



**REGULATORY
SERVICES
COMMITTEE**

REPORT

9 June 2011

Subject Heading:	P0379.11 – 1-7 Angel Way, Angel Way, Romford - Change of use of office space in the ground floor of the multi-storey car park in Angel Way to A1 and Auction Sales Room (received 20 April 2011)
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Policy context:	Local Development Framework The London Plan National Planning Policy Statements/ Guidance
Financial summary:	None

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

- Clean, safe and green borough
- Excellence in education and learning
- Opportunities for all through economic, social and cultural activity
- Value and enhance the life of every individual
- High customer satisfaction and a stable council tax

SUMMARY

The proposal relates to an application for a change of use from office space to a shop within A1 Use Class and a general auction sales room. The site is Council-

owned and lies within Romford Town Centre. Staff consider that the proposal would accord with retail and environmental policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and approval is therefore recommended.

RECOMMENDATIONS

That the Head of Building and Development Control be authorised, at the end of the consultation period and providing that there are no substantive new objections raised, to grant planning permission subject to the following conditions provided that if further material considerations are raised which have not been considered by the Regulatory Services Committee the matter be remitted to the Regulatory Services Committee for their determination:

1. SC04 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 Act 1990.

2. SC32 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.

4. NSC01 The premises shall be used only as an Auction Room in association with any A1 Use

Reason: To enable control over development and to ensure that existing and future residential amenity is not unduly affected in accordance with Policy DC61 of the LDF Core Strategy and Development Control Policies DPD.

5. SC27 The premises shall not be used for the purposes hereby permitted as an A1 retail use other than between 09:00 and 17:00 on Mondays to Saturdays for the A1 (shop) Use and not at all on Sundays or Bank/public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control in the interests of amenity

6. NSC02 The premises shall not be used for the purposes hereby permitted as an auction room other than as set out by condition 7 and between 11:00 and 16:00 on the once a week auction day on a weekday and not at all on Saturdays, Sundays or Bank/public holidays without the prior consent in writing of the Local Planning Authority.
7. NSC03 The premises shall not be used for the purposes hereby permitted as an auction room other than a set out by condition 6 between 18:00 and 22:00 on a weekday for a once a month evening auction and not at all on Saturdays, Sundays or Bank/public holidays without the prior consent in writing of the Local Planning Authority.

Reason: To protect residential amenity.

8. SC49 (refuse disposal)

INFORMATIVES

1. Reason for approval:

The proposal accords with Policies DC16, DC33, DC36 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document, Policy ROM11 of the Romford Area Action Plan DPD, Policies 4.7, 4.8 & 4.9 of the London Plan (draft) and PPS6: Town Centres.

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 £85.00 per submission pursuant to discharge of condition.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a vacant ground floor unit, previously in office use, which forms part of an existing multi-storey car park to the eastern side of Angel Way, Romford. The site is within Romford Strategic Town Centre.
- 1.2 The surrounding area is of 2- and 3-storey properties with a variety of shops and shop supporting uses to the ground floor with residential/ancillary storage/offices above. Trinity Methodist Church lies to the north of the site and the former Secrets Night Club lies opposite.

2. Description of Proposal

- 2.1 The proposal is for the change of use of the vacant office unit to a shop within A1 Use Class and a general auction sales room. The proposal is to use the unit in part as a shop and as a general auction saleroom selling all household goods, i.e, furniture, china, glass, new and old. Auctions would be open to the public who can bring any items they wish to sell and will be held weekly and to include one evening auction sale each month. Light refreshments would be served during the auctions. The same goods would be sold in the shop as during the auctions. It is proposed to ensure that there are window displays and that the proposed use would employ 2 to 5 people.
- 2.2 Some internal partitioning would be removed to allow sufficient space for auctions.
- 2.3 The proposed hours of use are 9am to 5pm on Mondays to Saturdays for the A1 Shop Use and on a "once a week" basis from 11am until 4pm for auctions on a weekday with a "once a month" evening auction from 6pm until 10pm on a weekday. It is understood that on auction days the A1 (retail) use of the unit would not operate as the hours conflict.
- 2.4 No additional parking is proposed as part of the scheme.
- 2.5 A Flood Risk Assessment has been submitted with the application.

3. History

- 3.1 P0733.10 – Change of use from office to Youth Centre with extension to provide replacement office space – granted 19-11-2010, but not implemented.

4. Consultation/Representations:

- 4.1 84 neighbouring and nearby properties were notified of the application. No replies have been received, however the public consultation period had not ended when this report was drafted and any further comments will be reported orally at the Committee meeting.
- 4.2 Thames Water have written to recommended the installation of a properly maintained fat trap if the application is for a catering establishment, and, as appropriate recycling of any fats, oils and grease. The have no objection to the application with regard to sewerage infrastructure.

5. Staff Comments

- 5.1 The issues in this case are the principle of the development, impact on the amenities of nearby residential occupiers and highways/parking. Policies DC16, DC33, DC36 and DC61 of the LDF Core Strategy and Development

Control Policies Development Plan Document, Policy ROM11 of the Romford Area Action Plan DPD, Policies 4.7, 4.8 & 4.9 of the London Plan (draft) and PPS6: Town Centres.

Principle of development

- 5.2 The proposal is for a change of use to A1 Use and Auction Room.
- 5.3 The application site is not within either the core or fringe shopping areas of Romford Town Centre. Policy DC16/ROM11 in their consideration of non-retail uses indicate that they should not be allowed within the core or fringe areas unless they do not adversely impact on the vitality and viability of the town centre's retail function.
- 5.4 The proposed development would be open during shopping hours (as well as one evening a month open during evening hours and Staff consider that the shop/auction room would complement the town centre's existing uses. Staff therefore consider that while the proposal would be for an A1 Use/auction room outside the core/fringe area, the proposal would increase and diversify the current A1 offering and therefore not result in harm to the vitality and viability of the town centre.
- 5.5 Staff therefore consider that the proposed change of use would be acceptable in principle.

Impact on Residential Amenity

- 5.6 There are residential properties above commercial units to High Street and an application has recently been submitted for the redevelopment of land on the opposite side of Angel Way (west) for a residential scheme at Secrets/open air car park. The proposal would introduce a use which would be open during normal opening hours except one evening a month when it would open from 6pm to 10pm. While it is a matter of judgement, occupiers of residential properties within a town centre would not expect the same level of amenity which would be expected in a quiet residential street. Notwithstanding this, a judgement has to be made as to whether later activity, even only on a once a month basis, would result in any significant harm to residential occupiers' amenities.
- 5.7 There are a number of uses within the Town Centre which open later than the proposed auction room, including pubs/restaurants to High Street, Market Place, South Street and the Brewery. In considering the approved scheme for a Youth Centre last year, Members may recall that the hours of use would have been until 10pm any day, such that this current proposal for opening until 10pm once a month is considered by Staff similarly not to result in significant harm to existing or possible future nearby residential occupiers, over and above the general activity levels which can be expected within a Town Centre location during those hours.

Highways

- 5.8 The proposal relates to an existing commercial unit/car park within the town centre. Annex 5 of the LDF Core Strategy and Development Control Policies DPD indicates that in the Town Centre parking for a change of use will only be necessary to provide additional spaces to meet the difference in requirement between the proposed use and existing use. As such the existing use as offices would have a requirement of 1/100 sqm, and the proposal's A1 use 1/75 sq.m. The unit is 309 sq.m, i.e., 3 needed previously and 4 now, the difference of 1 space.
- 5.9 Due to the unit being an integral part of the multi-storey car park it is not proposed to provide any additional or separate parking for the proposed A1 (shop) Use/Auction Room. It is considered that in these circumstances there is sufficient "on site" parking to cover the 1 additional space needed such that there are no highways objections.
- 5.10 Servicing of the unit can be made from Angel Way from the rear of the building.

Other

- 5.11 A Flood Risk Assessment was submitted with the application. The Standing Advice of the Environment Agency is that the proposed use is not vulnerable to flooding and therefore it is an acceptable use.

6. Conclusions

- 6.1 Staff consider that the proposal would be acceptable in principle and, providing the hours are restricted by condition, would not have any adverse impact on residential amenity, highways or streetscene. Staff therefore recommend that planning permission be granted.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 This application is considered on its merits independently of the Council's interest as owner of the site.

9. Human Resource Implications:

9.1 None

10. **Equalities and Social Inclusion Implications:**

10.1 The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

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.