
Appeal Decision

Hearing Held on 17 September 2019

Site visit made on 17 September 2019

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th September 2019

Appeal Ref: APP/B5480/W/19/3221637
112 - 116 South Street, Romford RM1 1SS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Romford (South) Ltd against the decision of the Council of the London Borough of Havering.
 - The application Ref P0048.18, dated 12 January 2018, was refused by notice dated 25 October 2018.
 - The development proposed was originally described as 'Conversion and extension of the existing building to create a hotel (Class C1) with 128 bedrooms and ancillary café/bar'.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of part ground floor and upper floors and construction of side/roof extensions increasing height of building up to nine storeys to create a 124 bedroom hotel at 112 - 116 South Street, Romford RM1 1SS, in accordance with the terms of the application, Ref: P0048.18, dated 12 January 2018, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. In the interests of precision, I have used, in my formal decision above, the amended description of development as set out in the Statement of Common Ground. My site visit was undertaken on an unaccompanied basis following agreement by the parties present at the hearing that this would be appropriate.
3. Amended drawings have been deposited with the appeal proposing elevational changes to those considered by the Council. The changes are modest in extent and were submitted at the outset of the appeal. Thus, no party has been significantly prejudiced by me accepting the amended drawings and basing my assessment upon them. Similarly, the late evidence¹ submitted at the hearing was not extensive, capable of being dealt with by the Council at the hearing and relevant to my considerations. I therefore accepted it.

Main Issues

4. The main issues in this appeal are the effects of the proposed development on 112 - 116 South Street, a non-designated heritage asset, and the character and appearance of the area more generally.

¹ A three-dimensional representation of tall buildings within Ilford and copies of public consultation boards relating to the emerging Havering Local Plan

Reasons

The effect of the proposed development on a non-designated heritage asset

5. 112 - 116 South Street has been entered onto the Council's heritage asset register². The building was originally constructed in the 1930s as a furniture department store. The description of the building focusses on its front façade, accurately describing it *as a four-storey square-plan construction with cream tile cladding. Ground floor converted to shop frontage. Five bays of three windows, divided by strong vertical linear projecting features.* This Art Deco styling is relatively complex when compared to the simplicity of other nearby buildings dating from the mid to late 20th Century and this affords the building an interesting external aesthetic value.
6. In addition to its aesthetic value, the building is of historic interest as it illustrates an emerging social trend in the 1930s of increasing numbers of householders being able to furnish their homes, many of which would have been owner-occupied. The Times Furnishing Company apparently boomed in the 1930s and had several sites across London that exhibit a blend of classical and Art Deco architecture. The appeal building has a group value with these other remaining structures as well as the 1930s development within Romford, which forms a discernible layer in the development of the town.
7. Historic photographs demonstrate that the building was comparatively tall when first constructed with most of the buildings nearby being two storeys in height. It is therefore reasonable to conclude that it was designed to be an imposing and prominent landmark structure, with its scale and Art Deco design intended to draw the eye in the street scene of South Street. This is an important component of how the building was originally intended to be experienced.
8. Given the foregoing, the Council and appellant agree that the appeal building is a non-designated heritage asset. This is a conclusion I share when applying the definition of a 'heritage asset' in the National Planning Policy Framework (the 'Framework'), which refers to buildings of heritage interest. However, the aesthetic value of the building is only surface deep, being confined to the façade fronting South Street. The side elevation facing The Battis is of very limited aesthetic value. In addition, the ground floor shop front is visually divorced from the Art Deco façade on the upper floors, which has a tired appearance. The building's sense of being a landmark has also been eroded by nearby 20th Century development in South Street, some of which is also arranged over four floors. Accordingly, the building overall has a significance of low to medium value as a heritage asset.
9. The appeal scheme would involve the construction of additional floors to create a nine-storey building. The extensions would be directly above the original façade but also to the left-hand side of it, and thus include the remnants of the former Star Inn. This would result in a considerable increase in the overall height and massing of the existing building, which would undoubtedly alter its character and appearance. Only the façade of the existing building would be retained, as this is the most architecturally significant part of the building. However, such an approach would inherently devalue the heritage asset by divorcing the façade from its original plan and elevations.

² Heritage Asset Register – Buildings of Local Heritage Interest 2014

10. When seen in wider views, particularly when looking south along South Street, the appeal scheme would appear as overpowering accretions due to the extensive massing and height relative to the existing structure. This impact would be compounded by the tall height of the windows and the sense that the additions would wrap around and envelop the façade. In this respect, the appeal scheme's lack of subservience would dilute the prominence of the original façade in the street scene.
11. That said, the appeal scheme has been designed with vertical bays in an attempt to echo and interpret the verticality and gridded subdivision of the existing façade. The bay divisions would align with the existing vertical columns and reflect the symmetry of the five existing bays. The upper floor additions would also be set back from the existing façade in order to provide a recessive appearance. Moreover, a stepped approach to the massing of the upper floors would draw the eye down to the façade. This would be aided by the dark material finish, which would allow the cream tiles (which would be repaired and renovated) to stand out. The extension over the former Star Inn would have a sense of subservience because it would be positioned slightly below the height of the existing façade. This element would also remove some of the visual detractors, such as the external staircase. The bulk of the extensions would also be softened to an extent by the articulation provided by deep reveals and the massing's arrangement in blocks to provide relief and visual interest.
12. Accordingly, the appeal scheme is a genuine attempt to design the additions in a way that would retain the façade as a focus. This would be broadly successful when standing directly outside the building, as the original façade would be preeminent, the setback being significant in achieving this. This would go some way to mitigating some of the adverse impacts the height and massing of the appeal scheme would have on the existing heritage asset. Nevertheless, it would not extinguish them or result in a proposal that would have a net impact that would preserve its overall significance.
13. I therefore conclude that the appeal scheme would, overall, result in a moderately harmful net impact upon the non-designated heritage asset and this is to be taken into account and weighed in my overall assessment. The proposal would therefore be at odds with Policies CP18 and DC67 of the CSDCP³, supported by the Heritage Supplementary Planning Document 2011, and Policy 7.8 of the London Plan⁴, which seek to secure development that preserves the significance of heritage asset.

The effect on the character and appearance of the area

14. Policy DC66 of the CSDCP states that tall buildings, those over 6 storeys, will normally only be granted planning permission in Romford Town Centre. It also states that further policy on tall buildings will be contained in the Romford Town Centre Area Action Plan (the 'AAP'). Policy ROM19 of the AAP, whilst reiterating the need for tall buildings to be of exemplary high quality, identifies the locations where tall buildings will be permitted, including the area near Romford Station defined as the ROMSSA6 Station Gateway. The appeal site is located within the ROMSSA6 area and therefore adherence to Policy DC66 of the CSDCP and Policy ROM19 of the AAP turns on whether the proposal would be of exemplary high quality.

³ The Havering Core Strategy and Development Control Policies Development Plan Document

⁴ The London Plan - The Spatial Development Strategy for London Consolidated with Alterations Since 2011 (2016)

15. Neither the CSDCP nor the AAP define the term 'exemplary high-quality design', but during the hearing the Council and appellant agreed that an exemplary design would need to respond positively to its context. I share this view. Added to this, the design process should act as a desirable model to follow. In respect of this latter point, the appeal scheme has evolved from a contextual assessment demonstrated in the Design and Access Statement, but it was not the subject of a design review, which is unfortunate. Nevertheless, there were extensive pre application discussions with the Council, which included notable input from the Council's Principal Urban Design Officer, who ultimately supported the scheme following amendments. There was also engagement with the local civic society, which supports the scheme.
16. South Street is the main axis of a busy, built up urban area to which the rail station is a natural gateway. The appeal site is located next to the rail station in an area of mixed townscape that has seen significant change in the 20th Century. When heading north along South Street (from outside the appeal site) buildings tend to be two, three or four storeys and of variable architectural quality. This is a pattern continued south of the railway line. The height and massing of buildings tends to be greater in Eastern Road than South Street. The area to the west of the appeal site is dominated by the Brewery Shopping Centre and very large retail and leisure outlets of low architectural quality.
17. The Council confirmed at the hearing that the appellant's five verified visualisations of the appeal scheme taken from different locations within the town centre provide a reasonable representation of the appeal scheme's likely impact on the townscape. Substantive evidence has not been provided to the contrary, so I have given the visualisation significant weight in my deliberations.
18. Viewpoint 02 AVR3 demonstrates that the appeal building would be a comparatively large structure of a greater height than any of the nearby buildings, although it would respond to the height of the brick-built station building directly to the south of the appeal site. View 02 AVR3 also shows that there would be improvements to the street scene, as visual detractors would be obscured or removed, such as the external staircase and the blank brick elevation behind the former Star Inn. Although a tall addition, the appeal scheme would not appear out of character in near distance views given the busy urban nature of the area around the station, where a dense form of development would be expected.
19. View 04 AVR3 demonstrates that the appeal scheme would be viewed as a recessive addition against the monolithic rear elevation of the supermarket in the foreground. Similarly, View 05 AVR3 shows an impact largely mitigated by the presence of screening buildings of limited architectural quality. This is a common theme, as the appeal scheme would be an addition of notably greater architectural quality than many of the existing nearby structures, especially those to the west. This would be due to the interesting use of forms and materials and the well-proportioned linear composition. This would provide a positive sense of legibility in marking the entrance to the station and provide a good standard of architecture when compared to other tall buildings in Romford Town Centre, which future development could build upon and relate to.
20. However, View 01 AVR3 demonstrates that the appeal scheme would be an obvious and prominent departure from the prevailing building heights found

along South Street. A similar impact is shown in View 03 AVR3, although the appeal building would be partially screened by the railway line and would be experienced in the context of the tall building at the western end of Atlanta Boulevard. Nevertheless, from both positions the appeal building would appear as an isolated addition to the skyline by virtue of its height, and the absence of buildings of a similar scale in close proximity along the South Street axis.

21. The isolated presence in the skyline around the station would result in the building appearing prominent in the southern section of South Street, but this would also assist in providing legibility by marking the civic significance of the rail station as a gateway feature of the town. This would improve the way the area functions. Moreover, the impact on the skyline needs to be considered in the context of the urban design and townscape aims contained within the development plan.
22. As previously mentioned, the appeal site falls within the ROMSSA6 Station Gateway allocation within the AAP, where a notable intensification in the scale of development is advocated. This has been replicated in the more recently adopted Development Framework⁵, which identifies the possibility of a tall building in the broad location of the appeal site. The building height plan in this document also categorises the appeal site as a potential location for tall buildings at the centre of an area identified for buildings of around 8-10 storeys, which includes Western Road and Eastern Road. The appeal scheme would therefore be consistent with the spatial vision for the area. Therefore, the isolated appearance it would have once constructed would likely be a short-term impact as the area evolves in line with the Development Framework.
23. The delivery of this planned development may accelerate with the coming of Crossrail and the emerging London Plan identifies the appeal site as being within an Opportunity Area and Metropolitan Centre. Such designations have apparently contributed to extensive redevelopment in other centres such as Ilford. Although a matter that is currently of limited weight, the townscape strategy in the emerging Local Plan indicates a direction of travel that would see building heights increase around the station.
24. Moreover, the isolated appearance of the appeal building on the skyline around the station would not be entirely discordant within the wider context of the town centre, where there are already examples of tall buildings, including towers at Western Road and St Edwards Way, both of which are visible from South Street. On the periphery of the town centre tall buildings can be found at Main Road opposite the Town Hall, Waterloo Garden and Union Street. In this context, the appeal scheme would not appear unusual or out of place.
25. Drawing the foregoing together, the appeal scheme has been borne out of a collaborative design process, would provide a townscape function in reinforcing the legibility of the station, would respond to the design aims of the development plan and would generally appear as a relatively high-quality addition. It would appear isolated in views along South Street, but this would likely be a short-term impact and an inevitable consequence of being the first tall building in an area identified for tall buildings. Accordingly, the proposal would be of exemplary quality and thus an overall conflict with Policies DC61 and DC66 of the CSDCP, Policy ROM19 of the AAP and Policy 2.15 of the LP would not occur.

⁵ London Borough of Havering Romford Town Centre Development Framework 2015

Other Matters

26. The appeal scheme would deliver several benefits. Firstly, it would facilitate the delivery of a 124-bedroom hotel at a point in time when there is a significant identified need for hotel bed spaces, no planned strategy for meeting this need and little hotel development in the Borough's development pipeline. The proposal would also provide an opportunity to diversify the local hotel offer, as the current plans are to provide a mid-level hotel as opposed to a budget hotel. The proposal would also enable the positive redevelopment of empty floor space in a highly sustainable location. In addition, it would create short-term jobs in the construction industry and longer-term jobs at the hotel (once operational) and within its supply chain. Hotel patrons may also spend locally providing a boost to the vitality of the town centre. The building could also provide the catalyst for further investment and the realisation of the Council's plans for the area around the station, particularly as it would coincide with Crossrail. Taken together, these are significant benefits that I will weigh in my overall conclusion.
27. The Council is seeking to secure a planning obligation from the appellant covering several measures aimed at limiting the impact of the appeal scheme on future development. The obligations submitted include an undertaking from the landowner not to object to future development in respect of loss of light and outlook, to prevent openable windows in the north elevation and to retain the use of the appeal building as a hotel. In most instances a change of use away from a hotel would require planning permission. It is unclear why openable windows would prevent future development, as hotel guests do not require levels of amenity associated with a dwelling because their stays would be short in duration. The Council would need to consider the impact on light and outlook regardless of whether the landowner objected. Accordingly, none of the obligations are necessary to make the development acceptable and therefore I have not taken them into account.
28. The Council has referred to a possible extension of the Romford Conservation Area to include the appeal site. However, the work required to underpin this is not at an advanced stage and therefore this aspiration is a matter of limited weight that does not alter my overall conclusion. No party has alleged that the proposal would fail to preserve the character or appearance of the existing Romford Conservation Area, a view I share given the distance.

Conditions

29. Following the hearing the Council and appellant submitted a revised list of agreed planning conditions. I have had regard to this and the advice in the Planning Practice Guide in deciding which conditions to impose. It is necessary in the interests of safeguarding the character and appearance of the area to ensure that the development is undertaken in accordance with the approved drawings and that samples of external materials and details of the façade restoration are approved. Given the constrained nature of the site is necessary to secure a construction method statement, a scheme of waste management and for the construction hours to be controlled. To ensure compliance with the development plan it is necessary to secure details of an energy statement.
30. Conditions 6 requires resolution prior to the commencement of development since the works it relates to are so fundamental to the acceptability of the

proposal that it would have been otherwise necessary to dismiss the appeal. The appellant has provided written agreement to the imposition of Condition 6.

Planning Balance and Conclusion

31. As a material consideration, Paragraph 197 of the Framework states that in weighing applications that directly affect non-designated heritage assets, a balanced judgment is required having regard to the scale of any harm and the significance of the heritage asset. The heritage asset is of low to medium significance and the harm to it would be moderate. Accordingly, the significant benefits of the proposal would outweigh the harmful impacts on heritage and the subsequent conflict with the development plan, which seeks to preserve non designated heritage assets. This indicates a decision should be taken other than in accordance with the development plan. Accordingly, I conclude that the appeal should succeed.

Graham Chamberlain
INSPECTOR

APPEARANCES

FOR THE APPELLANT

Adi Hodzic
Rupert Warren QC
Luke Raistrick
Alan Grieve BArch (Hons) ARB
Nicolas Bridges BSc BArch RIBA

for Romford (South) Ltd
Landmark Chambers
Centro Planning Consultancy
Maita Design Architects
Bridges Associates Architects

FOR THE LOCAL PLANNING AUTHORITY

William Allwood
Nicolas Page

London Borough of Havering
Place Services, Essex County Council

DOCUMENTS SUBMITTED AT THE HEARING

1. Plan showing a three-dimensional representation of tall buildings within Ilford
2. Copies of the public consultation boards relating to the emerging Havering Local Plan

Schedule of Planning Conditions

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans:

- SK800 Rev. A - Proposed Plan - Ground Floor
- SK801 Rev. A - Proposed Plan - 1st Floor
- SK802 Rev. A - Proposed Plan - 2nd Floor
- SK803 Rev. A - Proposed Plan - 3rd Floor
- SK804 Rev. A - Proposed Plan - 4th Floor
- SK805 Rev. A - Proposed Plan - 5th Floor
- SK806 Rev. A - Proposed Plan - 6th Floor
- SK807 Rev. A - Proposed Plan - 7th Floor
- SK808 Rev. A - Proposed Plan - 8th Floor
- SK809 Rev. A - Proposed Plan - Roof
- SK810 Rev. A - Proposed Section
- SK811 Rev. A - Proposed Elevations - Sheet 1
- SK812 Rev. A - Proposed Elevations - Sheet 2
- SK813 – Typical Bay Study – Upper Levels
- SK814 – Typical Bay Study – Lower Levels
- SK815-A – Typical Bay Study – Junction with Retail

3. No development (except for demolition) shall take place in relation to any of the development hereby approved until full details of samples of all external materials, including windows, doors and rainwater goods to be used in the construction of the works hereby permitted are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

4. No development (except for demolition) shall take place until a schedule of works relating to new work and works of making good to the retained faience façade fabric has been submitted to and agreed by the Local Planning Authority. The development shall then be carried out in accordance with the agreed schedule of works.

6. No development shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved Construction Method statement that shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;

- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

7. The building shall not be occupied or use commenced until details of a waste management scheme is submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the method and location of refuse and recycling storage, including provision for all refuse to be properly contained within the approved facility, together with arrangements for refuse disposal. The scheme shall be implemented on site, in accordance with the approved details, prior to the first occupation or commencement of the use hereby approved and retained permanently thereafter.

8. Notwithstanding the submitted Energy Strategy (March 2018), no development (except for demolition) shall take place until a final Energy Strategy has been submitted to and agreed with the Local Planning Authority. The development shall then be carried out in accordance with the agreed Energy Strategy.