

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

Mr Robert Turner
Suite 129
Waterhouse Business Centre
2 Cromar Way
Chelmsford
CM1 2QE

APPLICANT

Mr Paul Kiley
4 New Zealand Way
Rainham
Havering
RM13 8JP

APPLICATION NO: P0448.25

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: Erection of a two storey, two-bedroom dwelling with associated parking and amenity space following demolition of existing two outbuildings

Location: 4 New Zealand Way
Rainham

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

1036/01 C

1036/02 C

1036/03 C

1036/04 C

1036/05 C

1036/07 C

1036/08 C

1036/09 C

1036/10 C

1036/11 C

1036/12 C

for the following reason(s):

- 1 The proposed development, by reason of its bulk, height, massing and proximity to the side/rear boundary with no. 2a New Zealand Way, would result in a cramped form of development that would appear as visually intrusive and incongruous within the plot, something which would be exacerbated by its hipped roof design and continuous rear dormer, adversely affecting the character and appearance of the street and rear garden scene and visual amenity of the locality. The proposed development would therefore be contrary to Policies 7 and 26 of the Local Plan as well as Paragraph 135(d) of the NPPF which requires fundamentally that development add to the overall quality of the area whilst also establishing or maintaining a strong sense of place.
- 2 The proposed development, by reason of its inadequate internal floor to ceiling heights and lack of dual aspect to main habitable ground floor room would give rise to a poor quality development and substandard living conditions to the detriment of the amenity of the future occupiers, contrary to the provisions of Policy D6 of the London Plan and Policy 7 of the Local Plan.
- 3 The proposed development, by reason of its proximity to the common boundary with no. 2a New Zealand Way, would form a visually intrusive and overbearing feature from the rear and rear garden of this neighbouring property which would result in a loss of outlook and an increased sense of enclosure to the detriment to the amenity of its neighbouring occupants, contrary to Policies 7 and 10 of the Local Plan. There would also be conflict with paragraph 135(f) of the National Planning Policy Framework which seeks to ensure a high standard of amenity for existing and future occupiers.
- 4 The proposed development is considered to result in a poor arrangement of parking space for the donor dwelling which is unlikely to be desirable or practically suitable for use by its occupants through obstructing and adversely affecting accessibility to the property, compromising day to day functionality and leading to a poor quality living environment, contrary to the provisions of Policy D5 of the London Plan and Policies 7 and 24 of the Local Plan.
- 5 Insufficient information has been provided to demonstrate that the proposed development would be capable of meeting the definition of a self-build development and consequently that the proposal would benefit from the relevant exemption from mandatory BNG requirements, contrary to Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990.

INFORMATIVE(S)

- 1 In the event that this application is allowed through the appeals process, the proposals would be liable for the following CIL contributions:

Mayoral CIL (MCIL2) contribution of £2,700 (x £25 per sqm).

Havering CIL (HCIL) contribution of £13,500 (x £125 per sqm)

Each contribution would be subject to indexation.

- 2 Were the outcome of this application to be the subject of an appeal, the Planning Inspectorate should note that the part of the application site appears to encroach on the curtilage of no. 2a New Zealand Way.
- 3 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, notification of intended refusal and the reasons for it was given to the agent in writing 06/06/2025.

Date: 6th June 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

GENERAL DEVELOPMENT PROCEDURE ORDER 1995

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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 12 weeks of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at

www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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.