

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1520.25

WARD: Rainham & Wennington **Date Received:** 28th November 2025

ADDRESS: 127A Wennington Road
Rainham

PROPOSAL: Change of use of shop storage space to create 1x bed flat with private amenity space and cycle/bin storage.

DRAWING NO(S): WR-01

RECOMMENDATION: It is recommended that **planning permission be REFUSED** for the reason(s) given at the end of the report

SITE AND SURROUNDINGS

The application site comprises of an area of land to the rear of 127 Wennington Road, which forms part of a commercial parade.

THE PROPOSAL

Planning permission is sought for the change of use of shop storage space to create 1x bed flat with private amenity space and cycle/bin storage.

RELEVANT PLANNING HISTORY

P1928.19	Retrospective Single Storey, one bed, End Terraced dwelling with associated parking and amenity space. Refuse 25-03-2020
P1778.17	Retrospective planning permission for erection of a single storey rear store room Apprv with cons 18-05-2018
P0008.16	Proposed single storey rear extension to existing unit creating a one bedroom apartment (1b 1p) studio with associated amenity. Refuse 08-07-2016
P0302.14	Single storey rear extension to ground floor shop unit Apprv with cons 01-05-2014

REPRESENTATION SUMMARY

Neighbouring occupiers were consulted through direct notification with no representations being received. ,

In addition the following comments were made by other stakeholders:

- Anglia Water has no comments in respect to the proposal as it outside their boundary.
- Fire Brigade - No additional fire hydrants are required and no further action.
- Fire Safety Team - No objections to make.
- LBH Waste/Recycling (Streetcare) commented that domestic waste and recycling sacks will need to be presented by 7am at the boundary of the property on Wennington Road on the scheduled collection day.
- LBH Environmental Protection - On Air Quality (AQ), the development is to be a car free development, therefore the vehicle emission benchmarks do not need to be met for AQ Neutral. However, it appears that the heating strategy is via a boiler, therefore the standard low nox boiler condition needs to be imposed. No contaminated land concerns.

A full Noise Impact Assessment is not considered proportionate for a single one-bedroom unit. However, a Noise Technical Note is required to confirm that acceptable internal noise conditions can be achieved. Environmental Health therefore raises no objection, subject to a Noise Technical Note condition being imposed should the application be recommended for approval.

- LBH Highway Authority were consulted but no comments were received.

PLANNING POLICIES

Havering Local Plan (2016)

Policy 3 - Housing supply

Policy 5 - Housing mix

Policy 7 - Residential design and amenity

Policy 9 - Conversions and subdivisions

Policy 10 - Garden and backland development

Policy 24 - Parking provision and design

Policy 26 - Urban design

Policy 35 - Waste management

Policy 36 - Low carbon design and renewable energy

The London Plan (2021)

Policy H1 - Increasing housing supply

Policy H10 - Housing size mix

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

Policy D4 - Delivering good design

Policy D6 - Housing quality and standards

Policy T6 - Car parking

Policy T9 - Funding transport infrastructure through planning

OTHER

National Planning Policy Framework (Dec 2024)

Havering Residential Extensions and Alterations SPD (2011)

DCLG Technical Housing Standards (2015)

MAYORAL CIL IMPLICATIONS

The application proposes the change of use of shop storage space to create 1x bed flat without any further extensions. As a result, the proposal is not considered to be liable for Mayoral and Havering CIL.

OFFICER APPRAISAL

The material planning considerations are the principle of the development, density and site layout, design and impact on the character and appearance of the surrounding area, impact on amenity, highways and parking and planning obligations.

In accordance with the current criteria for site visits, an in-person site visit was not initially undertaken. 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.

This application is a resubmission of a previously refused planning application P0008.16 and P1928.19. The key issue in this case therefore is whether the revised proposal overcomes the previously stated concerns. The previous application was refused planning permission and dismissed on appeal under references APP/B5480/W/16/3157438 (P0008.16) and APP/B5480/W/20/3259831 (P1928.19).

An Enforcement Notice under investigation ENF/840/19 was served on 5th March 2021 and which would come into effect on 9 April 2021. The owner had three months to comply with the notice to -

1. Cease the use of the single storey rear extension as a separate self-contained dwelling;
2. Remove all amenities which facilitate the use of the building including the removal of all cooking
3. Remove electricity and gas meters/fuse boxes from the unit of accommodation.

The last planning application P1928.19 (appeal reference APP/B5480/W/20/3259831) was refused the following reason.

1. The proposed development would not demonstrate a suitably high quality living environment for future occupiers, with the arrangement shown symptomatic of a cramped overdevelopment of the site and a low quality residential setting which would be the detriment of the amenity of future occupiers. The development would fail to provide suitable internal spacing, outlook and aspect and would also demonstrate an inadequate provision of usable amenity space and as such the development would give rise to a poor quality living environment contrary to Policy DC61 of the LDF Core Strategy and Development Control Policies DPD, the Residential Design SPD and Policy 3.5

of the London Plan.

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

1. The amenity space has been expanded and the car parking space removed.

The appeal decisions are a material consideration. Since the refusal of the previous application and the dismissed appeal, the London Borough of Havering has adopted a new local plan.

The effect of these changes will be assessed within the following sections of the report.

It should be noted that no pre-application advice was sought prior to the submission of the application, mindful of the history on site and the previous dismissed appeals. It is considered that the changes required to try and bring the proposal within the realms of acceptability would not be minor.

PRINCIPLE OF DEVELOPMENT

The National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The London Plan notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality accommodation. The provision of additional accommodation is consistent with the NPPF and the objectives of the Havering Local Plan 2016-2031 which at Policy 3 is supportive of housing provision in sustainable locations. In addition the London Plan 2021 notes the pressing need for housing and the general requirement to improve housing choice, affordability and quality at Policy H1 whilst also acknowledging that development should optimise housing output subject to local context and character at Policy D1.

The acceptability of any submission is reliant on other policy considerations including Policy 10 of the Havering Local Plan 2016-2031 which requires consideration of the following:

Proposals for residential development on garden and backland sites in Havering will be supported when they:

- i. Ensure good access and, where possible, retain existing through routes;
- ii. Retain and provide adequate amenity space for existing and new dwellings;
- iii. Do not have a significant adverse impact on the amenity of existing and new occupants;
- iv. Do not prejudice the future development of neighbouring sites;
- v. Do not result in significant adverse impacts on green infrastructure and biodiversity that cannot be effectively mitigated:

On the 12th December 2024, the Government published the Housing Delivery Test result for 2023. The Housing Delivery Test Result for 2023 is 61%. In accordance with the NPPF the "Presumption" due to housing delivery therefore applies. Furthermore Havering cannot currently demonstrate a five year supply of deliverable housing sites.

The Havering Local Plan was found sound and adopted in 2021 in the absence of a five year land supply and the Council is committed to an immediate update of the Local Plan. This is set out in the Council's Local Development Scheme. An update to the trajectory is being prepared but there is no firm date for the work to be completed. Therefore, in the meantime whilst the position with regard to

housing supply is uncertain, the "Presumption" due to housing supply is applied.

The Presumption refers to the tilted balance set out in Paragraph 11(d) of the NPPF as if the presumption in favour of sustainable development outlined in paragraph 11(d) of the National Planning Policy Framework (NPPF) has been engaged.

Para 11(d) states that where the policies which are most important for determining the proposal are out of date, permission should be granted unless (i) the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Fundamentally this means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

The proposed development would offer a minor contribution to housing supply and delivery and this would weigh in favour of the development. However, paragraphs 131-135 of the NPPF require high quality design, consideration of character and a high standard of amenity for existing and future users. For the reasons outlined within this report the proposed development is unacceptable as it would not demonstrate a suitably high quality living environment for future occupiers, with the arrangement shown symptomatic of a cramped overdevelopment of the site and a low quality residential setting which would be the detriment of the amenity of future occupiers. The development would fail to provide suitable internal spacing, outlook and aspect and would also demonstrate an inadequate provision of usable amenity space - these are key aspects of sustainable development.

Therefore, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF. Having had regard to the above and in doing so all relevant planning policy and material considerations, REFUSAL is recommended accordingly.

DENSITY/SITE LAYOUT

Policy D6 (Housing Quality and Standards) of the London Plan advises that housing development should be of high quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. To that end the policy requires that new residential development conform to minimum internal space standards. There are set requirements for gross internal floor areas of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and minimum floor to ceiling heights. The minimum gross internal floor area requirements and room sizes takes into account commonly required furniture and the spaces needed for different activities and moving around.

New dwellings must also demonstrate an acceptable arrangement of private amenity space. The Adopted Residential Design SPD states that private amenity space should be provided in single, high quality, usable, enclosed blocks which benefit from both natural sunlight and shading. The Residential Design SPD does not prescribe fixed standards for private amenity space, which can be restrictive on small and awkward sites. The London Plan (2021) offers guidance on this matter in the sense that minimum standards are present in Policy D6. It states that where there are no higher

local standards in the borough Development Plan Documents, a minimum of 5 sqm. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. These standards are reflected in the Havering Local Plan 2016-2031 where at Policy 7 it requires compliance with the space standards.

The submitted plans indicate that the flat would be a 1 bed 1 person flat. However, the area of the bedroom would 11.9 sq m which would be in excess of the 11.5 sq metres for a two bedspace double (or twin) bedroom.

Although, the proposal would meet a 1 bed 1 person gross internal floor area 39 sq m as the area of the 1 bed flat would be approximately 44.67 sq m, it would be less than the requirement set out by the Mayor of 50m² for a 1-bed 2-person single storey dwelling.

The Planning Inspector for the appeal APP/B5480/W/20/3259831 (P1928.19) that -

"Drawing no SP1563SK1 Rev A demonstrates that the bedroom is of sufficient size to meet the standards for two bed spaces and therefore whilst the property may have only been rented to a single occupant, I consider that having regard to the size of the bedroom, the dwelling should meet the overall space standards for a 1 bedroom 2 person unit. The evidence before me indicates that the dwelling does not provide sufficient internal space to comply with this policy. As a consequence, the dwelling would represent an oppressively confined form of residential accommodation, that would be significantly harmful to its occupants".

The above would still apply for this application and as a result, it is considered that the failure to meet with the minimum standards is a significant failing and suggestive of a poor quality of accommodation which would be detrimental to the amenity of future occupants.

It is noted that no cross section was provided with this submission to confirm the internal floor to ceiling height. The submitted elevations indicate from damp proof course (dpc) to eaves height that the height is approximately 2.26m. It is considered that it would be difficult to substantiate a refusal, mindful that this is an existing arrangement and the existing shop storage will be converted into 1x bed flat.

The character impacts are explored below. The garden area to the front and rear would exceed the minimum standard. However other factors are for consideration including outlook, aspect and setting. To this end given the close proximity of 1.8m high boundary fences to the main habitable room windows the outlook from these habitable rooms would result in poor aspect and outlook and a sense of confinement to the detriment of the amenity of the prospective occupiers. This is consistent with the views of the appeal inspector in resolving to dismiss a comparable submission in 2016.

Any new dwelling must also demonstrate an adequate level of outdoor amenity space. In the case of applications where a plot is to be subdivided, an adequate and useable space should also be retained for the donor property. There is no prescribed standard as such and there is instead a judgement made over quality and usability. Quite how the site was apportioned previously is unclear and whether the space served the existing residential use is a matter that has not been considered by either the previous case officer or the appeal inspector. It stands then that this is not a matter for consideration.

The applicant shows an entirely identical site to the earlier submission however has sought to alter the arrangement of space to the rear of the dwelling in a more defined manner. The constraints identified previously remain evident in so far as that only a limited area would exist which could be landscaped, and which would likely need to be enclosed on all sides to provide some semblance of privacy. This would serve to increase the sense of enclosure present throughout the development, a result of the limited and constrained plot. In any event the arrangement and extent of amenity space is of a low quality. This factor contributes further to a harmful living environment and a low quality setting for new residential development.

Details have been provided site of green open spaces in walking distance of the site. Policy D6 of the London Plan outlines that "Private outside space should be practical in terms of its shape and utility, and care should be taken to ensure the space offers good amenity. All dwellings should have level access to one or more of the following forms of private outside spaces: a garden, terrace, roof garden, courtyard garden or balcony. The use of roof areas, including podiums, and courtyards for additional private or shared outside space is encouraged.

Although, private amenity space has been provided due to its irregular shape and distance from the dwelling, this would not be deemed to be good quality and this will be expanded on within the Impact on Amenity section of the report below.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The Council recognises that much of the borough is suburban, characterised by spaciouly set up neighbourhoods with large private gardens. Intensification of these areas by development on gardens or backland may provide valuable sources for housing. Development of such sites can be difficult as there are often a number of constraints. They require sensitive development and high quality design to ensure that the character of the area and the quality of life of existing and future residents is maintained.

Policy 10 of the Havering Local Plan 2016-2031 (HLP) is relevant as it states that the subdivision of plots and garden development will not be supported, unless it can be robustly demonstrated that the proposal would not have an adverse impact on the character of the area and that the proposed plot sizes are consistent with the size, setting and arrangement of properties in the surrounding area. Policy 10 would need to be taken in conjunction with Policies 7 and 26 of the HLP which require fundamentally that residential development be of high quality design. Therefore compliance with the criteria of Policy 10 as set out in the preceding section of this report is not of itself justification for approval.

The Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. It goes on to set out that good design is a key aspect of sustainable development, in so far as that it creates better places in which to live and work and helps make development acceptable to communities. However an overarching consideration is the desirability of maintaining an area's prevailing character and setting (including residential gardens), of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places. The framework requires that permission is refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

The National Planning Policy Framework promotes and supports the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained. The benefits of this would however need to outweigh the other potential harm arising. The provision of accommodation with the layout shown could be regarded as being at odds with the established urban grain and detrimental to local character, however it is accepted that an opposing view was formed when considering the provision of an office/store which had an almost identical appearance. Consequently there are no grounds with which to oppose the development or to find it objectionable in character terms.

IMPACT ON AMENITY

The proposed change of use of shop storage space to create 1x bed flat would not result in any detrimental impact on the amenity of the neighbouring properties.

In terms of the amenity of future occupiers, there is concern that the proposed new development is cramped within the plot. The main habitable window onto the garden are located to the rear of the building and will face on to the boundary fence at a distance of less than 3m at the closest point. The boundary is angled but, even at best, the distance from the boundary is only around 3.55m. Staff consider that this would give rise to an oppressive outlook and poor quality living environment for future occupiers of the development.

In assessing this application, the Council have considered an appeal decision at 24 Horndon Road, Romford reference APP/B5480/W/22/3290943 (P1417.21) which was dismissed.

Due to close proximity of the new dwelling to the boundary at the rear, the Planning Inspector commented "While there may well be "less expectation of expansive outlook from bedrooms", as the appellant puts it, the very limited outlook which the proposed bedrooms in this scheme would offer would nevertheless be likely to fall short of most peoples' reasonable expectations".

Parallels could be drawn between this current application and the above appeal. Although, the Planning Inspector referred to bedrooms, the same principle would apply for any habitable rooms. Arguably the situation is worse in this current application, as it is outlook from the main living areas of the dwelling that is compromised.

It is considered due to the limited outlook and subsequent sense of enclosure within the main habitable room, the proposed dwelling would not provide acceptable living conditions for future occupiers. The development would therefore conflict with Policies 7 and 10 of the HLP and with Policy D6 of the London Plan 2021. These forementioned policies seek to ensure that development provides a high standard of amenity for future occupiers.

The Planning Inspector reasoned for the appeal ref APP/B5480/W/16/3157438 (P0008.16) that the amenity impacts would be limited to those of the future occupants, through a low quality living arrangement and the case officer sees no reason to depart from this view. Whilst these matters have been considered earlier in this report, the habitable rooms of the subject dwelling would be closer to the commercial frontage than those of houses in Ferro Road, and situated at ground level, unlike the upper floor accommodation on the frontage. Levels of noise or disturbance likely to be experienced by occupiers would therefore be greater than that for other occupiers in the vicinity.

This view is consistent with the appeal inspector's findings.

In the subsequent appeal for APP/B5480/W/20/3259831 (P1928.19), the Planning Inspector commented -

"the SPD does state that proximity to public open space will be considered when assessing the adequacy of provision of private amenity space. However, as I have not been provided with any details of nearby public parks or travel times to them, I can give this only limited weight. Even if they were located only a short distance away, using them would be significantly less convenient than using an appropriate amenity space at the appeal site".

Furthermore, during the last appeal, the Planning Inspector commented that -

" I have also regard to the position of the development, which abuts the rear wall of the commercial unit fronting Wennington Road, I note that in considering the previous appeal the Inspector concluded that the development would, given its proximity to the commercial properties, experience levels of noise and disturbance which would be greater than those of other occupiers within the vicinity and I have no evidence before me which would lead me to come to a different conclusion.

In summary, the amenity space provided is not considered to be a space which would be attractive and inviting, and therefore would not promote its use as a space for leisure and relaxation and as a result, the proposal would not provide an adequate private amenity space. In addition, the lack of acceptable internal space, in combination with, the limited outlook from the proposed windows and its proximity to nearby commercial uses, leads to a development which would fail to provide acceptable living conditions for future occupiers".

As such, it is considered that the arrangement shown would be detrimental of the amenity of future occupiers, demonstrating harmful living conditions with regards to outlook and setting, contrary to Policy 7 of the Havering Local Plan with Policy D6 of the London Plan 2021. These forementioned policies seek to ensure that development provides a high standard of amenity for future occupiers.

HIGHWAY/PARKING

Parking provision and matters of highway consideration are represented in Policy 23 of the Havering Local Plan 2016-2031 and the London Plan Policies T4 and T6.1. The PTAL rating for the site is 4.

The London Plan outlines for a site within Outer London PTAL 4 that has 3+ bedrooms a maximum parking standard of up to 0.5 - 0.75 spaces per dwelling applies. No parking provision has been provided for the 1 bedroom flat.

It is considered that it would be difficult to substantiate a refusal on appeal on parking grounds for the one bedroom flat.

OTHER ISSUES

Refuse and Recycling:

The supporting plan WR1 indicates a refuse area for the property but no details have been provided in respect to the storage. A condition would need to be imposed in respect to the refuse storage should the application be approved.

CONCLUSION

As stated above, the proposal does not benefit from the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF. Having had regard to the above and in doing so all relevant planning policy and material considerations, REFUSAL is recommended accordingly.

RECOMMENDATION:

It is recommended that **planning permission be REFUSED** for the following reason(s)

1 Reason for refusal - Layout

The proposed development would not demonstrate a suitably high quality living environment for future occupiers, with the arrangement shown symptomatic of a cramped overdevelopment of the site and a low quality residential setting which would be the detriment of the amenity of future occupiers. The development would fail to provide suitable internal spacing, adequate outlook and aspect and would also demonstrate an inadequate provision of usable amenity space and as such the development would give rise to a poor quality living environment contrary to Policy 7 of the Havering Local Plan, Policy D6 of the London Plan 2021 and the guidance within the NPPF.

INFORMATIVES

1 Refusal - No negotiation

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 reason(s) for it was given to Spaces Design by e-mail on 05-02-26.

Authorising Officer:



Neil Goate

6th February 2026