OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: **P0269.25**

WARD: South Hornchurch **Date Received:** 26th February 2025

ADDRESS: 205 Rainham Road
Rainham

PROPOSAL: Retrospective application for the retention of existing outbuilding for use as additional accommodation ancillary to main dwelling (care home), including removal of rear door facing the rear access road.

DRAWING NO(S): A101
A101b
A300
A301
A302
A303
A401
A402
Addendum DAS received from Lizben Consult Ltd

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

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SITE DESCRIPTION

The application site comprises a two-storey detached property located on the eastern side of Rainham Road, within a predominantly residential area. The property currently operates as a registered care home and benefits from a substantial rear garden. An existing single-storey outbuilding is situated within the rear curtilage of the site, which is the subject of this application.

The site is located to the south west of Rainham Road, and has a south-facing garden and there is an alleyway that leads to Whybridge Close to the south of the site.

The site is not in a conservation area and the building is not listed.

DESCRIPTION OF PROPOSAL

The application seeks retrospective permission for the retention of an existing outbuilding within the grounds of a care home and its use as two additional bedrooms to accommodate two new residents.

No increase in staffing levels is proposed, with a maximum of two staff members on-site at any one time as approved under the certicate application ref: D0019.07 and it is not proposed as a separate unit of accommodation.

The outbuilding is located at the end of the rear garden to the south of the site and has a width of 5.8m, a depth of 8.6 metres and a height of 3m maximum.

The existing home is managed by Kadmiel Projects, which provides supported living accommodation for people with learning disabilities on a 24 hour basis.

RELEVANT HISTORY

Various applications both under full planning and under certificate of lawfulness. The most relevant is below:

D0019.07 Certificate of lawfulness for change of use to care home for young adults - Approved 11-05-07.

P1442.17 - Retrospective planning permission for the rear outbuilding involving an extension of the existing office space so as to create additional work spaces and an activity centre for residents - Refused 07-11-17.

The host property is being used to provide care, but is deemed to be under use class C3(a) - dwellinghouse and has the permitted development rights of a property as such.

The outbuilding subject to this application has been investigated by the planning enforcement team under case reference ENF/654/16. The investigation has found that the outbuilding itself requires regularising, which is the subject of this application.

CONSULTATIONS/REPRESENTATIONS

Consultations were sent to neighbouring properties with no representations received.

Others:

Highways: No objections (under previous application)

Environmental Health - No objections in relation to land contamination, noise and air quality matters.

RELEVANT POLICIES

Local Plan 2021
Policy 6, 7, 24, 26, 34 and 35

Residential Extensions and Alterations SPD (2021)

NPPF 2024

MAYORAL CIL IMPLICATIONS

The outbuilding has a floor area of less than 100 square metres and as such, it is not liable for Mayoral CIL.

STAFF COMMENTS

The proposal is a resubmission of a previously refused scheme under planning reference P1442.17, which sought to retain the outbuilding and use it as an office for staff and an activity centre for residents. The refusal was primarily due to concerns over potential noise and disturbance, supported by objections from the Council's Environmental Health team.

This revised application differs significantly from the earlier scheme. It no longer proposes the use of the outbuilding as an office or activity space. Instead, it seeks to extend the existing supported living use by providing accommodation for two additional residents with learning difficulties.

The main dwelling currently accommodates four residents. The proposed increase to six residents would not involve any changes to staffing levels, car parking provision, or the physical subdivision of the site. The outbuilding would function as an annex to the main care home, with residents integrated into the existing care arrangements.

The main issues in this case are the impact of the outbuilding on the gardenscene, neighbouring amenity and any highway and parking issues.

The proposed use is considered to be in keeping with the established use of the site as a care home. Importantly, the outbuilding would not operate independently, nor would it introduce a materially different use, would therefore be considered acceptable in principle, provided it remains subordinate to the main care home and does not function as an independent unit, this can be achieved via condition.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The outbuilding is modest in scale and constructed with materials that are sympathetic to the host property. It is positioned discreetly within the rear garden and does not appear visually intrusive from public viewpoints. The design is similar to others in close proximity, considered acceptable and compliant with Policy 26 and the SPD.

IMPACT ON AMENITY

The use of the outbuilding for ancillary accommodation is not expected to result in undue noise, disturbance, or overlooking. The structure maintains sufficient separation from neighbouring main

dwellings and does not compromise privacy or outlook.

The proposed use supports the operational needs of the care home and contributes to improved service provision. To ensure the outbuilding remains ancillary to the main use and is not occupied as a separate dwelling, a planning condition is recommended.

The retention of the outbuilding for ancillary accommodation is considered acceptable in terms of its design, scale, and impact on neighbouring amenity. The proposal facilitates the continued operation of the care home without unduly intensifying its use or introducing an independent residential unit.

In addition, the Council's Environmental Health Department has raised no objection to the application on noise grounds. Given that the proposed use would operate as an extension of the host property, which is subject to 24-hour supervision, it is considered acceptable in this regard.

To ensure the outbuilding does not become a separate planning unit, officers have requested that the rear door leading to Whybridge Close be blocked. An amended plan has been received confirming the removal of this access point, and an appropriate condition will be imposed to secure compliance.

Furthermore, there is no record of complaints associated with the existing use of the site, and the Environmental Health team has not raised objections to the current proposal. As such, the addition of two residents is not considered likely to give rise to significant amenity issues, it would therefore be considered acceptable.

HIGHWAY/PARKING

The site has a PTAL rating of 2 and there is space for two vehicles on hardstanding to the front of the site, which is acceptable. Staff consider that utilising the rear outbuilding to provide care for two additional residents would not result in any parking or highway issues. The Highway Authority has no objection to the application (previous comments).

KEY ISSUES/CONCLUSIONS

The proposal represents a modest intensification of the existing use, without introducing new operational impacts. It is therefore considered acceptable in planning terms and is recommended for approval, subject to standard conditions.

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 **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 **SC10 (Matching materials)**

All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area.

4 **SC46 (Standard flank window 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 flank 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.

5 **Non Standard Condition 31**

The outbuilding hereby approved shall be used solely as ancillary residential accommodation comprising two bedrooms, reception and wash room in connection with the existing care home on the site, and for no other purpose, including any separate residential use, independent occupation, additional work spaces and an activity centre for residents, or commercial activity.

Reason:-

To ensure the outbuilding remains ancillary to the existing care home and does not result in the creation of a separate or independent unit of accommodation.

6 **Non Standard Condition 32**

The rear door providing access to Whybridge Close, as shown on the approved amended plans (drawing no.A402), shall be permanently blocked prior to the first occupation of the outbuilding and within one month of occupation, evidence of a blocked door shall be submitted

to the Local Authority for approval, the door shall not be reinstated unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To safeguard the amenity of neighbouring properties and to uphold the character of the site and surrounding area, in accordance with Policy 7 of the Havering Local Plan and the National Planning Policy Framework.

7 Condition 3

The outbuilding hereby permitted shall not be arranged or disposed of as a separate unit of residential accommodation from the use of the main dwelling.

Reason:-

In order that the outbuilding approved remains ancillary to the main dwelling.

INFORMATIVES

1 Approval following revision ENTER DETAILS

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, via emails and telephone calls at various times. The revisions involved the provision of the main care home plans, provide additional details within the DAS regarding the existing and the proposed use and blocking the existing rear door leading to Whybridge Close. The amendments were subsequently submitted on 24/06/2025.

2 Non Standard Informative 1

You should also check whether the development requires separate Building Regulation consent. Information is available on the Building Control webpages and the team is available between 9am and 10am Monday to Friday via 01708 432700.

3 Party Wall

This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-

booklet

Authorising Officer:

Raphael Adenegan 1st October 2025