

REGULATORY SERVICES COMMITTEE SUPPLEMENTARY AGENDA

27 October 2016

The second report below is attached for consideration and is submitted with the agreement of the Chairman as an urgent matter pursuant to Section 100B (4) of the Local Government Act 1972

5 PLANNING APPLICATIONS - SEE INDEX AND REPORTS (Pages 1 - 8)

P1353.16 Crow Metals, land on the corner of Crow Lane/Jutsums Lane, Romford

Note: this item was inadvertently omitted from the main agenda papers.

9A P1563.16 MARKET PLACE, ROMFORD (Pages 9 - 18)

**Andrew Beesley
Committee Administration
Manager**

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OFFICER REPORT FOR REGULATORY SERVICES COMMITTEE - 27th October 2016

APPLICATION NO. P1353.16
WARD: Brooklands **Date Received:** 1st September 2016
Expiry Date: 27th October 2016
ADDRESS: Crow Metals
land on the corner of Crow Lane/Jutsums Lane
Romford
PROPOSAL: Proposed extension to end of terrace unit - B1, B2 & B8 use
DRAWING NO(S): Location Plan - Drawing No. 3358_PL101
Existing Site/Floor Plan - Drawing No. 3558_PL103
Existing Elevations - Drawing No. 3558_PL104
Proposed Site/Floor Plan - Drawing No. 3558_PL106
Proposed Elevations - Drawing No. 3558_PL107
RECOMMENDATION It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

CALL-IN

This application has been called in by Councillor Persaud on the basis that Crow Metals causes numerous problems to nearby residents and concerns are raised over loss of the car parking area designated for staff.

SITE DESCRIPTION

The application site comprises an existing building, formerly part of the Premier Motors site, and an associated car parking area, it also includes an area of land which forms part of Crow Metals (as per the approved drawings of P0962.11).

The site's northern, western and eastern (in part) boundaries abut land that was also formerly part of the Premier Motors site, and which, as referred above, has been granted planning permission for use as a waste recycling facility. The southern, and the remainder of the eastern boundary, lie adjacent to the public highway: Crow Lane to the south, and Jutsums Lane to the east.

As will be noted from the 'Enforcement Update' provided in the Relevant History section of this report, the area to which this application relates is currently occupied by an unauthorised car wash. Enforcement action is being taken with regard to this and this should not therefore be considered the baseline at which the proposal is judged.

With regard to designations, this site forms part of a Secondary Employment Area within the Proposals Map accompanying the LDF, although it should be noted that residential properties are located approximately 20m from the site on the opposite side of Jutsums Lane.

DESCRIPTION OF PROPOSAL

This application seeks planning permission for an extension to the existing building, fronting onto Crow Lane. The extension would project towards Jutsums Lane, measuring approximately 11m in width. The extension would be 12m deep, mirroring the front development line of the existing

building, with a tapered corner to reflect the site corner boundary. The extension is proposed with a pitched roof to match that of the adjoining building.

The extension is proposed with front entrance and roller shutter door and would be utilised, as per the existing terrace, for a B1, B2 or B8 use.

RELEVANT HISTORY

Enforcement Update: The Council has a number of active enforcement cases relating to the area to which this application relates, Crow Metals and compliance with the current planning permission (ref: P0962.11) - noting that the variation of condition application, detailed below, has not been fully implemented (ref: P0993.12). With regard to this, enforcement notices have recently been issued with regard to the site layout and the provision of the temporary office buildings within Crow Metals; and the car wash and food cabin on the corner of Crow Lane/Jutsums Lane.

- P1354.16 - Proposed amendments to the front and side elevations of the building including changes to the proposed finish and fenestration
Apprv with cons 12-10-2016
- P0722.16 - Construction of a platform office
Apprv with cons 26-08-2016
- A0028.16 - Advertisement consent for 6 x fixed rigid PVC signs
Part aprvd part ref 05-08-2016
- P1011.12 - Material change of elevation
Apprv with cons 10-10-2012
- P0993.12 - Variation of Condition 2 of P0962.11- relocation of vehicle access, including part removal of building, and changes to the external appearance of a building.
Apprv with cons 12-11-2012
- P0962.11 - Demolition of part of building and two storey office building and the making good and change of use of the retained buildings to enable the relocation of "The Crows Metals" recycling business for the recycling, processing, storage and distribution of scrap metal (excluding car stripping and breakages) and installation of two weighbridges.
Apprv with cons 14-06-2012

CONSULTATIONS / REPRESENTATIONS

Anglian Water - No comments received.

Essex and Suffolk Water - No objection.

Highway Authority - No objection. Although request has been made as to if conditions could be imposed to require the gap in the site wall/fence to be reinstated.

LBH Environmental Health - No objection subject to a condition in respect of gas protection measures; and a scheme for the control of noise emanating from the site.

London Fire Brigade - No objection.

National Grid - No comments received.

Thames Water - No comments received.

UK Power Networks - No comments received.

Public consultation: 23 properties were directly notified of this application. No letters of representation have been received.

RELEVANT POLICIES

LDF

CP03 - Employment

CP10 - Sustainable Transport

CP17 - Design

DC10 - Secondary Employment Areas

DC32 - The Road Network

DC33 - Car Parking

DC52 - Air Quality

DC53 - Contaminated Land

DC54 - Hazardous Substances

DC55 - Noise

DC56 - Light

DC61 - Urban Design

OTHER

LONDON PLAN - 4.4 - Managing industrial land and premises

LONDON PLAN - 5.21 - Contaminated land

LONDON PLAN - 6.1 - Strategic approach

LONDON PLAN - 6.3 - Assessing effects of development on transport capacity

LONDON PLAN - 6.13 - Parking

LONDON PLAN - 7.4 - Local character

LONDON PLAN - 7.6 - Architecture

LONDON PLAN - 7.14 - Improving air quality

LONDON PLAN - 7.15 - Reducing noise and enhancing soundscapes

LONDON PLAN - 8.3 - Community infrastructure levy

NPPF - National Planning Policy Framework

PPG - Planning Practice Guidance

MAYORAL CIL IMPLICATIONS

In consideration of the net amount of floorspace which would be created (121m²), a Mayoral CIL contribution of £2,420 would be required should planning permission be granted.

PRINCIPLE OF DEVELOPMENT

This site forms part of a secondary employment area. In principle no objection is therefore raised to development proposing B1, B2 or B8 land uses, as in the case here.

With regard to the extension proposed, staff note that an extension similar to this was approved as part of application ref: P0993.12. Although this application has not been implemented - this application representing a variation to application ref: P0962.11, proposing an alternative access to the site, this is considered to be material consideration in the determination of this application. Albeit that the extension was approved under different circumstances.

DESIGN / IMPACT ON STREET / GARDEN SCENE

Policy DC61 of the Core Strategy and Development Control Policies DPD details that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area.

This site forms part of a Secondary Employment Area and it is considered that the area is strongly defined by warehouse style buildings; signage; and a heavy presence of parked vehicles. In terms of boundary treatment, the building, to which this application relates, and car parking area is contained within a brick plinth wall with palisade fencing above. To the rear, with an entrance off Jutsums Lane, Crow Metals is more heavily screened with a noise attenuation wall and palisade fencing in front.

Whilst it is noted that at the moment the area to which this application relates is occupied by a car wash - this should not be considered as the fallback or baseline planning position. Planning permission, as detailed earlier in this report, does not exist for the car wash and enforcement action is being pursued by the Council. Staff, mindful of this, nevertheless do not consider that the proposed extension would adversely impact on the streetscene at a level to warrant refusal. The extension would project further towards Jutsums Lane however, staff, in view of the existing corner green/landscaping, do not consider that the extension would be particularly overbearing or dominant. By mirroring the scale, design and materials of the existing building it is considered that the development would acceptably maintain the appearance of the local area. It is furthermore considered that the extension would appropriately fit on to the site and would not give rise to a cramped layout or a poorly proportioned addition. Staff, overall, therefore raise no objections to the development from a design perspective.

IMPACT ON AMENITY

Policy DC61 of the Core Strategy and Development Control Policies DPD, in addition to the above, details that planning permission will not be granted where a proposal results in unacceptable overshadowing, loss of sunlight/daylight, overlooking or loss of privacy and/or unreasonable effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.

In view of the fact that this site forms part of an employment designation it is considered that in principle a B1, B2 or B8 use and the impacts associated are broadly acceptable. That being said, it is noted that there are a number of residential properties within close proximity of this site. The Council's Environmental Health/Public Protection department have been consulted on this application and have raised no objection subject to a noise mitigation scheme being secured by

condition, prior to commencement of the development. Subject to the imposition of such a condition staff do not consider that the development would give rise to undue amenity impacts. With regards to this, staff, to confirm, do not consider that the proposed location of windows or doors, would in any impact or give rise to amenity impacts at a level to warrant further consideration or refusal.

Should planning permission be granted, it is considered that a condition could nevertheless be imposed requiring details of perimeter or boundary fencing to be submitted prior to the commencement of the development. In the view of staff, it is considered that this would allow the Local Planning Authority to ensure that fencing around the site is duly maintained, in the interests of preventing access via Jutsums Lane. It is considered that Increasing footfall in this direction could have an impact on the amenity of residential properties along Jutsums Lane and significantly change the existing layout/orientation of the site, directed towards Crow Lane. Staff are aware of the current issues with the Crow Metals site, and the relationship with this use and the residential properties, and are therefore keen not to compound this issue by encouraging further interaction with Jutsums Lane.

HIGHWAY / PARKING

No changes are proposed to the access and/or existing parking provision as it currently sits on site. Staff are nevertheless aware that the site layout, as it currently sits, is not as permitted. The area to which this application relates originally formed part of the Crow Metals site (application ref: P0962.11) and was intended to provide three staff car parking spaces. It is understood that the site was however never built or laid out, as permitted, with the Crow Metals fencing finishing in line with the entrance off Jutsums Lane. Mindful of the above, and ensuring appropriate parking provision for both Crow Metals and the units within the building fronting Crow Lane, staff note that 10 car parking spaces exist to the front of the site, adjacent to the entrance off Crow Lane. The applicant has suggested that three of these are reserved for Crow Metals with the seven other spaces allocated to the building and units within.

The Council does not have a car parking standard for B2 and B8 uses, although a standard of one space per 100m² of floorspace does exist for B1 uses. The total floorspace of the building with the extension would be 695m² and therefore a seven space car park is considered acceptable and policy compliant.

Although staff do not consider the proposed location of car parking for Crow Metals' staff as ideal, noting they would have to walk along Crow Lane and Jutsums Lane and access the site via the vehicular access, it is not considered that this is a sufficient reason to withhold planning permission. The plans submitted with this application adequately demonstrate that a parking provision for Crow Metals, the existing building and proposed extension could be provided/maintained and as such it is not considered the development would give rise to significant highway implications.

Staff are aware of current issues with the Crow Metals use, particularly surrounding vehicle access and parking. However, given that the provision previously deemed acceptable for this use is being maintained and this application gives rise to no further impacts on that site and/or its operation, it is not considered that staff could seek to refuse the application on grounds of lost parking provision.

KEY ISSUES / CONCLUSIONS

In context that it is not considered that the extension would harm the character of the area or immediate street scene and/or give rise to significant amenity or highway impacts, it is recommended that planning permission be granted subject to conditions.

RECOMMENDATION

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

1. Time limit (3yrs)

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 (as set out on page one of this decision notice).

Reason:-

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

3. Matching materials

All new external finishes shall be carried out in materials to match those of the existing building, as outlined in section 9 of the planning application form, dated 16/08/2016, to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

4. Parking provision

Before the extension hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting this and the adjacent site, as indicated on drawing titled 'Proposed Site/Floor Plan', drawing no. 3558_PL106. The car parking area 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 that the development accords with the Development Control Policies Development Plan Document Policy DC33.

5. Gas protection measures (pre-commencement)

No works shall take place in relation to any of the development hereby approved until details

setting out suitable gas protection measures to be employed on site including, but not necessarily limited to, the installation of a suitable gas resistant membrane. The gas protection measures shall be carried out in strict accordance with the agreed details. Upon completion of installation, a 'Verification Report' must be submitted demonstrated that the works have been carried out to the satisfaction of the Local Planning Authority.

Reason:-

The development is situated on or within 250 metres of a current or historic landfill site or gravel pit. Insufficient information has been supplied with the application to judge the risk arising from landfill gas. Submission of such details. prior to commencement of the development hereby permitted, will protect those developing it, any future occupants from potential landfill gas and will ensure that the development accords with the Development Control Policies Development Plan Document Policies DC54 and DC61.

6. Noise mitigation measures (pre-commencement)

No works shall take place in relation to any of the development hereby approved until details of a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme, as approved, shall be implemented prior to first occupation and maintained thereafter.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

7. Boundary treatment (pre-commencement)

No works shall take place in relation to any of the development hereby approved until details of all proposed walls, fences and boundary treatment have been submitted to, and approved in writing by, the Local Planning Authority. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development, prevent undue overlooking of adjoining property and ensure that the development accords with the Development Control Policies Development Plan Document Policy DC61.

8. Hours of construction

All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason:-

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

INFORMATIVES

1. Approval and CIL

The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the CIL payable would be £2,420 (this figure may go up or down, subject to indexation). CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website.

2. Approval - No negotiation required

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REGULATORY SERVICES COMMITTEE

REPORT

27 October 2016

Subject Heading:

P1563.16 – Market Place, Romford (Date received 29/09/2016)

Proposal

Installation of a temporary ice rink for the Christmas Period in Romford Market Place, including ice arena, skate exchange area, plant area and sales booth. Ice rink to run between dates of 18th November and 15 January 2017. Erection and dismantling requires up to an additional 10 days either side of these dates

Ward

Romford Town

Lead Officer

Simon Thelwell
Projects and Regulation Manager

Report Author and contact details:

Martin Knowles (Planning Team Leader)
01708 432802

Policy context

Local Development Framework
London Plan
National Planning Policy Framework

Financial summary

None

SUMMARY

It is proposed to establish a temporary ice rink at the eastern end of Romford Market Place for the duration of the Christmas period from 18th November until 15th January 2017.

The proposal raises considerations in relation to the character and appearance of the Market Place and Romford Conservation Area, the impact on the residential amenity of neighbouring residents and businesses together with access arrangements.

The proposal is considered to be acceptable and it is recommended that temporary planning permission be granted subject to conditions.

It should be noted that the period for neighbour consultation and that given for responses to the site notice and advert has not yet expired and it is therefore recommended that the decision be delegated to the Assistant Director of Regulatory Services.

RECOMMENDATIONS

That the Committee resolve that, pending the expiry of the deadline for comments set by the Site Notice and advertisement in the local newspaper and subject to no further representations being received raising substantive points which are not addressed by this report, the decision be delegated to the Assistant Director of Regulatory Services to grant temporary planning permission subject to the following conditions.

1. This permission shall be for a limited period only commencing on 18/11/2016 and expiring on 15/01/2017 on or before which date the use hereby permitted shall be discontinued, The buildings and works carried out under this permission shall be removed and the site reinstated to its former condition within 10 working days of 15/01/2017 to the satisfaction of the Local Planning Authority. Any variation from the above dates within a 10 day window shall be requested in writing to, and agreed in writing by, the Assistant Director of Regulatory Services.

Reason:

To enable the Local Planning Authority to retain control.

2. The premises shall not be used for the purposes hereby permitted other than between the hours of 12.00 and 21.00 on Mondays to Fridays from 15th November until 21st December 2016 and from 3rd January until 13th January 2017, and between the hours of 10.00 and 21.00 on weekends and Mondays to Fridays from 22nd December 2016 until 2nd January 2017 with the exception of Christmas Day, Boxing Day and New Year's Day when the ice rink shall not operate without the prior consent in writing of the Local Planning Authority. Any variation from the above times, and/or dates, within a 10 day window, shall be requested in writing to, and agreed in writing by, the Assistant Director of Regulatory Services.

Reason:-

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

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

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

4. The proposed development hereby approved shall be constructed in accordance with the materials detailed under Section 9 of the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document

5. No deliveries into the site, loading and unloading of vehicles and associated construction and or removal of the temporary structures, stages and sound systems 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 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 in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

6. Before the development hereby permitted commences details of a scheme shall be submitted to and approved in writing by the local planning authority which specifies the provisions to be made for the control of noise emanating from the temporary site. Such scheme as may be approved shall be implemented prior to commencement and thereafter retained in accordance with such details.

Reason:-

Insufficient information has been supplied with the application to assess the noise levels from the proposed use. Submission of a scheme prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining/adjacent properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

7. Before any works to install new plant and machinery commences a scheme for proposed new plant or machinery shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed $L_{A90} - 10\text{dB}$ and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:

To prevent noise nuisance to adjoining/adjacent properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

8. Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system or generator/s installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

Insufficient information has been supplied with the application to judge the technical specifications of the mechanical ventilation system or generator/s. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use protect the amenity of occupiers of nearby premises, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

9. A sound propagation test shall be undertaken at all amplified speaker positions at least 1 hour prior to the start of any recorded music in order to inform the setting of appropriate control limits. A hotline shall be available throughout the duration of the event. The number for this hotline shall be made available at least 14 days prior to the event starting and notified to all properties likely to be disturbed by the event. Staff shall be trained in the procedures to follow when receiving a call. All calls made to this number shall be fully documented and the resultant action recorded. There shall be a named person responsible for the noise hotline and their contact details shall be forwarded to the Local Planning Authority at least 7 days prior to the commencement of the use.

Reason:-

Insufficient information has been supplied with the application to assess the noise levels from the amplified music. Submission of a scheme prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use, will prevent noise nuisance to adjoining/adjacent properties in accordance with the Development Control Policies Development Plan Document Policies DC55 and DC61.

10. Between the hours of 19.00 and 21.00 hours, music noise levels (LAeq, 15mins) shall not exceed 50dB when measured at 1metre from the façade of any noise sensitive premises.

Reason:

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

11. Before any works commence details of the layout of the equipment compound, including the position of fixed plant and mobile machinery and details of fencing, shall be submitted to and agreed in writing by, the Local Planning Authority. Thereafter the equipment compound shall be laid out in accordance with the agreed scheme.

Reason:-

Insufficient information has been supplied with the application to judge the layout of the equipment compound and its implications for the generation of noise which might be partly mitigated by preventing line of sight to flats in Nayland Court. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use protect the amenity of occupiers of nearby premises, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

12. The ice rink hereby permitted shall accommodate no more than 150 skaters per session.

Reason:-

To prevent obstruction of the surrounding street and to safeguard the amenity of the area in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

13. Before the use of the ice rink commences details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed in accordance with the agreed scheme.

Reason:-

Insufficient information has been supplied with the application to judge the impact of lighting and the potential for this to cause a nuisance to adjacent occupiers. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use protect the amenity of occupiers of nearby premises, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
2. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.

REPORT DETAIL

1.0 **Site Description**

- 1.1 The proposed location is at the north eastern end of the Market Place bounded on three sides by Aldi supermarket and flats above to the north west, Tollgate House to the north east and retail units and the entrance to Laurie Walk to the south east with the open Market Place to the south west.

2.0 **Description of Proposal:**

- 2.1 It is proposed to install a temporary ice rink at the north eastern end of the Market Place for the period from 18th November to 15th January 2017. The ice rink would be orientated across the Market Place measuring 30m by 12.5m. A 12m x 12m skate exchange would be located centrally to the north eastern side of the ice rink with a 12m x 9m plant compound positioned to the south east of the skate exchange furthest away from residential properties on the north side of the Market Place.
- 2.2 The ice rink and the skate exchange would be enclosed within a white marquee measuring 4.58m to its ridge. The sides of the ice rink marquee are removable whilst the rink is in operation to expose clear plexi-glass sides to give skaters and spectators views in and out.
- 2.3 Outside of operating hours the sides of the marquee would be replaced and the building secured.
- 2.4 The ice rink marquee would be floodlit internally and decoratively lit externally with festoon lighting. Operating hours are proposed until 9pm with the opening time varying between 12 noon Monday to Friday during term time and 10am at weekends and the school Christmas holiday period.
- 2.5 The ice rink would operate hourly sessions with a maximum of 150 skaters capacity at any time.

3. **Relevant History**

- 3.1 None relevant

4. **Consultations and Representations:**

- 4.1 Consultees and 294 neighbouring properties and premises have been notified of the application. The application has been advertised on site and in the local press. The time period for responses to the press and site notice does not expire until 28th October.
- 4.2 At the time of writing the period for receiving neighbour letters had not expired. To date three letters of objection and one letter of support have been received. Any further representations will be reported orally.
- 4.3 Objections raised relate to:
 - Further information is required to enable a judgement to be made over erection and dismantling of the facility; the impact of plant and equipment; dates and times; the layout of the plant area and the location, control and orientation of speakers for any music system
 - Access via Market Link is difficult at the best of times and would need to be controlled during the period the ice rink was in place when less parking would be available;
 - The use will attract gangs of youths and noisy teenagers;
 - Emergency access for residents and business needs to be

- maintained;
- The previous Ferris Wheel exposed residents of Nayland Court to excessive noise;
- Generators will produce noise 24/7 in order to maintain the ice;
- Potential light pollution;
- Ice rink should be located where no residents would be affected.

Objections are dealt with within the Staff Comments section of the report.

Consultee Responses

English Heritage – No comments to offer. The application should be determined in accordance with national and local policy guidance and on the basis of our specialist conservation advice.

LBH Environmental Health – No comments in relation to air quality or contaminated land but conditions suggested in relation to noise.

LBH Highways – No objections

5 Relevant Policies

5.1 Policies CP4 (Town Centres), CP7 (Recreation and Leisure), CP15 (Environmental Management) and CP18 (Heritage) DC20 (Access to Recreation and Leisure Including Open Space), DC32 (The Road Network), DC33 (Car Parking), DC55 (Noise), DC61 (Urban Design), DC62 (Access) and DC68 (Conservation Areas), of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents together with Policies ROM7 (Market Place), ROM8 (Day and Evening Economy) of the Romford Area Action Plan DPD are material planning considerations.

5.2 London Plan policies: 4.6 (Support for and enhancement of arts, culture, sport and entertainment), 7.4 (local character), 7.6 (architecture) and 7.15 (reducing noise and enhancing soundscapes) are considered to apply.

5.3 The National Planning Policy Framework and Romford Development Framework are further material considerations.

6. Staff Comments

6.1 This proposal is brought to Committee as a Council application on land which is Council owned where objections have been received. The issues arising are the impact on residential amenity, parking, access and heritage.

6.2 The proposal arises from the ongoing strategy to promote and enliven Romford Market, providing an enhanced offer to Havering residents and visitors, especially during the Christmas period.

6.3 The proposed location at the north eastern end of the Market Place is considered to be the most appropriate one for a temporary installation. The

main focus of the retail stalls in the Market Place is further down the Market Place and positioning the ice rink across the eastern end of Market Place maximizes the uninterrupted area available for stall holders. Temporary ice rinks have proved popular and a significant draw in other locations and as the rink would be covered its use is not weather dependent, further increasing its attractiveness. It is considered that the proposal would be in accordance with Policy ROM7 which promotes the area at the eastern end outside Tollgate House as an event space and focal point for Romford Town Centre.

- 6.4 As an active Market Place the presence of temporary structures is part of the character of the area. Whilst the proposed ice rink marquee would be in place for a longer duration and is on a larger scale than the stalls, which come and go on market and non-market days, it is not considered that the scale and design of the temporary structure would appear inappropriate or out of character. The intention is that the structure would reflect the festive season, both internally and externally to contribute further to the attractiveness of the Market Place as a destination. On this basis, and given its temporary nature it is not considered that the proposal in any way conflicts with the Conservation Area status of the Market Place.
- 6.5 The size and positioning of the ice rink and associated structures and development has been agreed with the Fire Brigade and ensures that sufficient access is maintained around it for safety and emergency services purposes.
- 6.6 The temporary reduction in the number of parking spaces available in the Market Place (20 spaces) raises no objections from Highways. The management issues relating to the reduced availability of parking spaces in the Market Place was a matter which was dealt with last year when a larger area at the eastern end of the Market Place was used as the site for a number of temporary wooden stalls which were in place for a longer period than the market operated for.
- 6.7 Concerns about noise and disturbance from the use itself, setting up and dismantling, music and equipment are acknowledged and appreciated given the proximity of the site to residential apartments on the north side of the Market Place. However, to some extent these premises are accustomed to the regular setting up and dismantling of the market stalls and the early arrival of market traders. Furthermore, the intention is that the use of the ice rink would not commence until at least 10am and would not continue beyond 9pm. The layout and positioning of the plant compound, which includes equipment and cooler units, has been designed with the proximity to the residential units in mind, locating it on the southern side of the skate exchange furthest away from residential properties and where the structure of the skate exchange itself should provide further protection. Nevertheless, whilst some information about noise output and control has been received it is insufficient to provide certainty. Accordingly, a number of conditions are suggested to ensure that the impact upon residential amenity is further minimised, including setting noise limits, noise monitoring, controls over the hours of operation, construction and deliveries. The fact that the ice rink will

be covered will assist with ensuring that noise disturbance is minimized, whilst enabling music to be played for the enjoyment of skaters.

- 6.8 Potential amenity issues arising from lighting would also be addressed by a condition.

7. **Conclusions**

- 7.1 Having regard to the above it is considered that the proposal satisfies the relevant policies identified in paragraphs 5.1 to 5.3. Staff are satisfied that the temporary facility can be operated without causing undue disturbance to residential amenity and that it will provide an attractive and popular adjunct to the operation of the Market. It is recommended that temporary planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None arising.

Legal implications and risks:

None arising

Human Resources implications and risks:

There are no human resources and risks directly related to this report.

Equalities implications and risks:

The ice rink is a single storey structure and will be accessible from pavement level for wheelchair spectators or visitors who are ambulant disabled. Penguin skating aids would be made available for those who may need assistance standing up on the ice.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.