

LONDON BOROUGH OF HAVERING**TOWN AND COUNTRY PLANNING ACT 1990****AGENT**

Mr James Thomas
4 Bata Avenue
East Tilbury
Tilbury
Essex
RM18 8SD

APPLICANT

MR PAUL KITT
1 Manser Road
Rainham
Havering
RM13 8NP

APPLICATION NO: P0300.25

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **REFUSE PLANNING PERMISSION** for the following development :

Proposal: Retrospective application for change of use of outbuilding to moped repair company (Use Class B2)

Location: 1 Manser Road
Rainham

The above decision is based on the details in drawing(s):

2504_ PL _ 01B

Design and Access Statement prepared by JAT Designs

for the following reason(s):

- 1 In the absence of a noise report, sufficient evidence of the exact character and nature of the use, it can be concluded that the proposal would, by reason of its location and relationship to neighbouring properties, result in an unsatisfactory relationship by way of noise and disturbance caused by levels of activity, delivery and vehicle movements and associated plant and machinery within the premises and combined with the proposed hours of use, be unacceptably detrimental to the amenities of occupiers of adjacent residential properties. Furthermore, the nature of the business proposed and location in residential environment would be detrimental to the character of the area. In this respect, the proposal is contrary to Policies 7, 34 and 35 of the Havering Local Plan and the National Planning Policy Framework.

- 2 The proposal fails to demonstrate adequate levels of off street parking and the ability of the shared access to accommodate the level of use proposed. The proposed shared alleyway access, combined with the insufficient details regarding the scale and level of proposal is considered likely to lead to increased vehicle use of the access and overspill, which would contribute unacceptably to existing levels of parking stress and limited on-street spaces within the locality to the detriment of the amenity of surrounding occupiers. The absence of any compelling evidence otherwise, such as a parking stress survey, means that it has not been demonstrated that there would not be conflict with Policy 24, London Plan T6 and Para 115 of the National Planning Policy Framework 2024.

INFORMATIVE(S)

- 1 Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, it was necessary to issue a decision as close to the statutory timeframe as possible as opposed to seeking amendments which would have significantly delayed the application.

Date: 20th May 2025



Helen Oakerbee
Director of Planning

London Borough of Havering
Town Hall, Main Road
Romford RM1 3BB

IMPORTANT - attention is drawn to the notes overleaf

NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House. 2 The Square. Temple Quay. Bristol BS1 6PN or from the Planning Inspectorate's web site,

www.planning.inspectorate.gov.uk

2. When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, Town Hall, Main Road Romford, RM1 3BB. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
3. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
4. In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
5. The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to 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 £116 per request (or £34 where the related permission was for extending or altering a dwellinghouse) will be required.