

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 demonstrating 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.