



Application Reference:	P0967.19
Location:	4 Carlton Road (Khetia Newsagents), Romford
Ward:	Romford Town
Description:	Proposing the change of use on ground floor from A1 to A3 with flue pipe installation at rear, and first floor rear extension to enlarge the existing 1 bed flat to 2 bedrooms.
Case Officer:	Aidan Hughes
Reason for Report to Committee:	A Councillor call-in has been received which accords with the Committee Consideration Criteria.

1. BACKGROUND

1.1 This application was called in by Councillor Joshua Chapman citing the following reasons:

- The noise impact from the change of use will be significant affecting those residents above the proposed restaurant and all along the top floor of the row of buildings.
- The application site is within a residential area (with no other restaurant or take away present). The noise will also affect other residents in the surrounding area, including those in the 40-bed retirement complex at the back of the development.
- The lack of parking (and increased volume of cars arising from this proposal) will have an impact on the surrounding area, whose roads are already stretched.
- The impact from the ventilation system on the street scene and the neighbouring residents in the retirement complex.

- Lack of a suitable refuse solution for the proposal.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The proposing the change of use on ground floor from A1 to A3 with flue pipe installation at rear, and first floor rear extension to enlarge the existing 1 bed flat to 2 bedrooms is acceptable in principle. It is considered that the proposal would not adversely affect the street scene or neighbouring amenity. The Local Planning Authority considers that there are insufficient grounds to refuse this application on parking grounds and therefore, this application is recommended for approval.

3 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to:
- 3.2 That the Assistant Director of Planning is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

Conditions

1. SC04 – Time Limit of 3 years to implement.
2. SC10C – Materials as per application form.
3. SC27 – Hours of use
4. SC32 – Accordance with plans.
5. SC46 - Standard Flank Window Condition
6. SC58 – Refuse
7. NSC01 (Noise Emanation)
8. NSC02 (New Plant & Machinery)
9. NSC03 (Sound Insulation)
10. NSC04 (Ventilation System Noise)
11. NSC05 (Extract Ventilation – Odours)

Informatives

1. No negotiation required

4 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 Planning permission is sought for a change of use on ground floor from A1 to A3 with flue pipe installation at rear, and first floor rear extension to enlarge the existing 1 bed flat to 2 bedrooms.

Site and Surroundings

- 4.2 The application site is located on the southern side of Carlton Road at the junction with Junction Road. The premise is within the Carlton Road Minor Local Centre. It comprises a 2-storey mid-terrace property with a newsagent (A1) at ground floor and residential accommodation at first floor.

Planning History

- 4.3 The following planning decisions are relevant to the application:

2211/80 – New shopfront retail newsagent & tobacconist – Approved.

A/101/80 – Shop fascia Sign – Approved.

285/81 - New shopfront retail newsagent & tobacconist – Approved.

A/55/81 – Double sided illuminated box sign – Approved.

5 CONSULTATION RESPONSES

- 5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

- 5.2 The following were consulted regarding the application:

Highways: No objection to the proposal.

Environmental Health: The Public Protection team have no objections subject to the provision of conditions being adhered to.

Fire Brigade - The Fire Brigade is satisfied with the proposals and no additional fire hydrants are required.

StreetCare Department - Domestic waste and recycling sacks need to be presented on the boundary of the boundary of Carlton Road on the scheduled collection day. Domestic waste and trade waste would need to be stored separately.

6 Representations

- 6.1 Neighbour notification letters were sent to neighbouring occupiers. Fourteen letters of objection were received which included one petition with twenty six signatures. Seven letters of support were received and it is noted that a number of representations were not from residents within the borough.

The content of the representation have been summarised as follows:

- Smells, noise, parking, vermin and rubbish issues.
- Street already busy with cars and there is no space for additional parking.
- Air and noise pollution.
- Anti-social behaviour from the users of the off licence.
- Use of drugs in the area.

- Existing flats users leave a lot of rubbish already as there are no proper bins.
- The problem should not be exacerbated further than the current issues.
- The proposal would bring more customers to the parade of shops.
- Proposal would provide a service to residents of the area.
- No need for this use, no enough parking and close to a busy junction.
- Proposal is within a residential area.
- Opening hours are anti-social.
- Proposal would provide a more usable flat and provide employment.
- Unable to use neighbouring gardens due to smells that will occur.
- Works have commenced on site.
- Proposal will be out of character with the area.

The above comments will be assessed in the following sections of this report.

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

- The principle of the use of the building for non-A1 use within the Minor Local Centre
- Density/ Site Layout
- Physical Impacts of the proposal.
- The impact of the proposal on neighbouring amenity
- Highways and parking issues

Principle of Development

7.2 The application site is located within the Carlton Road Minor Local Centre. Policy DC16 of the LDF states that planning permission for retail uses (A1) and other uses appropriate to a shopping area (A2, A3, A4, A5) in the borough's Minor Local Centres will be granted at ground floor level. All shop fronts in retail core and fringe areas must be active and maintain the impression of a visual and functional continuity to aid in enhancing the vitality of the town centre. The applicant has attempted to market the premises as an on-going A1 use but without success.

7.3 The change of use from a newsagent (A1) to a restaurant (A3) use is deemed to be acceptable in principle in accordance with Policy DC16. The existing shopfront would be retained and opening hours are during the day such that it would be active and maintain the impression of visual and functional continuity.

Density/Site Layout

7.4 The extended flat would create a 2 bedroom flat. The floor area of the first floor flat as extended would be 68m² which would meet the DCLG Technical Housing Standard of 61m² required for a two bedroom 3 person unit. As a result, the size of the proposed bedrooms and the flat do meet the DCLG Technical Housing Standards.

- 7.5 The flat does not have any amenity space provision currently. However, when reviewing the merits of this application, consideration was given to the fact that the flat on the first floor of the building does not have any amenity space provision, which is not unusual given the constraints and location of the site and with unit being above a shop. Therefore, it is considered that there are insufficient grounds to refuse planning permission based upon the lack of amenity space provision for the flat.
- 7.6 It is considered that the flat would have a reasonable outlook and aspect.

Physical Impacts

- 7.7 It is considered that the extract ducting would not be materially harmful to the street scene, as it would be located on the rear facade of the building and would be enclosed by brick work to have the appearance of a chimney. The flue would be located below the main roof ridge of the building, which would help to mitigate its impact. In addition, the height and proportions of the extraction flue are relatively modest in size. The Public Protection Team of the London Borough of Havering does not object to the proposals, subject to planning conditions as set out.
- 7.8 No objections are raised to the proposed first floor storey rear extension from a visual point of view as it would only be visible from the rear garden and the proposal would relate acceptably to the existing property.

Impact on Amenity

- 7.9 Policy DC61 states that planning permission will only be granted where proposals would not result in unreasonable adverse effects on the environment by reason of noise impact, hours of operation, vibration and fumes between and within developments.
- 7.10 The application site comprises a two storey mid-terrace property with residential accommodation at ground and first floor. The remaining terraced properties comprise of commercial uses at ground floor and residential accommodation above. While it is a matter of judgement, occupiers of residential properties above or close to an established row of shops would not expect the same level of amenity which would be expected in a quiet residential-only street.
- 7.11 It is considered that the first floor extension to the flat would not unacceptably impact on the amenity of the adjacent neighbours, mindful of the separation distance between the extension and the neighbouring properties.
- 7.12 With regard to the impact upon neighbouring properties consideration must be given to potential implications in terms of operating hours, smells and noise and disturbance.

- 7.13 Although the extract duct would be visible in the rear garden environment, it is considered that it would not result in an adverse visual impact, as it would be attached to a first floor flat which is set well back from a narrow footpath at the rear. Consideration has been given to the siting of the extraction duct and its impact on the outlook of the first floor flat, which is deemed to be within acceptable limits given its limited depth, its position fixed to a wall and its limited protrusion from the window of the flat.
- 7.14 The application site is surrounded on either side by commercial properties with a variety of shops and residential dwellings and apartments. There are also living accommodations above some of these premises.
- 7.15 The proposed opening hours are between 1100-2300 Monday to Saturday and 1100-2230 on Sundays and Bank Holiday which are the same opening hours as Carlton Food and Wine at No.2 Carlton Road. The Local Planning Authority considers that the proposed opening hours would be acceptable and would not result in a significant loss of amenity to the neighbouring properties.

Parking and Highway Implications

- 7.16 The site does not have any off street car parking provision. There is resident permit parking and also, there are is on street car parking in bays nearby. The Highway Authority has no objection to the proposal. Taking all the above factors into account, it is considered that there are no highway or parking issues as a result of the proposal.

8 Conclusions

All other relevant policies and considerations have been taken into account. Planning permission should be approved subject to conditions for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.