPLICATIONS AND RISKS**

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

None.

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

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

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

None.

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

The proposed development would provide apartments which meet the Lifetime Homes Standard which means that they would be easily adaptable in the future to meet the changing needs of occupiers. The office element of the proposed development would feature level access and lift access to each floor. The Council's planning policies are implemented with regard to Equalities and Diversity.

### **BACKGROUND PAPERS**

Application form, plans and supporting statements received on 3<sup>rd</sup> March 2011.