



<b>Application Reference:</b>	<b>P0303.19</b>
<b>Location:</b>	<b>164 London Road, Romford</b>
<b>Ward:</b>	<b>Brooklands</b>
<b>Description:</b>	<b>Proposed extension and conversion of existing vacant building, to provide ground and basement retail together with 9 self-contained flats over upper floors and erection of a detached house fronting Richards Avenue; together with associated landscaping, access way and parking.</b>
<b>Case Officer:</b>	<b>Scott Schimanski</b>
<b>Reason for Report to Committee:</b>	<b>Call in by Ward Councillor</b>

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## **1. BACKGROUND**

- 1.1 The application was called in by Councillor Viddy Persaud for the following planning reasons:

Unacceptable impacts on neighbouring amenity (privacy) and highway impacts including car parking

## **2 SUMMARY OF KEY REASONS FOR RECOMMENDATION**

- 2.1 The approach to the site is design led and responds to the constraints associated with the site successfully. The applicant has worked proactively with the Council to mitigate any residual impacts associated with the proposed development.
- 2.2 The proposed development would deliver nine homes of a high standard of accommodation for those future occupiers, with limited implications for the amenity of surrounding neighbouring occupiers. Weight is attributed to the current unused nature of the site and it is considered that the current proposals represent an efficient use of land, which is in a sustainable location.

- 2.3 Having regard to the alternative use of the site, the NPPF presumption in favour of sustainable development, the development plan and in the absence of any other quantifiable harm arising from the proposals, officers consider on balance, that planning permission should be granted subject to conditions.

### **3 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission subject to the following conditions:

#### **Conditions**

- 1 Time limit
- 2 Accordance with plans
- 3 Materials samples
- 4 Unknown contamination identification
- 5 Landscaping (as per details submitted)
- 6 Flank Window restriction
- 7 Boundary Treatment
- 8 External Lighting
- 9 Refuse & Recycling
- 10 Cycle Storage
- 11 Hours of construction
- 12 Construction Methodology/Wheel Wash Facilities (Pre-commencement)
- 13 Removal of Permitted Development Rights
- 14 NOx Boilers
- 15 Sound Insulation between different land uses
- 16 Delivery and Servicing Plan
- 17 Electric Vehicle Charge Points Provision
- 18 Building Recording Condition

#### **Informatives**

1. Approval following negotiation
2. CIL

### **4 PROPOSAL AND LOCATION DETAILS**

#### **4.1 Proposal**

- This application seeks permission for change of use and three level extension of an existing public house known as the Slaters Arms to a mixed use commercial (A1) and residential (C3) development comprising of 6 x 2 bedroom and 3 x 1 bedroom units and associated vehicle parking
- The erection of a three storey 3 bedroom detached dwelling house facing Richards Avenue and
- Provision of a new vehicular and pedestrian access from Richards Avenue

## 4.2 Amendments

4.2.1 During the course of the assessment of the application, a number of issues were raised, these included: The design of the extension and how it related to the locally listed building; the design and layout of the proposed on-site parking; the relationship of the proposed dwellings fronting Richards Avenue with neighbouring properties; and insufficient details of the proposed signage layout.

4.2.2 To overcome these concerns, the scheme has been amended in the following manner:

- Entryways to the two different land uses on the site have been clearly defined. Commercial operations are accessed from London Road and the residential units would be access via Richards Avenue. It is noted that a secondary pedestrian access remains from the London Road side.
- One of the two proposed dwellings (located on the southern side immediately behind 178/180 London Road facing Richards Ave has been removed to make way for the new access way
- The setback from the highway of remaining dwelling facing Richards Ave has been increased.
- Two parking spaces and additional landscaping is now proposed near the Richard Ave entrance.
- The undercroft vehicular entry and parking spaces have been removed and replaced with a two bedroom unit and plant equipment area.
- Parking spaces for the commercial unit have been reduced from 10 to 8 spaces including one disabled space
- The roof form of the new residential extension has been altered to reduce its impact on the existing Public House building.
- The parking area for the residential units is located to the rear of the property with access from Richards Road
- Balcony layout and size have been altered slightly
- A roof terrace has been introduced to the rear of the former Public House to provide external amenity space to one of the units located on the upper levels of the former public house
- The first floor layout now has 3 x 2 bedroom units, 1 x 1 bedroom unit and part of a 2 x 1 bedroom unit that will be located on the first and second levels within the existing (former) Public House.
- The second floor level layout now includes 2 x 1 bedroom and a 1 x 2 bedroom unit (and the remaining section of the two storey 2 bedroom flat proposed for the first and second floor levels.
- The setbacks, window layout and external materials of the main new building remain generally the same as the previous scheme.
- The proposed front dormer window facing London Road has been removed
- More detailed plans of the proposed new shop front have been provided.
- The parking layout for the retail unit has been amended

### **4.3 Site and Surroundings**

- 4.3.1 The application site comprises of an irregular shaped parcel of land to the rear and side of the former public house known as the Slaters Arms. The site fronts both London Road and Richards Avenue. The site is currently occupied by a two storey public house fronting London Road with a large single storey extension and associated outbuildings to the rear; a hardstand parking area along the western side boundary and a large unformed parking area to the rear of the site. A number of mature trees are located along the rear boundary and also the Richard Venue frontage.
- 4.3.2 The surrounding area is predominantly residential with a pair of semi-detached dwelling located to the west at the junction of London Road and Richards Avenue, semi-detached properties to the rear fronting Richards Avenue and a residential flat complex know as Ryan Court to the east also facing London Road.
- 4.3.3 The site contains a building known as the Slaters Arms which is recognised as a Non-Designated Heritage Asset by its inclusion within the local planning authorities Heritage Asset Register – Building of Local Heritage Interest (2014). The building was constructed in 1842 and is a square plan, brick building constructed with white render on upper front elevation and timber detailing. The building includes four bay leaded casement windows, a central main entrance and a hipped roof in plain tile with two brick chimney stacks. The building is described as an architecturally distinctive building and a prominent social landmark for the local area.

The site is not located within a Conservation Area.

### **4.4 Planning History**

There is no relevant planning history regarding this site.

## **5 CONSULTATION and REPRESENTATIONS**

### **5.1 Consultation**

- 5.1.1 A total of 63 neighbouring properties were notified about the application and invited to comment.
- 5.1.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

No of individual responses: 8

No of petitions: 0

### **5.2 Representations**

- 5.2.1 The following Councillor made representations:

- Councillor Viddy Persaud
- Unacceptable impacts on neighbouring amenity (privacy)
- Highway impacts including car parking

5.2.2 With regards to the above, the impacts upon the amenity of existing residential properties neighbouring the site and the impact that the development would have upon the highway and parking have been fully considered by officers, mindful of the existing use of the site.

5.2.3 It is acknowledged that the comments made by Councillor Persaud were made prior to revisions being secured by planning staff to further mitigate the amenity impacts of the development. Those measures and an assessment on the amenity impacts associated, in particular with regards to loss of privacy will be outlined within the material considerations section of this report.

5.2.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

#### Objections

- Insufficient parking for number of units
- Increased parking stress within surrounding roads
- Noise and disturbance
- Loss of privacy/overlooking
- Restrictions to emergency service and waste vehicles accessing the site and other properties in Richards Avenue
- Loss of light/overshadowing
- Impact upon wildlife
- Pedestrian safety
- Security concerns
- Health concerns arising from activities on neighbouring properties

Some matters raised are immaterial in the consideration of a planning application. Matters such as impacts during construction cannot be attributed weight in a planning decision for example. Any material matters raised in response to the statutory consultation have been fully considered by officers in making this recommendation.

### 5.3 Consultation Responses

5.3.1 Highway Authority: No Objection subject to details on cycle storage and vehicle cleansing and Section106 agreement to restrict parking permits.  
Environmental Health: No Objection subject to conditions

5.3.2 Waste and Recycling: No objection subject to the provision of suitable and compliant waste and recycling facilities.

- 5.3.3 Thames Water: The proposal should implement a positive pumping and other safety measures to ensure the site is not adversely impacted upon during storm events.
- 5.3.4 TFL: Parking on site should be reduced from 20 spaces to 18 to accord with the London Plan parking provisions. 20% of parking spaces should have the provision of Electric Vehicle Charge Points
- 5.3.5 Conservation and Design Officer: It is suggested that every attempt to keep the building operating as a public house or similar use should be made. Failing that, a Building Recording Condition is recommended to record details of the building before its use is changed. In addition, further information should be provided with regards to the signage, window finish, materials, street furniture and planting. Concern has been raised with the proposed alterations to the side elevation and it is suggested that the applicant could instead utilise the existing upper windows to create a light-well for the basement or a robust light-well at the foot of the building.
- 5.3.6 In response to the rear addition, the proposed rear addition still appears to crowd the locally listed pub and it is not clear how it has responded in a meaningful manner to its context aside from the use of brick. The existing building has a strong horizontal emphasis through bands of brick, signage and render under a distinctive roof which slackens at the eaves to provide a deep protective overhang. Any addition should be set slightly further back within the site to avoid altering the distinctive roof form and should also respond to the horizontal banding and heights of the former pub. Decorative brickwork could be used in reference to the horizontal banding of the host in a contemporary manner. The undercroft element of the design remains unfavourable and I do not have confidence that the new element will be able to establish a positive identity whilst this element remains. Retention of the undercroft to provide two parking spaces undermines the opportunity for a consistent and complete façade which could respond to context in a meaningful manner.
- 5.3.7 The erection of a detached dwelling is not considered to have an adverse impact upon the significance of The Slaters Arms (former) as a Non-Designated Heritage Asset. At present I am unable to support this scheme. Given the proposal would have a detrimental impact upon the significance of a non-designated heritage asset, the local planning authority should take a balanced judgement, having regard for the scale of harm identified and the significance of the heritage asset (Para.197 NPPF 2019). In my opinion, the scheme fails to fully realise the opportunity for making a positive contribution to local character and distinctiveness which the local planning authority should take into account when determining the application (Para.192c).
- 5.3.8 Urban Design Officer: Raised concern with the overlapping parking between the residential and commercial components of the development. The ground plan is dominated by parking and is unacceptable. Parking should be reduced given proximity to Romford Station and town centre. Security concerns are raised with the open undercroft parking area, front door not visible from the

street; the proposed houses do not respect the existing building line and are dominated by parking at the front.

- 5.3.9 Environmental Protection: No objections were raised to the principle of the development. It was suggested that a condition be included on any consent issues requiring that if contamination not previously identified on the site is found then no further development shall be carried out until a remediation strategy has been submitted and approved by Council. Given that any contamination on the site may adversely impact upon the future residents and users of the site, it is considered reasonable to impose such a condition.

## **6 MATERIAL PLANNING CONSIDERATIONS**

- 6.1 The main planning issues raised by the application that the committee must consider are:

- Principle of development
- Design and appearance
- Impact upon the setting and character of the locally listed building
- Impact of the development on neighbouring amenity
- Implications for highways/servicing, pedestrian access and parking.

### **6.2 Principle of Development**

- 6.2.1 The NPPF and Policy CP1 support the increase in the supply of housing in existing urban areas where development is sustainable.

- 6.2.2 There are no objections in principle to the subject plot being brought forward for residential development. The NPPF requires Local Authorities to make as much use as possible of brownfield sites and underutilised land. Accordingly, the best use of the site is attributed significant weight in the decision making process. Decision takers at every level are advised in Para 38 of the NPPF that they “should seek to approve applications for sustainable development where possible.”

- 6.2.3 The proposed development is acceptable in land use terms and is considered to accord with the aims and objectives of the development plan.

### **6.3 Design and Appearance**

- 6.3.1 Policy DC61 states that development should respect the scale, massing and height of the surrounding physical context and the Nation Planning Policy Framework (NPPF) reinforces this by placing emphasis on good quality, design and architecture. In addition, the framework also suggests that a balanced judgement is required when determining applications that impact upon a non-designated heritage asset.

- 6.3.2 Although Councils conservation representative raised concerns with the proposals impact upon the locally listed building, on balance staff consider

that the proposed change of use and alterations to the building are on balance an acceptable form of development that will make use of a vacant building.

- 6.3.3 Following revisions negotiated with the applicant, the development would comply with the above objectives set out by the Framework. The proposed development would create a contemporary addition to an existing locally listed building that includes a mix of compatible land uses to create a modern development that would exhibit a strong sense of place and responds positively to the constraints associated with the site.
- 6.3.4 The use of high quality materials, in particular brick, also makes a positive contribution to the local character and distinctiveness. A detailed materials specification has been provided in support of the current submission and in the event of approval a condition would be imposed to ensure that materials palette is progressed.
- 6.3.5 Whilst materially larger than the existing standalone public house the development viewed in totality would present an acceptable redevelopment of the site from its historic use. Accordingly no objections are made with regards to the visual impact of the development and implications for local character and its impact upon the locally listed building.
- 6.3.6 With regard to the specific impact upon the Richards Avenue street scene, the revised scheme resulted in the removal of one of the two proposed dwellings, the increased setback of the proposed dwelling and the retention of soft landscaping/trees fronting the highway. These changes allows siting of a contemporary dwelling in a positioned that respects the layout of existing row of dwellings fronting Richards Avenue, creates a solely residential entrances to the site and removes the creation of an unsightly hardstand area facing the highway. The changes to this component are considered appropriate and suitable address concerns raised by Council's urban design officer.

#### **6.4 Quality of Accommodation**

- 6.4.1 In terms of internal layout and design, the scheme proposes an efficient layout that provides a varied mix of unit types ranging from single bedroom flats to large three bedroom detached dwellings. All new residential dwellings satisfy the minimum space standards as outlined within the technical guidance.

##### *Impacts on the amenity of future occupiers*

- 6.4.2 The proposed internal layout includes two residential units on the upper level of the former public house. Given the age and construction of the building together with the proposed use of the ground floor as an A1 (food store) there is potential conflict between the uses with regards to noise. To overcome this, and protect the amenity of future residents of these flats is acceptable, it is proposed to include a condition requiring details of noise insulation. These details must be submitted to and approved by Council prior to the occupation of the development.



- 6.4.3 Each of the 10 residential units has access to some private amenity space. These areas consist of courtyards for the dwellings with direct access to ground level and roof terraces or balconies for the units on upper levels. Total external amenity space for the upper level units range from between 5sqm for a one bedroom unit and 12.5 sqm for a two bedroom unit. Many of these units have access to more than one balcony or terrace.
- 6.4.4 The proposed detached dwelling includes a rear courtyard that would have an area of approximately 47sqm. This space would be accessed directly from the living area of the dwelling and is uniform in shape. The layout and size of this space is considered appropriate as it allows for practical use and enjoyment by future occupants. Notwithstanding this, given the limited size of the courtyard and in order to protect the usability of this important outdoor space it is considered reasonable and necessary to restrict future enlargement of this dwelling without requiring a full assessment of its impacts. As such, if approved, it is recommended that permitted development rights are removed for this dwelling by condition.

## **6.5 Impact on amenity of surrounding residential properties**

- 6.5.1 The Residential Design SPD states that new development should be sited and designed such that there is no detriment to existing residential amenity through overlooking and/or privacy loss and dominance or overshadowing. Policy DC61 reinforces these requirements by stating that planning permission will not be granted where the proposal results in unacceptable overshadowing, loss of sunlight/ daylight, overlooking or loss of privacy to existing properties.
- 6.5.2 With regard to the scale, bulk and mass of the dwellings and their position relative to neighbouring premises, it is not considered that there would be any unacceptable loss of light or undue level of overshadowing sufficient for planning permission to be withheld.
- 6.5.3 Loss of privacy and overlooking are material considerations. It is accepted that the proposed development would introduce windows to habitable rooms and a roof terrace that will be orientated towards existing neighbouring residential properties to the west, north and east.
- 6.5.4 To overcome any direct overlooking, the scheme includes fixed and obscure glazing (up to 1.8 metres) to those windows on both the western and eastern elevation that would otherwise directly overlook the rear gardens and communal open space of neighbouring properties. To prevent direct overlooking of windows to habitable rooms on the eastern side from the proposed first floor terrace, a 1.8 metre privacy screen would be fixed to the eastern side of the terrace. This will direct any views to the rear of the site. Windows and terraces on the rear northern elevation will be setback in access of 12 metres from the boundary with the nearest property to the north. This, together with the proposed landscaping along the boundary will ensure any overlooking is kept to a minimum and one that is considered reasonable given the urban context of the site. No overlooking of adjoining

residential properties is expected from the windows of the proposed detached dwelling fronting Richards Avenue. On balance, the scheme if implemented is not expected to result in any overlooking that would have a significantly adverse impact upon the amenity of neighbouring properties.

- 6.5.5 Security concerns have been raised by neighbours that the area around the proposed bicycle storage/refuse area will become a hangout for people and this could result in increased crime/antisocial behaviour in the area. In response, the proposed bicycle/refuse area is a fundamental component of a residential development. The area has been designed to be directly overlooked by the residential units and is accessed from the private residential parking area. Given this and the likely frequent use of the facilities by residents, staff do not expect this area to be any more susceptible to antisocial behaviour than any other part of the development.
- 6.5.6 The introduction of a three storey extension to the rear and side of the site will alter the outlook from surrounding properties. The most affected would likely be 178 and 180 London Road (to the west), 2 Richards Avenue and from those units to the east that face onto the site.
- 6.5.7 Although, the outlook would be altered, the separation, orientation of the new works together with the depth and width of adjoining rear gardens/communal spaces is such that the new buildings are not considered to result in any undue sense of enclosure that would detrimentally impact upon the amenity and enjoyment of these neighbouring properties.
- 6.5.8 In view of the historic use of the site as a public house and associated parking area and the positive aspects associated with its redevelopment, the measures negotiated with the applicant are considered to have mitigated any residual amenity impacts. It is not considered that there would be sufficient grounds to withhold permission on the amenity implications for neighbouring occupiers.

## **6.6 Implications for highways, cyclists, pedestrian access and parking**

- 6.6.1 Whilst the site is recognised to have a public transport accessibility level (PTAL) of 2 which translates to a poor level of access to public transport, there would be adequate parking and turning space within the site to accommodate vehicles for the new dwellings.
- 6.6.2 The access to the site is via two vehicle entry points, one off London Road, the other off Richards Avenue. The two entry points allow for a separation between the commercial and residential uses. The existing access off London Road allows for a clear line of sight in either direction and as such provides a safe entry/exit point to the site for vehicles visiting the commercial unit. The proposed new access way off Richards Avenue is for the residential component and is considered appropriate for the likely number of vehicle movements to and from the site.

- 6.6.3 Off-street parking for the commercial unit is accessed from an existing crossover to London Road. A total of eight off-street parking spaces including one disabled space are proposed for the commercial unit. A further six spaces are located adjacent to the western boundary and would be consistent with the parking layout for the former public house and a further two spaces are located centrally on the site and will also be used as a loading bay for deliveries.
- 6.6.4 Council Policy requires 1 parking space for every 30sqm of food store floor space. With a floor area of 242sqm, the proposed parking numbers accord with policy, requiring 8 spaces.
- 6.6.5 A minimum of one off-street parking space is shown for each new dwelling, which would satisfy the policy requirement for off-street parking. The residential parking area would be accessed via a new entrance off Richards Avenue. Two spaces will be located adjacent to the Richard Avenue frontage; the remaining eight are positioned to the rear of the site, between the building and the refuse and residential bicycle storage area.
- 6.6.6 The parking layout allows for all vehicles to enter and exit the site in a forward gear to ensure safe movement to and from the site. Although, the parking area is located to the rear of existing residential properties, the layout, together with boundary treatments (fencing) and landscaping together with the residential nature of the site is not likely to result in an unreasonable level of disturbance with regards to noise and light spillage.
- 6.6.7 The proposal includes the provision of 27 bicycle parking spaces on the site. Specific details of the bicycle storage units has not be provided, however there is adequate information to determine that, if approved the scheme would can provide safe and convenient cycle facilities for future occupants, visitors and employees. Specific details of the cycle storage areas would be secured by condition.
- 6.6.8 Pedestrian access to the commercial units is via a designated retail entrance from the highway. This allows people coming to the site to have unimpeded access. Pedestrian access to the residential units can be via the entrance on Richards Avenue or a separate residents' entry located to the rear/side of the existing building. This entry is the most likely to be used by pedestrians as it will provide convenient access to London Road.
- 6.6.9 The Council's Highway officer has reviewed the proposal and raised no objection to the development subject to conditions and the requirement for the applicant to enter into a legal agreement to restrict access to parking permits. Given the sites located adjacent to a road that forms part of London's Strategic Road Network (SRN) and also fronts a suburban street, the request to restrict access to parking permits in this instance is considered in more detail below.
- 6.6.10 Notwithstanding this request, the site does provide parking that is compliant with Council policy with regard to the commercial element. In addition,

although the number of residential parking spaces is slightly below those outlined within the Core Strategy, they do accord with the London Plan guidelines and is supported by TFL. In addition, the adjoining streets do not have residential parking spaces with London Road consisting of clearways during the day and the majority of Richards Avenue is free of any parking restrictions. The current parking restrictions in the immediate area therefore imply that parking in this particular location may not justify any such restriction. Further, as the scheme proposes a space for each of the residential units, is located within 50 metres of a bus stop with direct links to Romford Town Centre and also includes substantial bicycle storage, the request to restrict access to parking permits in this instance is not considered justified or reasonable as it is not considered necessary to make the development acceptable in planning terms.

6.6.11 Transport for London (TFL) have reviewed the proposal and raise no objection subject to the following:

- Restricting the number of on-site parking spaces to 18 to accord with Policy T6 of the London Plan
- The construction of the development should not result in the blocking of the footpath or carriage way of London Road which forms part of the SRN.
- 20% (2 spaces) of the residential spaces should have the provision of Electric Vehicle Charge Points.
- A Delivery and Servicing Plan is required to mitigate impacts of congestion on the local highway network

6.6.12 In response to TFL comments, although ideally, all schemes should endeavour to provide charging points for electric vehicles. Given the size of the scheme, together with the relevantly restrictive layout of the parking area it would not be practical to provide such spaces on the site. As such, in this instance, it is not considered reasonable to require this as its absence from the scheme would not make the scheme unacceptable in planning terms. In order to ensure safe and to maintain traffic flow along London Road, a Delivery and Service Plan is considered reasonable and will be conditioned.

6.6.13 As part of the planning balance, officers have attributed some weight to the historic use of the site. In view of the wider benefits associated with the proposals any residual harm over and above that which may have been capable from any alternative use of the site would be outweighed in the opinion of officers by the other positive aspects of the scheme.

## **7 Conclusions**

7.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted subject conditions for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.