

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1468.23

WARD: Rainham & Wennington **Date Received:** 27th September 2023

ADDRESS: Land Adjacent To 1 Allen Road
Rainham

PROPOSAL: Construction of a single storey building for use as an office, Use Class E(g)(i) with associated parking, new access with dropped kerb involving relocation of lamp post

DRAWING NO(S): 2213_PLN_01 Revision A
2213_PLN_02 Revision C
2213_PLN_03 Revision B
2213_PLN_04 Revision B
2213_PLN_05 Revision B
MS-152020-12148 Sheet No.1

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 comprises of a piece of land adjacent to No.1 Allen Road in Rainham which is close to the junction with Upminster Road North. The site is bounded by a close boarded fence on all three side sides. The surrounding area is characterised by a cemetery opposite, bungalows which have extended into the loft and two storey dwellings. The site area measures approximately 47sq.m.

DESCRIPTION OF PROPOSAL

Planning permission is sought for the construction of a single storey building for use as an office, Use Class E(g)(i) with associated parking, new access with dropped kerb involving relocation of lamp post.

RELEVANT HISTORY

P0209.23	Two storey building for the use as an office and storage including a vehicle crossover, permeable paving, landscaping and boundary treatment
	Refuse 03-04-2023

CONSULTATIONS/REPRESENTATIONS

Three representations were received in response to the neighbour consultation, two from the same resident, with their comments summarised below:

- Allen Road is a residential area, with limited parking spaces for visitors.
- There will be many vehicles coming and going from the office.
- Loss of privacy.
- There was a problem with the street lamp as it was moved to its present position a few years ago.
- The proposal is not adjacent to 1 Allen Road but adjacent to 351 and 353 Upminster Road North.
- Allen Road is a residential road with no other business premises within the street.
- The proposal would add to the congestion within the street, especially at school times.

LBH Highways Department has no objections to the proposal but comments have been provided below which will be discussed under the highways section of report below.

LBH Waste & Recycling - No domestic waste associated with this application. The business should have a suitable waste collection/contract to meet the requirements of the business. Business waste not be presented with the domestic waste at the property.

Public Protection provided comments in respect to the contaminated land, ultra low boilers and vehicle charging, should the application be approved.

RELEVANT POLICIES

LONDON PLAN:

Policy D1 - London's form, character and capacity for growth

Policy D4 - Delivering good design

Policy E1 - Offices

Policy E2 - Providing suitable business space

Policy SD5 - Policy SD5 Offices, other strategic functions and residential development in the CAZ

Policy T6 - Car parking

Policy T6.2 - Office Parking

Havering Local Plan (2016-2031)

Policy 7 (Residential design and amenity).

Policy 19 (Business Growth).

Policy 24 (Parking provision and design).

Policy 26 (Urban Design).

NPPF - National Planning Policy Framework

MAYORAL CIL IMPLICATIONS

This application is not CIL liable because the newly created floor space does not exceed 100

square metres.

The Havering CIL rate for offices is £0.

STAFF COMMENTS

In accordance with the current criteria for site visits, an in-person site visit was not undertaken. Site photos were provided by the agent in support of the application. In determining this planning application photos, Google StreetView TM, aerial view images and submitted drawings were used to assess the site constraints.

No pre-application advice was sought prior to the submission of this revised application.

This application is a resubmission of a previously refused planning application P0209.23. The key issue in this case therefore is whether the revised proposal overcomes the previously stated concerns. The previous application was refused planning permission for the following reasons.

1. The proposed two storey building would, by reason of its excessive height and position close to the boundaries of the site, be an intrusive and unneighbourly development as well as having an adverse effect on the amenities of adjacent occupiers contrary to Policies 7 and 26 of the Havering Local Plan and the guidance contained in the National Planning Policy Framework.
2. The proposed development would, by reason of its position and proximity to neighbouring properties cause overlooking and loss of privacy which would have a serious and adverse effect on the living conditions of adjacent occupiers, contrary to Policies 7 and 26 of the Havering Local Plan and the guidance contained in the National Planning Policy Framework.

This application differs from the previously refused schemes in the following key areas:

1. The revised proposal is now for a single storey building.

Changes were made during the planning process by reducing the overall height from 4.35m to 3.95m and hipping the roof on all four sides to minimise the bulk and impact. Neighbours were not re-consulted as the impact was being lessened.

The effect of these changes will be assessed in the context of the following:

PRINCIPLE OF DEVELOPMENT

Policy 19 of the HLP outlines that "Romford Town Centre is identified as the preferred location for office and business space (e.g. studios, workshops and office) development. It is anticipated that new public transport investment such as Crossrail which passes through Romford and the consequent demand to be stimulated from potential outmigration of businesses from central London looking for lower office rents in accessible locations will likely result in an uplift in demand for offices in Romford.

The public transport accessibility level (PTAL) is rated as 1b which is considered to be Very Poor suggesting that very few journeys could be conveniently made by public transport.

The changes undertaken from the previous application would be the proposal within the realms of acceptability. It is not unusual to see commercial and other services being provided in the area. Opposite the cemetery there is a stonemason and statues on Upminster Road North. Also, there is Rainham Horticultural Society Building facing Allen Road with a chemist and newsagents on junction with Upminster Road North and Parsonage Road with a fish bar beyond this junction within Parsonage Road. Also there is a florist beyond the cemetery further up Upminster Road North with other commercial units at the junction with King Edward Avenue.

Mindful, that the proposal is for an use as an office under Use Class E(g)(i), it is considered that it would be difficult to substantiate a refusal on appeal.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The surrounding area is characterised by a cemetery opposite, bungalows which have extended into the loft and two storey dwellings.

The proposal is to add a single storey building for the use as an office under Use Class E(g)(i) with associated parking, new access with dropped kerb involving relocation of lamp post.

The proposed building would have an eaves line of approximately 2.84m to the top of the gutter detail rising to an overall height of 3.95m. The roof would hip away from all the boundaries to minimise the bulk.

The properties to the south and north of the site are bungalows and it is noted that the height of the proposal would not be too dissimilar to some of the nearby buildings. As a result, it is considered that the proposed single storey office would not be harmful within the street scene from a visual point of view.

IMPACT ON AMENITY

Consideration has been given to the impact of the development on neighbouring dwellings particularly in respect of light loss, outlook and potential loss of privacy.

The properties to the south and north of the site are bungalows with accommodation in the roof space and it is noted that the height of the proposal would not be too dissimilar to some of the nearby buildings.

The proposed building would be built close to the boundaries of the site and would have a flank wall of approximately 2.84m before hiping away to a height of 3.95m. The roof has been revised that it would hip away from all of the neighbouring gardens to minimise the bulk and massing of the proposal.

The proposed rear elevation of the building would back onto the rear garden of No.351 Upminster Road North. It is noted that this neighbour has an outbuilding set off the boundary. It is considered the proposal would be mitigated in part by the neighbouring outbuilding, the separation distance between the proposal and No.351 Upminster Road North and that the roof as revised, would be

hipped away from this neighbour's garden to lessen the impact.

Similarly, it is considered the proposal would be mitigated in part by the separation distance between the proposal and No.353 Upminster Road North and due to the fact the roof as revised would be hipped away from this neighbour's garden to lessen the impact.

A condition would be imposed for the flank window to be obscured glazed and fixed shut apart for an open-able fanlight.

Taking the above into consideration, it is recommended that the application as revised, is recommended for approval.

Safeguarding conditions in respect to use of the building and hours of operation as per the application form have been imposed to protect the neighbouring residents. Also, a condition preventing further opening being added to the roof, side and rear of the building so as to protect the privacy of the adjoining neighbours.

Other safeguarding conditions have been agreed in respect to the restriction of number of staff to two people and for the proposal to be for personal use to the applicant Mr Vasile Chindris. These conditions have been imposed to enable the Local Planning Authority to retain control in the interests of amenity and for the avoidance of doubt, to ensure that the development is carried out as approved.

HIGHWAY/PARKING

Parking provision and matters of highway consideration are represented in Policies 23 and 24 of the Havering Local Plan 2016-2031 and the London Plan Policies T4 and T6.1. The PTAL rating for the site is 1b.

Parking in Allen Road and nearby roads is unrestricted with the exception of some junctions being protected by 'at any time' waiting restrictions. As noted above, the public transport accessibility level (PTAL) is rated as 1b which is considered to be Very Poor suggesting that very few journeys could be conveniently made by public transport.

The application proposes the construction of a single storey building for use as an office under Use Class E(g)(i) with associated parking, new access with dropped kerb involving relocation of lamp post.

1 off-street parking provision is also proposed. Dependant on the amount of users the office will accommodate, this could potentially lead to an increase in parking stress on and around Allen Road.

Construction of a single storey building for use as an office, Use Class E(g)(i) with associated parking, new access with dropped kerb involving relocation of lamp post

The Highways Department has no concerns in regards to the impact on the public highway. However, it is suggested that any approval is subject to confirmation from the street lighting team that they are able to relocate the lamp column whilst maintaining the lighting levels in accordance

with British Standard.

There is no compelling evidence to warrant a refusal of highways grounds and it's considered from the information provided that the proposal would comply with the Havering Local Plan Policy 24.

However, no details have been provided in respect to previous involvement from highways and transport officers in this application. There are concerns regarding the feasibility of the proposed vehicle crossovers and whether they are compliant with the terms and conditions of the vehicle crossover application process. Particularly in regards to the feasibility of relocating the lamp column and the distance between the proposed new location of the lamp column and the proposed vehicle crossovers.

To ensure compliance with the terms and conditions of the vehicle crossover application process, an Area Operations Officer (AOO) for the area will need to review the application and be satisfied that it is compliant with the aforementioned terms and conditions.

Furthermore, the feasibility of relocating this column whilst maintaining lighting levels in accordance with British Standard will need to be determined by the Councils' street lighting team after the AOO's initial review.

In the circumstances, it is recommended that a condition of this proposal is a successful vehicle crossing application.

The level of proposed off-street parking provisions being provided is considered sufficient to ensure that there are no concerns regarding a potential increase in parking stress. However, should the proposed vehicle crossovers be rejected, this would raise concerns regarding a lack of off-street parking provisions and in turn the potential to increase on street parking stress.

In addition, cycle storage was requested during the planning process as required for office use to encourage modal shift from use of private cars. Limited information has been provided in respect to how the bicycles would be secured. The revised plan shows the position of the cycle storage but limited information has been provided how they would be secured. As a result, a condition has been imposed for further information.

KEY ISSUES/CONCLUSIONS

The proposal as revised from the earlier refused scheme, brings the proposal within the realms of acceptability. The application is now considered to be in accordance with the above-mentioned policies and guidance and approval is recommended.

RECOMMENDATION:

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

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 SC06 (Parking provision)

Before the building(s) hereby permitted is first occupied, the area set aside for car parking 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 is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

3 Materials (details no samples)

Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the 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:-

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 SC21 (Personal permission)

The permission hereby granted shall be personal to Mr Vasile Chindris only and shall not enure for the benefit of the land or any other person.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity and for the avoidance of doubt and to ensure that the development is carried out as approved.

5 SC27 (Hours of use)

The premises shall not be used for the purposes hereby permitted other than between the hours of 08:00 and 17:00 on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or 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.

6 SC28 (Number of staff)

The number of staff accommodated within the premises hereby approved shall not exceed two people at any one time.

Reason:-

To enable the Local Planning Authority to retain control and to avoid disturbance to adjoining residents.

7 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.

8 SC34B (Obscure with fanlight openings only)

The proposed flank window serving the w.c as shown on drawings 2213_PLN_03 Revision B & 2213_PLN_05 Revision B shall be permanently glazed with obscure glass not less than level 4 on the standard scale of obscurity and shall thereafter be maintained and permanently fixed shut and thereafter maintained, with the exception of any top hung fanlight(s).

Reason:-

In the interests of privacy.

9 SC46 (Flank, rear & roof windows condition)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the roof and the flank or rear wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

10 SC45B (Restriction of use)

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 for Class E(g)(i) which is for an office to carry out any operational or administrative functions and for no other purpose (including any other purpose in Class E 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 to protect residential amenity and prevent the conversion of the premises into a residential dwelling under permitted development.

11 SC59 (Cycle Storage)

No building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

12 SC60 (Contaminated land condition No. 1) (Pre Commencement)

Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase I (Desktop Study) Report documenting the history of the site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Remediation Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to all receptors must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and procedure for dealing with previously unidentified any contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance

and arrangements for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document Policy DC53.

13 SC65 (Contaminated land condition No. 2) (Pre Commencement)

a) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a 'Verification Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

14 Contaminated land condition No. 3 (Pre Commencement)

a) Prior to the commencement of any groundworks or development of the site, details shall be submitted to and agreed in writing by the Local Planning Authority setting out suitable gas protection measures to be employed on site including, but not necessarily limited to, the installation of a suitable gas resistant membrane, in compliance with BS 8485:2015. The gas protection measures shall be carried out in strict accordance with the agreed details.

b) Upon completion of installation, a 'Verification Report' must be submitted demonstrating that the works have been carried out.

Reason: Insufficient information has been supplied with the application to judge the risk arising from landfill gases (methane and carbon dioxide). Submission of an assessment prior to commencement will protect people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with Development Control Policies Development Plan Document.

15 Vehicle access condition

Prior to first occupation of the building hereby permitted, details of the implementation of the proposed vehicle crossover and relocation of street lamp shall be submitted to the Local Planning authority for approval.

Reason: To ensure construction of a satisfactory access and in the interests of highway safety, good design, traffic movement and amenity in accordance with Policy 24 of the Havering Local Plan.

16 Hard Surface Porus/Run-off - application site

All hard surfaces hereby approved as part of the development (including any sub-base) shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the application site.

Reason:-

In order to ensure no water run-off from the hard surface which would contribute to risk of flooding.

17 Building Emissions

The development hereby approved shall be fitted with Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. Where any installations do not meet this emissions standard it should not be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in strict accordance with these details and shall thereafter be permanently retained.

Reason: To minimise the impact of building emissions on local air quality.

18 Electric Vehicle Parking Active Provision (all spaces)

Prior to the first occupation of the development hereby approved, the parking space(s) shall be provided with active vehicle charging facilities for electric or Ultra-Low Emission vehicles.

Reason: Provision prior to first occupation of the proposed development hereby permitted will ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with Policy T6.1 of the London Plan.

INFORMATIVES

1 Land Ownership Informative Land Ownership Informative

The applicant is advised that this planning permission does not give consent for any part of the development including guttering and fascias to encroach onto any land not within the applicant's ownership.

2 Highways Informatives

Changes to the public highway (including permanent or temporary access)

- 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. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services on highwaysDSO@haverling.gov.uk to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

- The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

- The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a licence from the Council. If the developer required scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

- The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

3 Street Naming and Numbering

Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services.

Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

4 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 Mrs Naumaviciene (Agent) by e-mail. The revisions involved reducing the overall height and hipping the roof on all four sides to minimise the bulk and impact and inclusion of bicycle storage. The amendments were subsequently submitted on 24/11/23 & 10/04/25.

Authorising Officer:



