

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1943.22

WARD: Beam Park

Date Received: 28th November 2022

ADDRESS: 23 New Road
Rainham

PROPOSAL: Erection of sales building, canopy, pumps, islands, reorganisation of car parking, provision of electric vehicle charging with associated substation and plant, 2 no. jet wash bays, air/water facilities and associated works, involving demolition of existing sales building and forecourt including canopy and pumps

REVISED PLANS RECEIVED 09-09-2024

DRAWING NO(S): 13949-P02 Rev A
13949-P05 Rev A
13949-P06 Rev A
13949-P09 Rev A
13949-P10 Rev A
13949-P11 Rev A
13949-P12 Rev A
13949-P13 Rev A
13949-P01-1 A
13949-P03 Rev F
13949-P03-1 Rev E
13949-P03-2 Rev E
13949-P04 Rev E
13949-P07 Rev D
13949-P08 Rev D

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 retail unit within a large petrol filling station on the Northern side of New Road, Rainham. The site is surrounded by a mix of commercial light industrial and residential properties, and the Beam Park redevelopment site to the south.

The site is included within the Rainham West SSA as identified by the Site Specific Allocations Development Plan Document, 2008. The site is not listed nor within the Conservation Area.

DESCRIPTION OF PROPOSAL

Erection of sales building, canopy, pumps, islands, reorganisation of car parking, provision of electric vehicle charging with associated substation and plant, 2 no. jet wash bays, air/water facilities and associated works, involving demolition of existing sales building and forecourt including canopy and pumps

REVISED PLANS: The scheme was revised several times both increasing and then decreasing the height/length of the sales building along with a reduction in the number of pressure washers/their siting. Final revisions were received 09-09-2024 which both clarified a boundary issue as well as introduced boundary treatment to offer some screening.

By way of background the site was subject to an application in 2019 under ref: P06293.19. This was a scheme which sought only to extend the existing sales building in contrast to the current submission. It was refused for the following reasons:

The proposed development, by reason of its large blank facade on South Street and utilitarian design, would fail to further the aims of providing a high quality environment in the strategic redevelopment area, contrary to policy PG04, PG18, PG24, of the Rainham and Beam Park Planning Framework and CP17, DC61 and DC63 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document, and the provisions of the National Planning Policy Framework.

The proposed expansion of the development, by reason of its unreasonable adverse effects on the environment in regard to noise impact, hours of operation and vibration and fumes, would prejudice the satisfactory development of adjoining land and the development of the surrounding area as a whole, in contravention of PG04 of the Rainham and Beam Park Planning Framework and DC55 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document, and the provisions of the National Planning Policy Framework.

OFFICER COMMENTS: It is noted that totem signage is shown on the drawings submitted. The granting of permission is for only those areas of the development specified in the description above and does not extend to the display of any advertisements.

RELEVANT HISTORY

P0629.19	Proposed single storey extension to the side of sales building to facilitate additional retail space and a bin store. Planning permission is also sought for a new jet wash building.
	Refuse 20-08-2019

CONSULTATIONS/REPRESENTATIONS

Neighbouring occupiers were invited to comment through direct notification, no letters of representation were received.

The following comments were made by other stakeholders:

Public protection - No objection subject to conditions

Highway Authority - No comments recorded

Havering Policy Team - No objection

LBH Waste/Recycling - No objection

OFFICER RESPONSE: The suggested conditions relate to hours of work, contaminated land, use of jet wash facilities and noise mitigation. These are considered to be reasonable alongside controlled hours for use of the pressure washer stations.

RELEVANT POLICIES

STAFF COMMENTS

Aside from the increased retail function, the proposals are in response to the need to provide infrastructure for electric / ultra-low emission vehicles in accordance with the London Plan and the Local Plan. An added consideration is that in most cases facilities are required for users of charging points.

PRINCIPLE OF DEVELOPMENT

The site is within a strategic regeneration zone and within the GLA Housing Zone strategic site of Rainham and Beam Park and is identified in the London Plan as an Opportunity Area for residential development. The proposal site is located within the Rainham West SSA (SSA12) as identified by the Site Specific Allocations Development Plan Document, 2008. The document highlights the need for residential and ancillary community, retail, recreation, educational and leisure uses, and appropriate employment uses.

The proposals concern, in part, the provision of electric vehicle charging points which are an integral part of the redevelopment of the site and which are not unfamiliar in such locations. Furthermore they are recognised to be required and to an extent encouraged by local and national policy. These would be new features to assist with meeting the need of electric or ultra low emission vehicles and to comply with the Emerging Building Regulations (July 2019), the London Plan and the Local Plan low carbon emission requirements.

The Site Specific Allocations Development Plan Document states that comprehensive residential redevelopment of the blocks defined by the roads running perpendicular to the A1306 is encouraged. Where this is not possible development must not prejudice the development of adjoining sites. To that end through clarification from the applicant it is evident that the site is removed from adjoining residential sites by land in separate ownership which acts as somewhat as

a buffer. The acceptability of the proposals rests on a number of criteria but principally on whether the proposals would be prejudicial to any future redevelopment.

As to whether the redevelopment of the site would be prejudicial to wider aspirations officers are satisfied that the services provided here could not be provided on a smaller site, having regard to the layout plans provided. With regards to the broader impacts of the development and how this may impact nearby residents/future residents this is considered more fully in the amenity section of this report.

As to the design and character implications, the SSA DPD requires that development either side of the A1306, must embrace the road frontage and seek to integrate the new and existing communities north and south of New Road. Previously permission was refused in this location for alterations to the service station, however what has been progressed in this instance is a comprehensive redevelopment of the site which would appear to be of a high quality in keeping with the aspirations for this part of Rainham. In contrast to the earlier proposals which sought to extend the existing kiosk building which did not front the road successfully the current proposals would set the kiosk back into the site with a relatively open frontage, canopy aside which would in the opinion of officers offer a number of benefits. The design of the building and associated areas of landscaping/ancillary development will be considered further in the design section of this report.

The proposals concern, in part, the provision of electric vehicle charging points which are an integral part of the redevelopment of the site. These would be new features to assist with meeting the need of electric or ultra low emission vehicles and to comply with the Emerging Building Regulations (July 2019), the London Plan and the Local Plan low carbon emission requirements.

Officers acknowledge that there would be other economic benefits to the proposals.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The development would wholly transform the appearance of the site. However on balance the structure of the kiosk and associated development would be proportionate to the scale of the site. The layout and arrangement of development, including ancillary features serving the site have a purposeful arrangement and the information provided is suggestive of a potentially high quality finish. A condition will be imposed requiring prior to any above ground development that details of all materials and finishes are provided for approval. This will ensure a satisfactory outcome in design terms.

A condition will be also be imposed requiring that all new or replacement hard-surfaces are of permeable/porous construction as this is considered to align with other policy objectives and would offer other meaningful benefits and betterment, having regard to the existing situation.

The proposed design and layout of the charging points would appear to be standard charging points, although no indication of compliance with the Equality Act 2010, the applicant will be made aware via informative. In addition, a clear sign with instructions would be required near the charging points for both electric vehicle and non-electric vehicle users to understand that the bays are reserved for electric car charging only.

It is observed that an EV totem sign is shown fronting the highway. Notwithstanding the details

shown on submitted plans this would require separate advertisement consent, similarly with any signage to serve the kiosk/other facilities. An informative will be placed on any approval indicating as such.

IMPACT ON AMENITY

The main considerations relate to the impacts of the kiosk building, as the development and associated activities are otherwise somewhat removed from nearby residences. The jetwash facilities, charging points, canopy/pumps and other facilities are otherwise separated by areas of landscaping, the kiosk building or the adjoining site which is understood to be in separate ownership and which acts as a buffer to the application site. Accordingly the main impacts are then limited to the scale, bulk and mass of the kiosk building upon the residential dwelling to the north. The site is otherwise separated by the New Road, Lower Mardyke Avenue and South Street - as well as the adjoining MOT station.

The existing service station is understood to be open 24 hours. Whilst the proposals would expand the scope of the station, it is not considered that there are any grounds to restrict the operations of the new replacement kiosk/pumps.

Having regard to the proportions of the kiosk building it is accepted that it would be separated from the shared boundary by approximately 1.5m and would span virtually the length of the northern boundary. However the adjoining site is in separate ownership and does not appear to be in residential use with the separation from the boundary to the flank wall of the closest neighbour approximately 4.5m. On balance the proportions of the structure, whereby the roof of the building is hipped away from this boundary lessens its visual impacts even in view of its length and mass. The degree of separation involved would mitigate the most immediate impacts in the view of officers. It is not considered that the kiosk building and use of the site more generally would materially impact the amenity of this neighbour. Through a combination of the design and site circumstances it is not considered that there are grounds to withhold permission.

Officers observe that revisions incorporate 2.5/3.0m fencing at this boundary (combination of panels and trellis with planters). Officers do not consider this to be an wholly appropriate response and will impose a condition requiring that notwithstanding details shown on plans, that all boundary treatment shall be submitted for approval prior to any above ground works as it is considered that there may be opportunity for lower boundary treatment/ planting in a manner which would not unduly prejudice the redevelopment of adjacent sites. It is considered that there is scope for some landscaping or planting which would have other benefits (pleached trees or similar).

As to the other areas of the development, jet wash facilities and charging points no objections have been raised over their use or operation more generally. As above this is likely due to the degree of separation involved from sensitive receptors either by the highway or adjoining commercial functions. However officers consider it appropriate to limit their use to appropriate hours. It is accepted that charging points and the kiosk would operate outside of these hours into the evening/early morning and that activity may fluctuate. A condition will be imposed requiring details of how charging points/services will be managed during the evenings/mornings and sensitive times.

This view is supported by comments made by the Council's public protection team who were invited to comment on the potential for noise generated by the equipment and from its use, as well as the

24 hour availability of the charging points. No objection was made. Conditions for the noise of plant and equipment have been recommended by LBH Public Protection and will be imposed.

On balance it is considered that any residual harm arising not addressed through the robust conditions recommended would not be material or capable of substantiating a refusal. The proposals are compliant with Havering Local Plan Policies, 7, 26 and 34 as well the London Plan and Framework.

HIGHWAY/PARKING

The provision of EV charging points would not impinge upon existing servicing of the commercial units, nor would it unacceptably reduce available parking on the site on balance. The proposals do not appear to present any material harm to the functioning of the highway, or vehicle/pedestrian safety.

This view is reinforced by the absence of any objection by the Highway Authority and it is not considered that there are any grounds to withhold permission.

FLOOD RISK

The proposed installation will not have any material impact on surface water drainage given the limited scale of the development and existing arrangement observed on site. Nevertheless a condition has been imposed requiring that any new/replacement hard-standing is of permeable/porous construction.

KEY ISSUES/CONCLUSIONS

Subject to any conditions imposed, the proposed development is acceptable in terms of its design and layout, impact on the character and appearance of the area, the amenity of neighbouring properties and highway safety. The proposed development is in accordance with the objectives of the Havering Local Plan 2016-2031, the London Plan and the NPPF.

Having regard to the above and in doing so all relevant planning policy and material considerations APPROVAL is recommended accordingly.

RECOMMENDATION:

It is recommended that **planning permission be GRANTED** subject to the following condition(s)

1 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 Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2 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 Materials details no samples

Prior to any above ground development written specification of external walls and roof materials to be used in the construction of the building including colour and finish of all elevations 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:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of a written specification prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

4 Non Standard Condition 2 (Pre Commencement Condition)

Before the development hereby permitted commences 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/adjacent properties

5 Non Standard Condition 3 (Pre Commencement Condition)

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/adjacent properties.

6 Non Standard Condition 4 (Pre Commencement Condition)

No works shall take place in relation to any of the development hereby approved until a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers is submitted to and approved in writing by the Local Planning Authority. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:-

Insufficient information has been supplied with the application in relation to the proposed construction methodology. Submission of details prior to commencement will ensure that the method of construction protects residential amenity.

7 Non Standard Condition 5 (Pre Commencement Condition)

The jet wash facility shall not be used for the purposes hereby permitted other than between the hours of 07:00 - 20:00 on Mondays to Saturdays and 08:00 - 18:00 on Sundays, Bank and 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

8 Non Standard Condition 6 (Pre Commencement Condition)

No demolition or construction works, or deliveries associated with the works hereby permitted shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No demolition or construction works, or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity.

9 Boundary treatment

Notwithstanding the details shown on submitted plans and prior to any above ground works details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. The boundary treatment as agreed shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail prior to commencement will protect the visual amenities of the development and prevent undue overlooking of adjoining property.

10 Surfacing

All areas of new or replacement hard-standing shall be of porous construction unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of mitigating any potential for increased surface water flooding

11 Management Plan

Before the charging points hereby permitted first come into use, the applicant shall submit for the approval of the Local Planning Authority in writing a management scheme for use of the charging points outlining how their use would be controlled and customers managed in order to try and reduce any harm through noise and disturbance to surrounding neighbouring occupiers.

Reason: In the interest of amenity and to address any residual issues arising from use of the equipment hereby permitted.

INFORMATIVES

1 Approval following revision

Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework, improvements required to make the proposal acceptable were negotiated with the agent in writing. The revisions involved alterations to the kiosk building/site layout and boundary treatment. The amendments were subsequently submitted on 09-09-2024

2 Non Standard Informative 1

A clear sign with instructions should be located near the charging points to indicate that the bays are reserved for those charging only.

Authorising Officer:



Neil Goate

15th November 2024