



**REGULATORY  
SERVICES  
COMMITTEE**

**REPORT**

25 August 2011

<b>Subject Heading:</b>	<b>P1068.11 – 17 Briar Road, Harold Hill</b> <b>Change of use from A1 (retail) to A2 (financial and professional services) (Application received 14<sup>th</sup> July 2011)</b>
<b>Report Author and contact details:</b>	<b>Helen Oakerbee, 01708 432 800</b> <b>Helen.oakerbee@havering.gov.uk</b>
<b>Policy context:</b>	<b>Local development Framework</b>
<b>Financial summary:</b>	<b>None</b>

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

Clean, safe and green borough	<input checked="" type="checkbox"/>
Excellence in education and learning	<input type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input type="checkbox"/>
Value and enhance the life of every individual	<input type="checkbox"/>
High customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

**SUMMARY**

The application seeks full planning permission for a change of use from A1 (retail) to A2 (financial and professional services). The site is to be used by the Briar Residents Action Group (BRAG) which is a new initiative where local residents are encouraged to become more active within their community in order to create safer communities and improve local services. The project has the support from Baroness Helen Newlove as part of her 'Active and Safer Communities Programme' which in turn is part of the Home Office's wider strategy around

engaging local residents to bring change. These are all part of the Governments 'Big Society' initiative.

The application is brought to the committee because the site is within Council ownership.

## RECOMMENDATIONS

That planning permission be granted subject to the following conditions.

1. 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. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

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

### **INFORMATIVE**

1. Reason for Approval:- The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy DC16, DC33, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

## REPORT DETAIL

### 1. Site Description

- 1.1 The site forms part of a designated minor local centre that encompasses 9-21 (odds) Briar Road. These are arranged as a single three storey terraced block commercial at ground floor and flats above. The site is serviced to the rear, where there are marked out parking bays and space for refuse storage. To the front of the parade is a landscaped public square which leads onto residential blocks of flats.

### 2. Description of proposal

- 2.1 Planning permission is sought for a change of use from A1 (retail) to A2 (financial and professional services). No external changes are proposed, although the internal layout would be reconfigured to create two open plan rooms.

### 3. Relevant History

- 3.1 None

### 4. Consultations/Representations

- 4.1 Neighbour notification letters were sent to 45 properties. No representations were received at the time of writing the report. The consultation period is due to expire on the 18<sup>th</sup> August 2011; any representations received will be reported verbally at the committee.

### 5. Staff Comments

- 5.1 The main issues to be considered by Members in this case are the principle of development in relation to the change of use, amenity, highway and parking issues.
- 5.1 Policies CP3 (Employment), CP17 (Design) DC16 (Core and Fringe Frontages in District and Local Centres), DC33 (Car Parking), DC61 (Urban Design) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.4 Principle of development
- 5.4.1 The site forms part of a designated minor local centre. Policy DC16 (Core and Fringe Frontages in District and Local Centres) states that A2 uses will be granted at ground floor level where, an active frontage is provided, opening hours accord with shopping hours, and would not harm the local function and vitality of the centre. The application site is a ground floor unit

and is therefore acceptable in principle. The site would be used as a centre for giving advice, receiving complaints and holding meetings.

## 5.5 Design/Impact on Street scene

5.5.1 The site forms part of a commercial parade, with a mixture of commercial uses opening onto a large landscaped square. The unit lies centrally within the parade which is characterised by a range of shop fronts and signage. There would be no alteration to the shop front; changes to the signage would require separate advertisement consent. Vacant commercial units are undesirable and the continued use of the site even with a different commercial use would contribute to the vibrancy of the minor local parade which has a beneficial impact within the streetscene.

## 5.6 Impact on Amenity

5.6.1 It is considered that there would be no adverse impacts upon the amenity of neighbouring occupiers and properties. This is a commercial parade with a range of commercial activities. An A2 use is considered compatible within this setting and the potential activities within this use are not generally noise making. It is not proposed to alter the existing opening hours of between 9:00 and 17:00. There are no specific details of employees available at this time; however, given the modest size of the unit, it is unlikely that there would be high staff numbers.

## 5.7 Highway/Parking/Access

5.7.1 The site is serviced from the rear on Briar Road where there is shared parking and areas allocated for refuse storage. It is not considered that a change of use to A2 would result in any significant impact upon the highway or parking. The site is to be used as part of the Briar Residents action Group and would therefore have a defined local catchment. Servicing would remain to the rear which raises no objection.

## 6. Conclusion:

6.1 Staff do not consider that a change of use from A1 to A2 is unacceptable. There would be no alterations to the shop front, or opening hours. Whilst the site has no allocated off street parking, there are no objections in this instance as the unit is to serve the local community.

## IMPLICATIONS AND RISKS

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

This application is considered on its own merits and independently from the Council's interest as applicant and owner of the site.

**Legal implications and risks:** None

**Human Resources implications and risks:** None.

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

The Council's planning policies are implemented with regard to Equalities and Diversity. The change of use would allow the site to be used as part of the initiatives for the Briar Residents Action Group and Briar Baroness Newloves 'Active and Safer Communities Programme' which seeks to promote active and safe communities, improved local services which can then act as a model for other areas in the borough.

## BACKGROUND PAPERS

Application forms and plans received 14/07/2011

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.