



REGULATORY SERVICES COMMITTEE

13 September 2012

REPORT

Subject Heading:

P0487.12 – Bradley House, 194 Rush Green Road - Demolition of existing garages and porch and change of use to Meals on Wheels Catering Depot and erection of open-sided canopy and cold store to rear (received 26 April 2012; revised plan received 3 July 2012; additional information/photos received 19 July 2012; Further information and revised drawings received 22 August 2012)

Report Author and contact details:

Helen Oakerbee
Planning Control Manager (Applications)
helen.oakerbee@havering.gov.uk
01708 432800

Policy context:

Local Development Framework
The London Plan
National Planning Policy Framework

Financial summary:

None

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

Clean, safe and green borough	<input 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 checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

This report concerns an application for the change of use of Bradley House from Caretakers Mess Room to Meals on Wheels Catering Depot. The proposal involves the demolition of garages to the rear and an existing side porch and the erection of a canopy and cold store. Staff consider that the proposal would accord with residential, environmental and highways policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document and it is therefore recommended that planning permission be granted.

The application site is Council owned.

RECOMMENDATIONS

It is recommended planning permission is granted subject to the following conditions:

1. SC04 time limit: 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. NSC01 Before the building(s) hereby permitted is first occupied, the area set aside for car parking/turning area shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation/turning area is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

3. SC09 materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

4. SC11 landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

5. SC32 accordance with plans: 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.

6. Before any works commence a scheme for any 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 LA90 -10dB and shall be maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

7. Before any works commence 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 site. Such scheme as may be approved shall be implemented prior to first occupation and thereafter retained in accordance with such details.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994.

8. SC58 refuse storage: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been

agreed in writing by the local planning authority. Unless otherwise agreed in writing these details shall include provision for underground containment of recyclable waste.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and the locality generally.

9. SC59 cycle storage: Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter.

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

10. SC13 boundary treatment: Before any of the buildings hereby permitted is first occupied, screen fencing as shown on the approved plans shall be erected to the rear garden boundaries and shall be permanently retained and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the visual amenities of the development and to prevent undue overlooking of adjoining properties.

11. NSC01 Delivery vehicle size: Deliveries in connection with the hereby approved Meals on Wheels Service shall be carried out by vehicles capable of a maximum gross weight of 7.5 tonnes or less.

Reason: In the interests of highway safety

12. NSC02 Delivery arrangements: Deliveries to the site shall take place only in accordance with the submitted delivery arrangements as indicated on Drawing No. BH3 Rev A.

Reason: In the interests of highway safety

INFORMATIVES

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC26, DC33 and 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 application site comprises a single-storey building with garaged parking to the rear for 8 vehicles along the Eastern boundary which forms Bradley House, a Caretakers Mess Depot at No.194 Rush Green Road (the A124). The existing site's vehicular access is to western side of the building onto Rush Green Road. The site area is 517 Sq.m.
- 1.2 The area is mixed in character with one and 2-storey residential properties to the rear in Birkbeck Road and opposite on Rush Green Road, with two and three storey residential to this same side of Rush Green Road. Beyond the 6 flats to the east is a commercial area at the crossroads with Dagenham Road with commercial uses to the ground floor, many with residential above. To the north-west of the application site to Birkbeck Road is a commercial yard. Further along Rush Green Road to the west is a car sales facility.

2. Description of Proposal

- 2.1 The proposal is for the demolition of the garages and the change of use of the building to a Meals on Wheels Catering Depot which includes the erection of a canopy and cold store under it to the rear. The canopy would be located directly to the rear of the building aligned with its eastern elevation and have a maximum height of 2.4m, depth of 7.5m and width of 5m. It is proposed to provide a Cold Store under the canopy close to the rear access ramp. The Cold Store would be 3.5m deep by 2.3m wide and 2.3m high located a maximum of 3.7m from the existing rear elevation of the building. To replace the removed garages, a 1.8m high fence would be located on the shared rear/side boundaries.
- 2.2 The Meals on Wheels service provides approximately 400 meals a day every day of the year to residents in Havering and Barking & Dagenham. Meals are received frozen and stored in a walk-in freezer. Each day the meals are loaded directly into ovens inside vehicles which heat up the frozen meals. The building's 2/3 workers would use the building itself to co-ordinate the routes each day to maximise the number of meals on each route. Cold tea-time snacks would also be prepared in the building, as required by clients.
- 2.3 The retained and new area of hardstanding to the rear would be used for parking of cars/vans and the loading of the oven vans associated with the proposed use. While the oven vans are out undertaking the Meals on

Wheels service to customers, the delivery van bringing in the frozen meals will arrive and unload using the hardstanding area as a turning facility.

- 2.4 It is proposed that the maximum size of delivery vehicle to be used would be a 7.5-tonne box van and that the routing would be that vehicles would approach from the east, turning right into the site from Rush Green Road, loading and then exiting turning right (westwards) to ensure that vehicles do not mount the kerb and do not result in an obstruction close to the traffic-light junction. The delivery vehicles will only be on site while the oven vans are out on their rounds and they will be able to enter and exit the highway in forward gear.

3. **History**

- 3.1 None relevant.

4. **Consultation/Representations**

- 4.1 19 neighbouring occupiers were notified of the proposal. There were 6 responses objecting on the following grounds:

- the use would be located in a residential area and is not suitable
- the proposed hours/days of use are unacceptable as this would be every day of the week/year
- unacceptable levels of noise particularly from the outdoor freezer unit
- increase in traffic resulting in noise and pollution
- adverse impact on traffic flow due to high number of vehicles entering and exiting the application site
- hours of use of Sundays and Bank holidays at 8am would be earlier than other days which would result in unacceptable noise and disturbance to residential occupiers
- the canopy would be taller and wider than the existing garage block and would introduce an industrial element to an area of domestic architecture which would stand out like a sore thumb
- possible restriction to existing vehicular access arrangement
- the Council should make the existing garages available to local residents as there is an existing shortfall in off street parking
- devaluation of existing properties

- 4.2 The Rush Green Regeneration Group has written objecting to the scheme and reiterating most of the comments above.

- 4.3 The London Fire and Emergency Planning Authority have written to indicate that they are satisfied with the proposals.

- 4.4 The Metropolitan Police Crime Prevention Design Advisor has written to indicate that the proposal raises no issues and that no planning conditions are necessary.

5. **Staff Comments:**

- 5.1 The issues in this case are the principle of development, its impact in the streetscene, on residential amenity and parking/highways. As such, Policies DC26, DC33 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan are relevant. Also relevant are London Plan Policies 3.1, 3.16, 3.17, 6.11, 6.13, 7.4 and 7.6 and the NPPF.

Principle of development

- 5.2 The proposal is for the change of use of an existing Council depot from caretaker's Mess room to a Meals on Wheels catering facility. Policy DC26 indicates that planning permission will be granted for new community facilities subject to meeting specific criteria particularly in respect of accessibility, impact on residential amenity and parking being adequate. The Policy indicates that community facilities essential to meet the specific needs of the community will be allowed on sites considered suitable for housing or involving the loss of housing.
- 5.3 It is therefore considered that the proposed change of use to enable an existing Council service to be re-provided in an existing Council building would be acceptable in principle, subject to impact being within acceptable limits.

Design/Impact on Streetscene/rear garden environment

- 5.4 There would be no change to the external appearance of the building from the street such that there would be no impact on visual amenity in the streetscene.
- 5.5 The garages to the rear would be demolished and replaced by an open-sided canopy under which would be located a cold store, and 1.8m high boundary treatment. The canopy would have a maximum height of 2.4m but would fall toward the boundary to a maximum height of 1.8m. The canopy would be 7.5m deep, which would be deeper than a solid residential extension would normally be acceptable (i.e., more than 4m). The cold store would be below the canopy and extend no further from the rear elevation of the existing building than 3.7m. Since the heights would both be significantly lower (i.e., below 3m) and the depth of the cold store at 3.7m from the rear wall would be less deep (at 4m) than would normally be allowed for an extension beyond the rear of a detached residential property and it would be mainly open-sided and would replace the existing garages, Staff consider that the proposed design and scale of the canopy structure (including the cold store) would not have any significant adverse physical impact on the shared amenity space of the occupiers of the three-storey flatted block to the east of the application site.
- 5.6 The proposed canopy would be located more than 9.5m from the shared boundary with the maisonettes at 196/198 Rush Green Road and

approximately 15m from the shared boundary with the properties to the north in Birkbeck Road. Given these distances and the restricted single-storey height of the canopy, Staff do not consider that there would be any physical adverse impact in the rear garden environment from the proposed canopy/cold store.

Impact on Residential Amenity

- 5.7 The nearest residential properties are those to each side and those to the rear of the existing Council Depot.
- 5.8 Given that the canopy and cold store would replace existing garages and be of a significantly reduced depth and would, with the exception of the 1.5m depth of the cold store itself, be mainly open, Staff consider that there would be no adverse impact on residential amenity from the proposed works to the rear of the building. Suitable conditions can be attached to any grant of planning permission in relation to noise from plant and machinery, including the proposed cold store, which would ensure that noise levels are at an acceptable level in respect of residential amenity.
- 5.9 The Council Depot is in use as a Caretakers' Mess and could currently accommodate 8 vehicles which can enter and exit the site at any time of the day or night. While the garages would be removed and be replaced by a 1.8m fence, Staff consider that the proposal, which would involve the use of 5 vans and 1 car, would not result in any significant increase in traffic or noise associated with the vehicles manoeuvring within the site boundaries.
- 5.10 It is proposed that the Meals on Wheels service would operate between 8.30am and 4.30pm each day with the exception of Saturdays/Sundays and bank holidays when it would operate from 8am until 3pm. It is proposed that vehicle movements would commence around 9am and cease at around 3pm. Staff consider that given that Rush Green Road is a trunk road and that the site is located in close proximity to the junction with Dagenham Road where there is a busy commercial centre, that the proposed hours would not result in any significant adverse impact on residential amenity relating to the proposed use of the existing Council Depot building and rear parking/loading area.
- 5.11 The proposed canopy/store would be single-storey and the existing garages would be replaced on the boundary by a close-boarded fence of 1.8m in height. Staff consider that as such there would not be any overlooking or privacy issues raised as a result.

Highway/Parking

- 5.12 There is no specific parking requirement for this particular use. It is proposed that there would be the same number of part-time staff as currently with 3 people working at the site. It is assumed that the 5 vans would have drivers and that they would need to be parked on site when not in use. With the removal of the 8 garages, it is considered that there would

be sufficient space on site to accommodate the proposed oven vans and car indicated within the site boundaries such that there would be no overspill onto the public highway where there are single line restrictions. The delivery vehicle would arrive after the oven vans have left and would therefore be able to enter and exit the site in forward gear as there would be a suitable turning area on site.

- 5.13 Suitable refuse and recycled materials storage and cycle store conditions can be attached to any grant of planning permission. There are no highways objections to this scheme.

Other issues – secured by design

- 5.14 The Crime Prevention Design Advisor has no specific objections.

Landscaping

- 5.15 No details of landscaping have been submitted with the application, nonetheless it is considered that the removal of 8 garages from the application site would enable a level of landscaping to be provided to soften the development, particularly when viewed from adjoining residential properties. A suitable condition will be attached to any grant of planning permission requesting details to be submitted.

6. **Conclusions**

- 6.1 Staff consider that the proposal would be acceptable in principle and, would not have an adverse impact on residential amenity, that it would be acceptable on other grounds and would be in accordance with policies contained in the LDF.

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.