



REGULATORY SERVICES COMMITTEE

REPORT

3 October 2013

Subject Heading:

P0314.13 Use of site as temporary car park with car wash facility (Application received 28 August 2013)

Report Author and contact details:

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Policy context:

Local Development Framework

Financial summary:

None

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

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Value and enhance the life of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

SUMMARY

This report concerns an application for the temporary use of a site for a car park with car wash facility. A section of the site was originally developed as a car park in conjunction with commercial units; however these units have now been demolished leaving the land vacant. The site received consent in 2009 for a mixed-use redevelopment but currently there are no plans to bring forward such a redevelopment and therefore the proposal looks for a temporary consent to bring the site back into use. Staff consider that the proposal would accord with the long term policy aspirations

for the site by the temporary nature of the application and also comply with car parking, environment and highways/parking policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents and approval is therefore recommended, subject to conditions and the signing of a legal agreement.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant signing a Section 106 agreement, to secure the following:

- The car park is managed as consistently as is reasonably practicable with other public car parks in the town centre and does not undercut tariffs for other town centre public car parks;
- Linked trips to the Development and to existing shops and other facilities within Romford Town Centre are facilitated and not discouraged
- Long stay commuter car parking is discouraged; and
- The car park is available for use by members of the public during such hours as may be agreed between the Developer and the Council

That the Staff be authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the following conditions:

1. This permission shall be for a limited period only expiring 18 months from the date of consent being issued and on or before which date the use hereby permitted shall be discontinued and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: The preferred use of the site is for mixed-use residential, retail, leisure and commercial development and this change of use is only acceptable in the short term in accordance with Policy CP1 of the Core Strategy and Development Control Development Plan Document and site allocation policy ROMSSA1 of the Romford Area Action Plan Development Plan Document.

2. Within two months of the date of this permission a scheme to dispose of foul and surface water drainage shall be submitted to an approved in writing by, the local planning authority. The scheme shall thereafter be implemented within two months of approval of the submitted details and retained thereafter.

Reason: To protect the quality of the water environment.

3. No goods or materials shall be stored on the site in the open without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of visual amenity, and that the development accords with Core Strategy and Development Control Submission Development Plan Document Policy DC61.

4. Within two months of the date of this permission a scheme for any 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. The scheme shall be implemented within two months of approval and 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 and Noise 1994.

5. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans.

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.

6. Vehicles shall not be washed or otherwise cleaned on the site outside the following hours: 0800 to 2000 Mondays to Saturdays and 1000 to 1600 on Sundays.

Reason: To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61

7. No operations or activities in connection with the car wash use shall take place other than within the areas identified on the approved plan and on no other part of the site without the prior consent in writing of the Local Planning Authority.

Reason: To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

INFORMATIVE:

1. The Highway Authority requires the Planning Authority to advise the applicant that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. The Highway Authority requests that these comments are passed to the applicant. Any proposals which involve

building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

2. wash liquid waste is classed as trade effluent. It must not be discharged to a surface water sewer or watercourse untreated. Before it is discharged to a sewer you must always get a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company or authority. If you are not able to discharge effluent to the foul sewer it will be classed as waste and you must then comply with your duty of care responsibilities.
3. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
4. Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: 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.
5. The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. **Site Description**

- 1.1 The application site is an irregularly shaped site (0.95 hectares in size), located towards the northwest of Romford Town Centre. The site is bounded to the west by St Edwards Way (part of the Romford ring road), to the east by Angel Way and North Street beyond, to the south by Angel Way, the multi-storey car park beyond.
- 1.2 The site was formerly occupied by a post sorting office and was redeveloped in the 1990's. The south side of the site is currently vacant and to the north of the site the surface level car park remains. Running through the site towards the western end is the River Rom which is culverted with bridges over for pedestrians and vehicles.

- 1.3 Vehicular access to and from the site in its current form is achieved from Angel Way, accessed from the North Street roundabout.
- 1.4 The surrounding area is mixed in character but reflects its town centre location with commercial uses in North Street and High Street, although there are also residential properties to the east of the site over St. Edwards Way.
- 1.5 The site is designated in the LDF Proposals Map as within Romford Central PTAL Area. The site is within the boundary of Romford Area Action Plan and covered by Site Specific Allocation Policy ROMSSA1.

2. **Description of proposal**

- 2.1 The application seeks to reopen and extend an existing surface level car park to provide a 200 space car park, 10 of which are to be disabled parking bays with a car wash facility, all of which is to be subject to a temporary consent.
- 2.2 The applicant has not advised of the opening hours and therefore Staff have consulted Environmental Health on this matter. No fixed plant equipment is proposed although the applicant has indicated that the washing of vehicles would involve the use of jet washer equipment.
- 2.3 The way in which the car wash operates is as follows, vehicles arrive at the site and are washed by hand and jet washer and then internal cleaning involves the use of a vacuum cleaner. The plans indicate ten cars can be accommodated in the washing area at any one time.
- 2.4 The proposal does not include any details of canopies or cabin buildings for storage or staff/customer facilities and therefore if the applicant wishes to erect such structures this would form part of a separate application.
- 2.5 Staffing wise the applicant has advised that two full time staff are to be employed on the site.

3. **History**

- 3.1 P1047.94 – Retail development for 2 units totalling 2,369m² with associated car parking, highways improvements and public amenity area – outline – Approved.
- 3.2 P0726.97 – Details of outline planning application P1047.94 – Approved.
- 3.3 P1192.07 – Unit 2, Angel Way Retail Park – Use of mezzanine floor as function suite – Refused.
- 3.4 P2144.07 – Unit 2, Angel Way Retail Park – Temporary use of mezzanine floor as function suite – Approved subject to conditions
- 3.5 P2246.07 – mixed-use development of 350 residential units, a 63-bedroom hotel, ground-floor mixed retail, basement car parking and a new public square.

Refused June 2009 and approved on Appeal December 2009. Appeal Ref: APP/B5480/A/09/2108065

4. **Consultations**

- 4.1 76 Neighbour notification letters have been sent to adjoining occupiers with no letters of representation being received.
- 4.2 The Environment Agency have been consulted but no comments have yet to be received and response will be reported verbally at committee.
- 4.3 The Council's Environmental Health service have been consulted but no comments have yet to be received and response will be reported verbally at committee
- 4.4 The Council's Streetcare team raised no objections to the proposal but asked that an informative be attached to the approval to notify the applicant that no changes to the highway have been approved and any changes would require consent from the Highway Authority.

5. **Staff Comments**

- 5.1 The issues in this case are the principle of development, including the impact on the road network, the streetscene, residential amenity, noise and water supply and drainage. Policies CP15 (Environmental Management), DC32 (the road network), DC33 (car parking), DC48 (flood risk), DC51 (water supply, drainage and quality), DC55 (noise) and DC61 (urban design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations. Policies ROM14 (Housing Supply) and ROM20 (urban design) of the Romford Area Action Plan Development Plan Document are also relevant as is the NPPF.
- 5.2 Whilst part of the site is an existing surface car park Staff need to consider the long term development potential of the site, given that an application for a comprehensive mixed-use redevelopment of the site has been granted consent. Additionally the proposal for a car wash on site needs to be addressed to ensure no adverse environmental impacts arise through this development, especially considering the proximity to the River Rom.
- 5.3 *Principle of development*
 - 5.3.1 The application site is situated within the boundary of the Romford Area Action Plan and designated under Policy ROM14 as a site for future housing supply. Policy ROM14 advises that the intensification of the site will be encouraged through mixed use development. The site benefits from having a consent for a mixed-use redevelopment however this development is not currently being brought forward for construction. Therefore the applicant is applying for a temporary consent to reopen the existing car park and extend on to the vacant section of the site and also introduce a car wash facility on site.

5.3.2 Given that a section of the site is already a demarcated car park and the remaining section is cleared and vacant a temporary consent would not prejudice the long term redevelopment of the site and as such this use is deemed acceptable in principle. The introduction of a car wash on the site would bring a new use to the site. However Staff are of the view that it is appropriate development within the existing car park site given its location and are also satisfied it would not prevent the site being redeveloped in the future. On this basis staff raise no objection to the proposed use in principle subject to it having an acceptable environmental impact.

5.4 *Design/Impact on Street/Garden Scene*

5.4.1 Staff do not consider that reopening and extending the car park for use will have any new impact on the streetscene, given that the site has previously been in use as a car park for a number of years. Whilst the development will intensify the car park use on the site the new areas to be opened up for car parking do not face on to St. Edwards Way, just a section of Angel Way, therefore having no significant change in the outlook of the site.

5.4.2 It is proposed that the car wash will be located to the north of the site adjacent to the roundabout interchange of St. Edwards Way and North Street, which is on the existing car park section and already benefits from boundary treatment which will help screen the site.

5.4.3 As the site of the car washing has previously been used for car parking Staff are of the view that visually the presence of cars for their washing would not be intrusive in the urban setting of the site. The application does not include any buildings/cabins or fixed plant equipment and therefore will not alter the impact on the streetscene or have a harmful impact on the character of the area.

5.5 *Impact on amenity*

5.5.1 The application site is situated on the periphery of Romford town centre, just outside of the ring road. The character of the area is drawn from a of variety land uses with predominantly commercial and the nearest residential properties at street level (Linden Street) can be found to the west of the site separated by St. Edwards Way at a distance of at least 30 metres . Additionally there are new residential units within the upper floors of The Rubicon, a new mixed-use development adjacent to the site on the opposite side of Angel Way. However in both instances Staff are of the view that this distance of separation is sufficient to ensure that the car park and car wash use is not harmful to amenity.

5.6 Highways

5.6.1 Access to the car park and car wash is taken from the existing access point from Angel Way. There will be space for 10 cars to be in the washing/valet process and beyond that cars would be able to queue within the site without causing congestion to the public highway. Therefore Staff consider the proposal to be acceptable in respect of highways impact.

6. Other issues

- 6.1 The proposed use of the application site for the washing of cars has the potential for waste water and detergent to enter the watercourse. Staff have consulted the Environment Agency and await comments on how they advise the application be conditioned. However given the site has in part previously been used for car parking and the principle of use and impact are considered to be acceptable.
- 6.2 The proposal also has the potential to cause noise nuisance due to the use cleaning equipment and the hours of operation. Staff have consulted Environmental Health and await comments on how they advise the application be conditioned. However given the site has in part previously been used for car parking and the principle of use and impact on amenity are considered to be acceptable.
- 6.3 To ensure that Romford town centre remains an attractive and viable shopping and entertainment destination, car park operators within the town centre, including the Council and the operators of the Liberty and Mall shopping centres and The Brewery complex have agreed to fix car parking charges. This is supported in the NPPF which looks to Local Authorities to 'set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth.' For consistency in approach, the applicant has agreed to enter into a legal agreement to ensure that the charging within the car park proposed is commensurate with charges levied by others.

7. Key issues/Conclusions

- 7.1 The use of the site for car parking that is not ancillary to a commercial store with the addition of car wash facilities is considered to be acceptable in principle in this location. Staff are of the view that the temporary use of the site would not prejudice the long term redevelopment of the site. It is also considered to have an acceptable impact on the character of the area and would not result in an adverse impact on the environment subject to conditions. It is not considered that the proposal would result in any adverse highways implications. Having regard to the location of the application site and the separation distance from the nearest residential properties staff are of the view that the proposal would not be materially harmful to amenity.

IMPLICATIONS AND RISKS

Financial implications and risks:

None directly arising from this application.

Legal implications and risks:

Legal resources will be required for the completion of a legal agreement

Human Resources implications and risks:

None

Equalities implications and risks:

None directly arising from this application.

BACKGROUND PAPERS

1. Planning Application and drawings under reference P0314.13.