

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P0871.22

WARD : Upminster

Date Received: 26th May 2022

ADDRESS: UNIT B2
HUNTS HILL FARM
AVELEY ROAD UPMINSTER

PROPOSAL: Change of use from Use class B1 to Use Class B2 for use as a MOT garage.

DRAWING NO(S): Site Location Plan received 02/09/22,
2120-01,
2120-02,
Email from Agent received 02/09/22 confirming management details of the proposed use.

RECOMMENDATION : It is recommended that **planning permission be GRANTED** subject to the condition(s) given at the end of the report

SITE DESCRIPTION

The application site is comprised of a ground floor unit (Use Class B1) which has an internal floor area of approx. 71sqm.

The site is designated as being within the Metropolitan Green Belt and the Thames Chase Community Forest. The nearest residential properties are located approx 150m to the north of the site. To the south of the site is Belhus Wood Park and to the south west is White Post Wood. Open recreational land is found to the east and west of the site. The character of the area is one of an open rural setting with undulating topography, lakes and mature trees.

DESCRIPTION OF PROPOSAL

The proposals seek retrospective planning permission for the change of use of Unit B2 from Use Class B1 to Use Class B2 for use as a MOT garage.

RELEVANT HISTORY

- P0011.19 - Redevelopment of existing buildings creating a single dwelling
Refuse 05-04-2019
- P1456.18 - Change of Use of part of the site - Sui Generis car sales
Refuse 12-02-2019
- P1155.18 - Replacement of existing buildings creating a single dwelling and smallholding.
Refuse 25-10-2018
- P0885.14 - Construction of three dwellings and alterations and extensions to existing dwelling.
Change of use from garden centre to residential use.
Refuse 29-08-2014
- P0121.10 - Change of use of part of retail garden centre to cafe including porch development,
outside seating area and extraction flue.
Apprv with cons 10-09-2010

- P1513.09 - Change of Use of part of retail garden centre to cafe including porch development and outside seating area
Withdrawn 23-12-2009
- P0928.04 - Replacement light industrial building, additional information received 13th July 2004.
Apprv with cons 13-07-2004
- P0050.03 - Retention of use of redundant farm buildings for light industrial B1 uses and storage
Apprv with cons 04-07-2003
- P0976.99 - Variation of planning permission P0279.95 re: Restoration and Landscaping
Apprv with cons 24-03-2000
- P0279.95 - Permission to vary conditions 2, 23 to 33, 37, & 38 of application No. P1860.85 - by creation of water areas, meadows, woodlands & footpath for general amenity use including fishing for inclusion within Belhus Woods Country Park.
Apprv with cons 04-08-1995
- P0439.82A - Aftercare scheme submitted pursuant of condition 29 of permission L/HAV/439/82 (GLC ref. (TD/DP/DC/15/34939) Extraction of sand and gravel from 10.9 hectares of land bounded by Whitehall and Runni ng Waters Woods and Hunts Hill Farm, Aveley Road, Upminster and infilling and restoration to agriculture.
Non standard dec 30-08-1990

CONSULTATIONS/REPRESENTATIONS

No letters were received in response to the public consultation.

LB Havering Waste & Recycling: No objection.

LB Havering Public Protection: No objection.

LB Havering Planning Enforcement: No objection subject to normal conditions regarding number of vehicles, hours / days and possibly a personal permission would be applicable.

RELEVANT POLICIES

Havering Local Plan 2016 - 2031
Policy 7 Residential design and amenity
Policy 19 Business growth
Policy 23 Transport Connections
Policy 24 Parking provision and design
Policy 26 Urban design
Policy 33 Air quality
Policy 34 Managing pollution
Policy 35 Waste management

The London Plan 2021
Policy D12 Fire safety
Policy D13 Agent of Change
Policy D14 Noise
Policy E4 Land for industry, logistics and services to support London's economic function

Policy G2 London's Green Belt
Policy SI 1 Improving air quality
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T6 Car parking
Policy T6.5 Non-residential disabled persons parking
Policy T7 Deliveries, servicing and construction

National Planning Policy Framework (2021)
2. Achieving sustainable development
6. Building a strong, competitive economy
9. Promoting sustainable transport
13. Protecting Green Belt land

MAYORAL CIL IMPLICATIONS

The application is not CIL liable.

STAFF COMMENTS

The main considerations relate to the principle of the development within the Green Belt, the impact on the character and appearance of the surrounding area and Metropolitan Green Belt, the impact on the residential amenity of the surrounding occupants of nearby houses, and the suitability of the proposed parking and access and servicing arrangements.

PRINCIPLE OF DEVELOPMENT

The existing B1 use has been permitted by planning permission ref. P0050.03 and Condition 6 of this permission and also a later planning permission ref. P0928.04 restricted the use of the building to Use Class B1. The current proposals seek the change the use of this unit to Use Class B2 for use as a MOT garage.

Local Plan policy 19 supports the sustainable growth and expansion of business and enterprise in rural areas. London Plan policy E4 seeks to ensure a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions.

Therefore the current proposals would not be contrary to Local Plan policy 19 and London Plan policy E4 (A)(1).

The existing Unit would remain within a B class use and no external alterations or extensions are proposed. The Applicant has confirmed that only 1 vehicle would be tested at any one time and would be booked in one hour slots to prevent parking congestion within the site. Given the limited nature of the proposals it is not considered that it would be an inappropriate use within the Green Belt and would preserve its openness and would not conflict with the purposes of including land within it. Therefore the current proposals would not be contrary to paragraph 150 of the NPPF.

Having regard to all of the above the proposals would be acceptable in lane use terms and would not be contrary to Local Plan policy 19, London Plan policy E4 or part 13 of the NPPF.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The proposals do not proposed any external alterations or extensions. As such the proposals would not be contrary to Local Plan policy 26.

IMPACT ON AMENITY

The application site is not immediately adjoined to any residential properties, however there are

residential properties located approx 150m to the north of the site. It is considered that if the development is considered acceptable in all other respects then a condition would be imposed to limit the use of plant machinery or activities which are audible at the site boundary between certain times to limit the potential impacts on residential amenity and also on the operation of other units within the wider Hunts Hill farm site.

As such subject to conditions the proposals would not be contrary to Local Plan policies 7 and 34 or London Plan policy D14.

HIGHWAY/PARKING

The application has a PTAL of 0 (worst) and vehicular access to the site is from Aveley Road to the west. There are a number of businesses on the wider site and there are concerns for potential impacts on parking and traffic levels within the site and on the adjoining highway.

However since submission of the application the applicant has provided further details on how the MOT garage would function in terms of cars coming and going from the site. It has been confirmed that only 1 vehicle is tested at any one time with 1 hour slots that would be booked in advance. This would reduce the number of cars on the site at any one time and vehicles could be accommodated within the test centre and on the front forecourt which can accommodate car parking.

Given the small size of the garage operation and limited public transport services in the area, it is considered that there is sufficient car parking for staff and trainees within the wider site. There is also adequate space for servicing the unit. Although, the Applicant has not confirmed if they would provide an optional collection and delivery service to customers. However, given the limited supporting information provided, a condition would ensure customer drop offs are limited to using only the front forecourt. This would reduce parking stress within the wider site which is required for other units within the Hunts Hill farm site.

As such, it is considered that the proposals is acceptable in terms of transport and highways impacts subject to conditions to ensure highway safety and prevent parking stress or traffic generation within Hunts Hill Farm or on the surrounding highway network.

Refuse and Recycling:

The applicant has regular trade waste collections in place and there is sufficient space within the site to accommodate waste storage in compliance with Local Plan policy 35.

Cycle Parking:

The proposed use would fall below the threshold set out by London Plan policy T5 for the proposed use. However, it is considered that there is sufficient space within the site for cycle storage should staff or customers require seek to cycle to or from the site.

Having regard to all of the above, the proposed change of use would comply with Local Plan policies 23, 24 and 35 and London Plan policies T4, T5 and T6.

KEY ISSUES/CONCLUSIONS

Upon full assessment of the submitted material supporting the application, taking into account all material considerations, it is considered that the objectives of the development plan have been met.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to the following conditions:

1. SC4 (Time limit) 3yrs

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. SC32 (Accordance with plans)

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

3. SC06 (Parking provision)

Vehicles awaiting repair, MOT testing or collection shall not be parked other than within the curtilage of the premises and/or limited to two parking spaces to its front forecourt and shall not be parked within the wider Hunts Hill farm site, in access roads or on any nearby public highways.

Reason:-

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

4. SC41 (Noise levels and hours) ENTER DETAILS

No plant, machinery or activities which are audible at the site boundary shall be operated or carried out within the site other than between the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 16:00 Saturdays, and they shall not be carried on or operated on Sundays or Bank or Public Holidays.

Reason:-

To prevent noise nuisance to surrounding properties.

5. SC39 (Activities within buildings) ENTER DETAILS

Repairs or works to motor vehicles shall not be carried out other than within the building and shall not be carried out on the front forecourt or on land adjoining the building.

Reason:-

To safe guard the amenities of the area and impact on the character and appearance of the Green Belt (Local Plan policy 34, London Plan policy G2 and the NPPF (13)).

6. SC45B (Restriction of use) ENTER DETAILS

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, the premises shall only be used for the purposes

specified in the application 'vehicle repair garage' and 'MoT' garage Use Class B2 and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason:-

This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 are not acceptable to the Local Planning Authority in this location because of impacts on the amenity or the area and impact on the character and appearance of the Green Belt.

INFORMATIVES

1 **Approval - No negotiation required**

Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework.

Authorising Officer: Habib Neshat
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22-09-2022
