

SUE - 1303



## Appeal Decision

Site visit made on 17 January 2006

by **John Murray LLB, Dip.Plan.Env, DMS, Solicitor**

an Inspector appointed by the First Secretary of State

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Date **26 JAN 2006**

**Appeal Ref: APP/B5480/A/05/1190754**  
**14 Rainham Road, Rainham, Essex, RM13 7RR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mohinder Singh Choda against the decision of the Council of the London Borough of Havering.
- The application Ref P1212.05, dated 27 June 2005, was refused by notice dated 18 August 2005.
- The development proposed is described as the change of use to a hand car wash area and car sales area.

**Summary of Decision: The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.**

### Procedural Matters

1. The appeal site is currently used as a petrol filling station, including a shop selling additional goods such as confectionery, drinks, newspapers and tobacco. In addition to changing the use of the site to a hand car wash area and car sales area, the proposal involves the erection of a building to form the car wash bay in the north-western corner of the site. I consider that the description of the development should be amended accordingly.

### Main Issues

2. The main issue is the effect of the proposal on neighbours' living conditions in terms of noise and disturbance.

### Planning Policy

3. The development plan includes the Havering Unitary Development Plan (UDP), adopted March 1993. Among other things, UDP Policy ENV1 seeks to ensure that development, including a change of use, is satisfactorily located and of a high standard of design and layout. It should be compatible with the character of the area, avoiding prejudice to the environment of the occupiers of adjacent property, having regard to various matters including height, bulk, layout, elevational treatment, and materials. It should also have no unreasonably adverse effects on the environment by reason of noise, vibration, fumes, smells, hours of operation, airborne or waterborne pollution or contamination and should not give rise to unacceptable levels of traffic noise and disturbance to nearby or adjoining occupiers. Policy TRN2 is aimed partly at preventing development that would generate levels of traffic, which would adversely affect roads in the locality and TRN18 requires adequate parking provision.

### Reasons

4. In objecting to the current proposal, the Council and local residents drew on their experience of an unauthorised car wash operation, which continued on the appeal site for some considerable

time. An enforcement notice was served in relation to the unauthorised change of use of the site to a mixed use of a petrol filling station and washing of vehicles, together with the erection of temporary structures in connection with the vehicle wash use.

5. Appeals were lodged against the enforcement notice (Ref APP/B5480/C/02/1103998) and the refusal to grant planning permission for the installation of a vehicle wash bay (Ref APP/B5480/A/02/1102960). In dismissing both appeals in 2003, the Inspector said "given the proximity of the appeal site to neighbouring residential properties, I consider it unsuitable for the provision of vehicle wash facilities." Whilst that conclusion might appear to weigh heavily against the current proposal, I consider that it was based on the details and circumstances of the particular scheme under consideration at the time and the current proposal is significantly different.
6. The previous, unauthorised car wash operation was undertaken in the north-eastern corner of the site, close to the site boundary. Whilst the Council had indicated a slightly different location on an aerial photograph, the parties confirmed at the site visit that, the unauthorised car wash bay was alongside the flank elevation of the dwelling at No 1 Victory Road, in which there is a side, kitchen window. The previous Inspector assessed the impact of the car wash from within that kitchen. With the side window open, he found the noise from vehicle wash activities intrusive and unpleasant and he also considered it intrusive in the rear garden.
7. The current proposal is to site the car wash bay in the north-western corner of the site, adjoining the existing shop and store building. It would therefore be further from the house at No 1 Victory Road than the unauthorised bay. The rear wall of the proposed bay would be adjacent to the end section of No 1's back garden, where there is a garage/store. On the north-western site boundary, the bay would be alongside a vehicle access and garages/stores to the rear of No 18 Rainham Road. In this location, I consider that the proposed car wash bay would have significantly less impact on neighbours' living conditions than the unauthorised operation. In addition, the proposal to cover the bay with a Perspex roof and the potential to impose conditions controlling noise levels and the use of power tools would further reduce noise and disturbance experienced within neighbouring dwellings and gardens.
8. It is notable that a jet wash facility, in substantially the same position as that now proposed, was included as part of an earlier scheme. That proposal was also the subject of an appeal (Ref T/APP/B5480/A/97/287497/P8), which was dismissed as a whole. However, the Inspector found that, given the potential to restrict the hours of use and to provide an angled screen to reduce spray, a jet wash facility in that north-western corner of the site would not cause unacceptable loss of amenity to adjoining residents, in the context of UDP Policy ENV1. Shortly after that appeal, the Council granted planning permission in 1998 for a jet wash bay, with a clear roof, in that location (Ref P0179.98), though this was never implemented.
9. The evidence is that the previous, unauthorised car wash involved a 'conveyor belt' system, with up to 2 or 3 cars being cleaned or prepared for washing at any one time by as many as 10 operatives. By contrast the proposed bay could not accommodate more than 1 vehicle at a time and a condition could ensure that vehicles are only cleaned within the bay. In these circumstances, the number of people working in the car wash is likely to be limited and the associated level of activity, noise and disturbance reduced. For the same reasons, the numbers of vehicles visiting the car facility are likely to be less than before.
10. The appellant provides evidence of vehicle movements associated with the current lawful use for the months of June 2005 and June 2004, as well as projected vehicle movements generated by the proposal and this is the best evidence available to me. Whilst neighbours indicate that vehicles visiting the unauthorised car wash frequently queued onto Rainham Road, this was

when the 'conveyor belt' system operated, in conjunction with the petrol filling station use. The Council and neighbours also contend that, in view of the appellant's evidence that the petrol station use is no longer viable, it is reasonable to assume that the appellant will want to attract more customers to the car wash and car sales business. However, I consider that the number of customers required to make the proposal viable is unlikely to be the same as that required for a petrol filling station and, on the evidence before me, I am satisfied that fewer vehicle movements and lesser activity would be generated by a car sales use in conjunction with the car wash proposal, than by a petrol filling station use, with or without a car wash.

11. Given the location, design and scale of the proposed car wash bay, the number of vehicles movements likely to be generated by the proposed uses and the scope for imposing conditions, I conclude on the main issue that the proposal would not cause unacceptable harm to neighbours' living conditions in terms of noise and disturbance. In this regard it would comply with UDP Policy ENVI.

#### **Other Matters**

12. This formed no part of the reason for refusal, but the Council's statement indicated that the proposed car wash bay would appear overbearing and unduly intrusive from the rear garden of No 1 Victory Road. However, the roof would be hipped and given its location adjacent to the northern end of that garden, adjoining the existing shop and store building, I am satisfied that it would not appear unduly overbearing or intrusive. It would therefore comply with the relevant part of UDP Policy ENVI.
13. The highway authority did not object to the proposal and, given my conclusions regarding the likely levels of vehicle movements, I am not persuaded that local roads would be adversely affected. Similarly, I consider that, when joining Rainham Road from Victory Road, visibility is adequate and would not be unduly restricted by the proposed car sales area. I am satisfied that there would be adequate room for customer and staff parking on the site and a condition could ensure that this is marked out before the new uses commence.
14. Given the location of the proposed car wash bay and its form of construction, I consider that it would not give rise to unacceptable levels of spray or smell and though they are small, I am satisfied that the existing shop and storage buildings on site would provide adequate office accommodation for the proposed mixed use. Some residents say that there is no need for a car wash facility in the area, but that is a matter for the appellant and would not justify dismissal.

#### **Conditions**

15. A number of conditions have been suggested in addition to the standard time limit for commencement of development. Having regard to advice in Circular 11/95, I consider a condition requiring the development to be undertaken in accordance with the submitted plans unnecessary. However, to ensure the satisfactory appearance of the car wash bay, I will require samples of materials to be submitted to the Council for approval. In view of my conclusions on the main and other issues and the fact that significant expense would be incurred in constructing the car wash bay, I am not persuaded that a condition requiring the use to be discontinued within a year or any other period would be necessary or reasonable.
16. Whilst the proposed uses are limited to car wash and car sales, for the avoidance of doubt and to protect neighbours' living conditions, I will attach a condition to ensure that the existing petrol filling station use ceases. To further protect neighbours' living conditions I will limit the hours of operation of the car wash. However, given that the existing petrol station use is not subject to restricted operating hours, I consider the condition suggested by the Council unduly

restrictive. I will adopt the condition previously imposed on the jet wash under planning permission Ref P0179/98.

17. The appellant's comment that the dimensions of the car wash bay would ensure that only one car could be cleaned at any one time was a significant factor in my decision. I will therefore impose a condition to ensure that the cleaning of vehicles takes place solely within that bay. Whilst the appellant would accept the Council's suggested condition preventing the use of power tools, machinery or equipment, other than portable hand tools, it seems to me that portable hand tools could nevertheless be powered and could therefore give rise to significant noise, even if only the sound of pressurised water on vehicle body panels. I therefore consider it necessary to prevent the use of any powered tools, machinery or equipment unless an approved scheme has been implemented, which limits noise levels to those advised by the Council's environmental health officer.
18. The submitted plans indicate the location of the customer and staff car parking to the northwest and northeast of the site respectively and I am satisfied that the surface is adequate in these locations. However, to ensure the safe and convenient movement of vehicles within the site and on adjoining roads, and to prevent any undue impact on levels of parking in adjoining roads, I will require that car parking to be marked out in accordance with plans to be submitted to the Council for approval.
19. I note that there is currently a large refuse bin in the area where the new car wash bay would be located. To safeguard the amenities of neighbouring residents, I will require a refuse storage area to be provided in accordance with details to be submitted to the Council for approval. I am content that there is sufficient room on site to accommodate this. Notwithstanding the limited details shown on the submitted plans and the lack of objections from the environment agency, I will require drainage details to be submitted for approval to ensure the satisfactory drainage of water from the car wash bay, in the interests of neighbours' amenity and highway safety.


### **Conclusions**

20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

### **Formal Decision**

21. I allow the appeal, and grant planning permission for the change of use to a hand car wash area and car sales area, including the construction of a car wash bay at 14 Rainham Road, Rainham, Essex, RM13 7RR in accordance with the terms of the application, Ref P1212.05, dated 27 June 2005, and the plans submitted therewith, subject to the following conditions:
  - 1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.
  - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the hand car wash bay hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  - 3) On commencement of either of the uses hereby approved the use of the site as a petrol filling station shall cease.
  - 4) Vehicles shall not be washed or otherwise cleaned on the site other than between the hours of 8.00am and 8.00pm Mondays to Fridays and 10.00am to 5.30pm Saturdays, Sundays and Bank Holidays.

- 5) The washing or cleaning of vehicles shall only take place within the wash bay hereby approved and on no other part of the site.
- 6) Other than non-powered, portable hand tools, no equipment shall be used for the cleaning of vehicles on the site except in full accordance with a scheme first submitted to and approved by the local planning authority in writing to ensure that noise levels (expressed as the equivalent continuous sound level  $L_{Aeq}$  (1 hour)) when calculated at the boundaries of No 1 Victory Road and No 18 Rainham Road shall not exceed  $L_{A90} - 5dB$ .
- 7) Neither of the uses hereby permitted shall commence until the areas identified for customer and staff car parking on the submitted plans have been marked out in accordance with plans first submitted to and approved by the local planning authority in writing and those areas shall be permanently retained and shall not be used for any other purpose.
- 8) Neither of the uses hereby permitted shall commence until a refuse storage area has been provided on site in accordance with details first submitted to and approved by the local planning authority in writing and that area shall be permanently retained and shall not be used for any other purpose.
- 9) Notwithstanding the details shown on the submitted plans, the hand car wash use hereby permitted shall not commence until works to enable the drainage of the wash bay hereby approved have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

  
INSPECTOR

**RE: Rainham Road Service Station 14 Rainham Road Rainham.**

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990  
(as amended by the Planning and Compensation Act 1991)**

**ENFORCEMENT NOTICE**

- TO:**
1. The Owner of the said land
  2. The Occupier of the said land
  3. Mohinder Singh Choda, The Manse, 207 Lambourne Road, Chigwell, Essex, IG7 6JP
  4. Arjan Ahmetaj, Rainham Service Station Rainham Road, Rainham, Essex
  5. The Operator of the Car Wash at Rainham Road Service Station, 14 Rainham Road, Rainham, Essex.

**ISSUED BY:** London Borough of Havering

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to the Council that there has been a breach of planning control, under Section 171A(1)(b) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations.

**2. THE LAND AFFECTED**

The former petrol filling station and associated land at 14 Rainham Road Rainham Essex shown edged black on the attached plan.

**3. THE BREACH OF PLANNING CONTROL ALLEGED**

Planning Permission was granted on appeal by the Planning Inspectorate on 26<sup>th</sup> January 2006 under Planning Reference P1212.05 for change of use to a hand car Wash area and car sales area , including the construction of a car wash bay at 14 Rainham Road Rainham in accordance with the terms of the application and the plans submitted therewith subject to conditions :

- (i) Under planning condition 5 whereby : " The washing or cleaning of vehicles shall only take place within the wash bay hereby approved and on no other part of the site".

Planning Condition 5 is being breached by the washing and cleaning of vehicles in the open taking place on other parts of the site and not in the wash bay hereby approved under the planning permission.

- (ii) Under planning condition 6 whereby : " Other than non-powered, portable hand tools, no equipment shall be used for the cleaning of vehicles on the site except in full accordance with a scheme first submitted to and approved by the local planning authority in writing to ensure that noise levels (expressed as the equivalent continuous sound level LAEQ (1 hour ) ) when calculated at the boundaries of No 1 Victory road and No 18 Rainham Road shall not exceed LA90 – 5dB".

Planning Condition 6 is being breached by the use of powered portable hand tools both within and outside of the washbay area hereby approved which would create unacceptable levels of noise as no scheme relating to noise has been submitted to or approved by the local planning authority in writing.

- (iii) Under planning condition 7 whereby : " Neither of the uses hereby permitted shall commence until the areas identified for customer and staff car parking on the submitted plans have been marked out in accordance with plans first submitted to and approved by the local planning authority in writing and those areas shall be permanently retained and shall not be used for any other purpose".

Planning Condition 7 is being breached as the areas dedicated to parking permanently for customer and staff car parking are being used as a sitting area and storage and not exclusively for parking as stated above.

- (iv) Under planning condition 9 whereby : " Notwithstanding the details shown on the submitted plans, the hand car wash use hereby permitted shall not commence until works to enable the drainage of the wash bay hereby approved have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority ".

Planning Condition 9 has not been fully discharged as discharge to the surface water is not acceptable and no details have been approved by local planning authority in writing.

- (v) Under planning condition 2 whereby : " No development shall take place until samples of the materials to be used in the construction of the external surfaces of the hand car wash bay hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Planning Condition 2 has not been complied with as development has taken place not in accordance with approved details and by the erection of an unauthorised car wash building.

#### **4. REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breaches of planning control have occurred within the last ten years. Conditions 6,7,9 and 2 were imposed on appeal under Planning Permission P1212.05 by the Planning Inspectorate. The relevant policy considerations are DC33 (car parking) , DC36 (servicing) , DC52(water supply and drainage), DC55 (noise) ,and DC61( urban design) of the Core Strategy and Development Control Policies Submission Development Plan document. The use of the car wash including the construction of a car wash bay has not been implemented in accordance with the plans. The unauthorised uses and the non- compliance with conditions , harm the amenity and appearance of the surrounding area. The site is unsightly , results in queuing vehicles impacting on the safe and efficient operation of the highway and has drainage is inadequate.

#### **5. WHAT YOU ARE REQUIRED TO DO**

- (1)** Cease washing and cleaning of vehicles except within the wash bay area as approved by planning permission granted on appeal , the plans approved therewith and in accordance with Condition 5 of the planning permission granted on appeal

Time for compliance: 3 months from the effective date of this notice

- (2)** Cease the use of all equipment for the cleaning of vehicles except non powered portable hand tools as approved and in the designated area except in full accordance with a scheme first submitted to and approved in writing by the Local Planning Authority to ensure that noise levels comply with condition 6 of the planning permission granted on appeal

Time for compliance: 3 months from the effective date of this notice

- (3)** (i)Cease the use as a sitting area and unauthorised storage of materials in areas reserved for customer and staff parking areas as approved under the planning permission granted on appeal in accordance with Condition 7

Time for compliance : 3 months from the effective date of this notice.

- (ii)**Remove all unauthorised storage from the areas mentioned in (i) above

Time for compliance : 3 months from the effective date of this notice.



VARIATION  
ON  
APPEAL.

- (4) Cease the use of washing facilities until full compliance with Condition 9 ( water waste ) of the planning permission granted on appeal which would be acceptable to the Local Planning Authority regarding water discharge

Time for compliance : 3 months from the effective date of this notice .

- (5) ~~(i) Cease the development as the development has taken place not in accordance with approved details as stated in condition 2~~

~~Time for compliance : 3 months from the effective date of this notice~~

- ~~(ii) Remove the unauthorised car wash building as stated in Condition 2 whereby development shall be carried out in accordance with the approved details.~~

~~Time for compliance : 3 months from the effective date of this notice.~~

- (6) ~~Remove all car washing and cleaning equipment from the site unless located within the approved car wash bay as approved~~

~~Time for compliance : 3 months from the effective date of this notice~~

- (7) Remove all bricks, rubble, machinery, apparatus, equipment, and other materials brought onto the land pursuant to the breaches of planning control alleged in order to comply with (1) to (6) above.

Time for compliance: 3 months from the effective date of this notice

## 6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 19<sup>th</sup> December 2008, unless an appeal is made against it beforehand

Dated: 7<sup>th</sup> November 2008

Signed:



Authorised Officer

on behalf of London Borough of Havering  
Town Hall  
Main Road  
Romford RM1 3BD

## YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State before 19<sup>th</sup> December 2008. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State the spare copy of this Enforcement Notice which is enclosed.

#### **WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this Enforcement Notice, it will take effect on 19<sup>th</sup> December 2008 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the Notice.

**FAILURE TO COMPLY WITH AN ENFORCEMENT NOTICE WHICH HAS TAKEN EFFECT CAN RESULT IN PROSECUTION AND/OR REMEDIAL ACTION BY THE COUNCIL.**

## EXPLANATORY NOTES

### **STATUTORY PROVISIONS**

A summary of Sections 171A, 171B and 172 to 177 of the Town and Country Planning Act 1990 (as amended) is enclosed with this Notice.

### **YOUR RIGHT OF APPEAL**

You can appeal against this Notice, but any appeal must be in writing and received, or posted (with the postage paid and properly addressed) in time to be received in the ordinary course of the post, by the Secretary of State before 19<sup>th</sup> December 2008. The enclosed booklet "Enforcement Appeals - A guide to Procedure" sets out your rights. Read it carefully. If you appeal you should use the enclosed appeal forms. Two copies are for you to send to the Secretary of State if you decide to appeal. The other is for you to keep as a duplicate for your own records. You should also send the Secretary of State a copy of the Enforcement Notice.

### **GROUND OF APPEAL**

The grounds of appeal are set out in Section 174 of the Town and Country Planning Act 1990 and are also set out on page 2-5 of the enclosed appeal forms.

### **PLANNING APPLICATION FEE**

Should wish to appeal on ground (a) - that planning permission should be granted for the unauthorised development - then a fee of £170.00 is payable both to the Secretary of State and to the Council. If the fees are not paid then that ground of appeal will not be valid.

### **STATEMENT ON GROUNDS OF APPEAL**

You must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends him a notice so requiring him, a statement in writing specifying the grounds on which you are appealing against the enforcement notice and stating briefly the facts on which you propose to rely in support of each of those grounds.

### **RECIPIENTS OF THE ENFORCEMENT NOTICE**

The names and addresses of all the persons on whom the Enforcement Notice has been served are:

- TO:**
1. The Owner of the said land
  2. The Occupier of the said land
  3. Mohinder Singh Choda, The Manse, 207 Lambourne Road, Chigwell, Essex, IG7 6JP
  4. Arjan Ahmetaj, Rainham Service Station, Rainham Road, Rainham,

Essex

5. The Operator of the Car Wash at Rainham Road Service Station 14  
Rainham Road, Rainham, Essex.



## Appeal Decisions

Hearing held on 30 June 2009

Site visit made on 30 June 2009

by **Claire Sherratt** DipURP MRTPI

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
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**Decision date:**  
**3 August 2009**

### Appeals A & B - Ref: APP/B5480/C/08/2092582 & 2092585 14 Rainham Road, Rainham, Essex RM13 7RR

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeals are made by Mr Mohinder Singh Choda and Mr Arjan Ahmetja respectively against an enforcement notice issued by the Council of the London Borough of Havering.
- The Council's reference is ENF/207/07/SX.
- The notice was issued on 7 November 2008.
- The breach of planning control alleged in the notice is failure to comply with conditions Nos 5, 6, 7, 9 and 2 of a planning permission Ref P1212.05 granted on 26 January 2006 (appeal reference APP/ B5480/A/05/119075).
- The development to which the permission relates is change of use to a hand car wash area and car sales area, including the construction of a car wash bay.
- The conditions in question state that:

Condition 5 – The washing or cleaning of vehicles shall only take place within the wash bay hereby approved and no other part of the site.

Condition 6 – Other than non-powered, portable hand tools, no equipment shall be used for the cleaning of vehicles on the site except in full accordance with a scheme first submitted to and approved by the local planning authority in writing to ensure that noise levels (expressed as the continuous sound level LAEQ (1 hour)) when calculated at the boundaries of No 1 Victory Road and No 18 Rainham Road shall not exceed LA90-5dB.

Condition 7 – Neither of the uses hereby permitted shall commence until the areas identified for customer and staff car parking on the submitted plans have been marked out in accordance with the plans first submitted to and approved by the local planning authority in writing and those areas shall be permanently retained and shall not be used for any other purpose.

Condition 9 – Notwithstanding the details shown on the submitted plans, the hand car wash use hereby permitted shall not commence until works to enable the drainage of the wash bay hereby approved have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.

Condition 2 – No development shall take place until samples of the materials to be used in the construction of the external surfaces of the hand car wash bay hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- The notice alleges that the conditions have not been complied with in that:

Condition 5 is being breached by the washing and cleaning of vehicles in the open taking place on other parts of the site and not in the wash bay hereby approved under the planning condition.

Condition 6 is being breached by the use of powered portable hand tools both within and outside of the wash bay area hereby approved which would create unacceptable levels of noise as no scheme relating to noise has been submitted to or approved by the local planning authority in writing.

Condition 7 is being breached as the areas dedicated to parking permanently for customer and staff car parking are being used as a sitting area and storage and not exclusively for parking as stated above.

Condition 9 has not fully been discharged as discharge to the surface water is not acceptable and no details have been approved by the local planning authority in writing.

Condition 2 has not been complied with as development has taken place not in accordance with approved details and by the erection of an unauthorised car wash building.

- The requirements of the notice are to:
  1. Cease washing and cleaning of vehicles except within the wash bay area as approved by planning permission granted on appeal, the plans approved therewith and in accordance with condition 5 of the planning permission granted on appeal.
  2. Cease the use of all equipment for the cleaning of vehicles except non powered portable hand tools as approved and in the designated area except in full accordance with a scheme first submitted to and approved in writing by the local planning authority to ensure that noise levels comply with condition 6 of the planning permission granted on appeal.
  3. (i) Cease the use as a seating area and unauthorised storage of materials in areas reserved for customer and staff parking areas as approved under the planning permission granted on appeal in accordance with Condition 7.  
(ii) Remove all unauthorised storage from the areas mentioned in (i) above.
  4. Cease the use of washing facilities until full compliance with Condition 9 (water waste) of the planning permission granted on appeal which would be acceptable to the local planning authority regarding water discharge.
  5. (i) Cease the development as the development has taken place not in accordance with approved details as stated in condition 2.  
(ii) Remove the unauthorised car wash building as stated in condition 2 whereby development shall be carried out in accordance with the approved details.
  6. Remove all car washing and cleaning equipment from the site unless located within the approved car wash bay as approved.
  7. Remove all bricks, rubble, machinery, apparatus, equipment, and other materials brought onto the land pursuant to the breaches of planning control alleged in order to comply with (1) to (6) above.
- The period for compliance with the requirements is 3 months from the effective date of the notice.
- The appeal is proceeding on the grounds set out in section 174(2) (a), (b), (c), (f) and (g) of the Town and Country Planning Act 1990 as amended.
- An application for planning permission is deemed to have been made under S177 (5) of the Act as amended.

**Decision:**

**I direct that the enforcement notice be corrected by:**

- (a) The deletion of the words 'and by the erection of an unauthorised car wash building' in 3 (v);

**I direct that the enforcement notice be varied by:**

- (a) The deletion of 5 (5) (i) 'Cease the development as the development has taken place not in accordance with approved details as stated in condition 2.'
- (b) The deletion of 5 (5) (ii) 'remove the unauthorised car wash building as stated in Condition 2 whereby development shall be carried out in accordance with the approved details.'
- (c) The deletion of 5 (6) 'remove all car washing and cleaning equipment from the site unless located within the approved car wash bay as approved.'
- (d) The deletion of the words 'bricks, rubble' in 5 (7).

**Subject to these corrections and variations I dismiss the appeal, uphold the enforcement notice, and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.**

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**Appeal C - Ref: APP/B5480/A/08/2091742  
14 Rainham Road, Rainham, Essex RM13 7RR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Mohinder Singh against the decision of the Council of the London Borough of Havering.
- The application Ref P0758.08, dated 6 May 2008, was refused by notice dated 10 July 2008.
- The development proposed is change of use of former garage forecourt shop to form part of the adjoining car wash unit.

**Decision: I allow the appeal, and grant planning permission for the change of use of a former garage forecourt shop to form part of an adjoining car wash unit at 14 Rainham Road, Rainham, Essex RM13 7RR in accordance with the terms of the application, Ref P0758.08, dated 6 May 2008, and the plans submitted with it, subject to the conditions set out in annex 1 attached to this decision.**

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**Application for Costs**

1. At the hearing an application for costs was made by Mr Mohinder Singh against the London Borough of Havering. This application is the subject of a separate Decision.
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## **Appeals A & B against the Enforcement Notice**

### **Procedural Matters**

2. Prior to the hearing the main parties agreed that condition 9 of planning permission reference P1212.05 has been complied with. Requirement (4) of Section 5 of the Notice is therefore satisfied. I note the position and it is not therefore necessary for me to address matters relating to this condition any further.
3. The appellant asserts that the Notice is 'void for uncertainty' being ambiguous and uncertain so that the owner or occupier could not tell in what respect it was alleged that he had failed to comply with the conditions and that he could not tell with reasonable certainty what steps he had to take to remedy the alleged breaches. S173 (2) says that a notice complies with s173 (1) (a) if it "enables any person on whom a copy of it is served to know what those matters, (the matters alleged to constitute the breach), are". However, for a notice to "hopelessly ambiguous and uncertain" much must be wrong with it<sup>1</sup>.
4. Where a breach of condition is alleged, as is the case here, details of the relevant permission and condition(s) should be recited, so that it is clear what the allegation is. An example of such an Enforcement Notice is set out in Appendix 3 to Annex 2 of Circular 10/97. Like the example, the Notice contains the date of the planning permission to which the Notice refers and the relevant conditions are set out in full. It also clearly states the planning permission reference. There can be no uncertainty as to which permission and conditions the Notice relates to. The planning permission, application plans and any plans or details subsequently submitted and approved in accordance with conditions are public documents which the recipient of the Notice or any other member of the public would have access to. There is no statutory requirement to annex the decision and application plans.
5. The legislative requirements only require the local planning authority to specify the precise boundaries of the land to which the Notice relates on a plan. Whilst it may have been helpful to indicate the approximate position of the approved wash bay and parking spaces referred to on the plan attached to the Notice, I do not consider it necessary as this is clearly evident from the public documents referred to in the Notice. In any event, I consider that the recipients of the Notice were not in any doubt as to the location of the wash-bay and were not prejudiced as a result of any lack of its identification on the plan.
6. I have considered whether the Notice tells the recipient fairly, in respect of each condition (that the appeal relates to), what he has done wrong and what he must do to remedy it. Condition 2 requires the submission of material samples and the development to be subsequently carried out in accordance

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<sup>1</sup> Courts in the *Ahern* and *Simms v SSE and Broxtowe* cases have encouraged a move away from strict adherence to formalities. In *Ahern* it was stated that the Act could be read to mean what it says, namely that the Secretary of State may correct any defect or error if he is satisfied that there would be no injustice to either party. In this context it is in the public interest that money should not be wasted unnecessarily by setting the nullity test too low since the result of such a finding is normally the issue of another notice under the second bite provision and a further appeal.



with those details. The alleged breach is twofold; firstly, that the development has not taken place in accordance with approved details and secondly; the erection of an unauthorised car wash building. In respect of the latter, the erection of an unauthorised building would not relate to the planning permission or the conditions that the permission is subject to. It would be a separate breach of planning control unrelated to the planning permission. I therefore intend to correct the Notice by deleting 'and by the erection of an unauthorised car wash building' from the allegation relating to Condition 2. I do not consider that injustice to the parties would be caused. I will deal with the requirements of the Notice in respect of condition 2 under ground (f). Subject to this correction, I find condition 2 is clear on its face.

7. Condition 7 requires customer and staff parking to be marked out within the site. More specifically, it requires spaces to be marked out in accordance with plans to be submitted in the areas indicated on the 'submitted plan'. Plans were submitted (Document 8) and approved showing 2 staff spaces in the north east corner of the site (at right angles to Victory Road) and 3 visitor spaces in the south east corner of the site (at right angles with Rainham Road) both in the general areas indicated on the submitted plan. Car parking spaces have not been marked out in accordance with the approved plan. Four customer spaces had been marked out in the south east corner of the site, but at right angles to Victory Road and not therefore in accordance with the approved plan. Although, at the time of my visit, I saw vehicles parked in the north east corner of the site adjacent to the boundary with 1 Victory Road, no spaces were marked out.
8. The Council do not identify the alleged breach as the failure to mark out the spaces in accordance with the approved details or require them to be marked out and used for no other purpose other than staff and customer parking. Instead, it only requires the use of the 'dedicated parking areas' as a sitting area and for storage to cease. The Council has therefore chosen to under-enforce the breach of this condition and clearly states that the alleged breach is the use of the 'dedicated parking areas' as sitting areas and storage purposes. The requirement of the Notice in respect of condition 7 (requirement 3) is to cease the use of the parking areas 'as approved' as a seating area and for storage of materials and remove the storage materials. As requirement 3 refers to the 'customer and staff parking areas as approved' then it is clearly this area that the Notice relates to. Whilst the specific wording of the Notice could have been clearer in this respect, it is not so ambiguous or illogical to be a nullity.

## **Reasons**

### **Ground (b) – that those matters have not occurred**

9. The crux of the appellant's argument is that the alleged breaches of the conditions of planning permission P1212.05 to which the notice relates have not occurred as this permission has not been implemented. As such, there are no conditions prohibiting what has occurred.
10. The Notice relates to planning permission reference P1212.05 (change of use to a hand car wash area and car sales, including the construction of a car wash bay) which was allowed on appeal (ref APP/B5480/A/05/1190754) on

26 January 2006. However, the appellant asserts that it was an earlier planning permission, reference P0179.98 (part demolition of existing forecourt shop construction new enlarged shop and installation of jet wash and clear roof over proposed jet wash bay), granted in 1998 that has been implemented.

11. The appellant's evidence was that a few months after the permission, a jet wash facility operated in the location shown on the approved plans. A material change of use therefore occurred although it was accepted that the remainder of the operational development was not carried out. The use subsequently moved to another part of the site. The local residents in attendance at the hearing disagreed and had no recollection of a jet wash operating in 1998 / 1999 in the north west corner of the site. I note that the Inspector who determined the 2006 appeal relating to the permitted car wash referred to the earlier 1998 jet wash permission and records in his decision at paragraph 8 that 'the permission has not been implemented'.
12. I am not satisfied based on the evidence before me, that on the balance of probability, the 1998 permission was implemented by the use of land for a jet wash. The ground (b) appeal therefore fails.

**Ground (c) – that those matters if they occurred did not constitute a breach of planning control**

13. Ground (c) is pleaded on the basis that the conditions in question have been complied with, were unreasonably imposed, or fail the six tests laid down in paragraphs 14-42 of Circular 11/95.

Condition 2

14. A condition requiring details of materials to be submitted for approval is common place and in this case was necessary to ensure the appearance of the wash bay was satisfactory. The alleged breach, as corrected, is that the development has not taken place in accordance with the approved details. Samples of some external materials were submitted to the Council but not approved in writing. There are therefore no approved details. No appeal was lodged against the failure of the Council to approve the materials. The condition requires that no development shall commence until details have been approved. As a matter of fact and degree, a breach of Condition 2 has therefore occurred.

Condition 5

15. Condition 5 has not been complied with. Photographic evidence provided by the Council clearly shows vehicles being washed outside the wash-bay. This is also supported by the observations of local residents. In my view it is not unreasonably imposed and accords with the tests set out in Circular 11/95.
16. Unlike the appellant, I consider acts of preparation and finishing clearly come under the heading 'washing or cleaning' specified in the condition. Indeed the previous Inspector must have intended this to be the case as he compared the permitted car wash facility to an unauthorised car wash undertaken in the north eastern corner of the site which involved a conveyor belt system with up to 2 or 3 cars being cleared or prepared for washing at anyone time by as many as 10 operatives. By contrast, he found the wash bay could not

accommodate more than 1 vehicle at a time. Accordingly, he found that *'in these circumstances, the number of people working in the car wash is likely to be limited and the associated level of activity, noise and disturbance reduced'*. This would not be the case if any other activities could still take place outside the wash bay. Similarly, I consider the condition prevents both washing and cleaning taking place anywhere other than in the wash bay. It is not void for uncertainty as it can be given sensible meaning, (*Fawcett Properties v Bucks CC* [1961] AC 636).

#### Condition 6

17. The effect of Condition 6 is to prevent the use of any equipment, except non-powered, portable hand-tools, other than in accordance with a scheme to be first submitted to and approved in writing. Whilst the condition contains an additional advisory element that refers to specific noise levels at the boundaries of nearby properties this is not expressed as a requirement of the condition. As such, it would still be for the local planning authority to determine whether the use of any powered tools would be acceptable having regard to the living conditions of nearby residents based on the information submitted to it. Whilst it may have been preferable to require details to be submitted or impose a condition expressly restricting noise levels to a specific level at the boundaries, the condition is nevertheless clear and unambiguous.
18. I consider such a scheme is necessary and reasonable to adequately safeguard the living conditions of the occupiers of nearby properties. Indeed representations made by local residents suggest that the equipment being used does cause noise and disturbance although it is unclear if this is only when the machinery is operated outside the wash bay. I acknowledge that a similar condition was not imposed on the 1998 permission that included a jet wash in the same position. However, the Inspector when determining the 2006 planning permission had the benefit of being aware of the impact that the unauthorised car wash had already had on the living conditions of nearby properties. I understand details of equipment were submitted to the authority but found to be unacceptable. Equipment is therefore being used in breach of Condition 6.

#### Condition 7

19. Condition 7 requires customer and staff parking to be marked out within the site. More specifically, it requires spaces to be marked out in accordance with plans to be submitted for approval in the general areas indicated on the 'submitted plan'. The condition is in my view reasonable and necessary to ensure adequate parking is provided within the site for staff and customers. Furthermore it is clear, precise and enforceable.
20. The alleged breach is the use of 'dedicated parking areas' for seating areas and storage. As explained earlier the dedicated parking areas referred to are those on the submitted and subsequently approved Plan showing 2 staff spaces in the north east corner of the site (at right angles to Victory Road) and 3 visitor spaces in the south east corner of the site (at right angles with Rainham Road) both in the general areas indicated on the submitted (application) plan. Photographic evidence produced by the Council shows items stored in the area dedicated for parking in the north east corner of the site. Whilst these items

are stored temporarily, they nevertheless prevent the parking spaces being used for parking. The use of these areas as seating areas was less clear. Nevertheless, a breach of planning condition 7 has occurred.

21. To conclude, the appeal made under ground (c) fails.

**Ground (a), the deemed application**

22. In this case the deemed application under s177 (5) is a retrospective one, to carry out the original development, without complying with the particular conditions enforced. I will address each of the conditions to which the ground (a) appeal relates in turn.

**Condition 5**

23. From the representations made and from what I heard at the hearing, it seems clear to me that when vehicles are washed and cleaned outside the wash bay area this generates undue noise and disturbance to the occupiers of nearby properties. I therefore consider that it is wholly necessary to ensure that vehicles are only washed and cleaned inside the wash bay area to ensure the development does not cause undue noise and disturbance to the occupiers of nearby properties. I find that the original development should not continue without complying with this condition. Condition 5 is not therefore discharged.

**Condition 6**

24. Information was provided to the Council stipulating the technical data for the machinery to be / being used on the site. However based on this information and from observations of the construction and materials used for the enclosure the Council's Pollution Officer was satisfied that the noise created would be unacceptable at the nearest residential properties. No mention is made by the Pollution Officer that any noise measurements were taken. However, it is important to note that on both occasions when the Officer visited the site the commercial vacuum cleaners and the jet washers were being used outside. It would not have been possible to determine if the use of the equipment inside the wash bay would have been acceptable.

25. I consider a condition requiring the approval of equipment, other than non-powered hand tools, remains necessary and the development should not continue without complying with this condition. Condition 6 is not therefore discharged.

**Condition 7**

26. Condition 7 requires customer and staff parking spaces to be marked out. Such a requirement is in my opinion, necessary to ensure sufficient parking is provided within the site and thereafter retained. The broad areas for parking are indicated on the submitted plan (application plan). However the condition requires further details to be submitted to show the precise location of individual parking spaces within these general areas. Plans have been submitted and approved by the local planning authority (Document 8). Although the Council do not require the spaces to be marked out differently to those I saw marked out for customer parking on site, I nevertheless consider the development should not be carried out without providing parking spaces. As such the condition remains necessary and is not discharged.

Condition 2

27. Samples of some external materials were submitted to the Council in accordance with the requirements of the Condition 2. Notwithstanding that the Council had not approved the materials submitted, the Council's representative confirmed, at the hearing, that there was no objection to the materials that have been used. It must follow therefore that the condition is no longer necessary in so far as it relates to the materials already used to construct the wash bay.
28. I established at the hearing that it is the lack of a glass screen to contain spray and noise arising from the use of the wash bay, as shown on the approved plans that is of particular concern to the Council. However, Condition 2 does not in itself expressly require the erection of either a glass or another type of screen (as may be approved by the local planning authority). The development has been carried out thus far with materials to which the Council raise no objections.
29. At the hearing, there was some disagreement between the main parties over whether the Perspex sample submitted was intended to include the materials to be used for the area identified as a 'glass screen' on the submitted plans. Unless the appellant had specifically requested that the Perspex sample be considered as an alternative to glass, then it is not surprising that the Council had not appreciated that was the intention. In any event, neither a glass nor Perspex screen has been constructed. To date, the materials for the screen have not been approved by the Council and the development has not therefore been carried out in accordance with those details. Condition 2 therefore remains necessary and the development should not proceed without complying with it. It can not be discharged.
30. To conclude, I find that the original development should not be carried out without complying with those conditions enforced against in the Notice.

**Ground (f)**

31. Having found conditions 5, 6 and 7 necessary, I do not consider requirements (1), (2) or (3) of section 5 of the notice are excessive.
32. The alleged breach of Condition 2 incorrectly refers to the erection of an unauthorised building. As previously explained, the alleged breach can only relate to the conditions enforced against as the enforcement notice relates to the alleged breach of those conditions. Requirements 5(ii) of the Notice incorrectly requires the removal of the unauthorised building. The condition states that no development shall take place until samples of materials have been submitted to and approved by the local planning authority. Materials have not been approved so no development should have occurred. However, material samples were submitted to the Council and the Council's representative accepted at the hearing that the materials that have been used are acceptable. The development has therefore been carried out, thus far, in accordance with materials that the Council finds acceptable. I therefore consider requirement (5) (ii) of Section 5 of the notice to 'remove the unauthorised car wash building' is clearly excessive. It follows that the requirement to remove all bricks and rubble as set out in requirement (7) would not be necessary and I intend to vary the notice accordingly.

33. Requirement (6) prevents the storage of equipment anywhere on the site when it is not in use. The Council's representative confirmed that this was not the intention and there would be no objections to equipment being stored in the existing forecourt building overnight. However, conditions 5 and 6 effectively prevent the use of equipment outside the wash bay but not its storage outside the wash bay when not in use, irrespective of where it may be on the site; except in the approved parking areas in accordance with Condition 7. I therefore consider requirement (6) to be excessive in order to remedy the breach of planning control. I intend to vary the notice by deleting requirement (6) of Section 5 of the notice.

34. The appeal on ground (f) therefore succeeds to this extent.

#### **Ground (g)**

35. I consider 3 months is sufficient time to cease the washing vehicles outside the wash bay, to cease the use of equipment other than non power hand tools, cease the use of areas indicated for parking for seating and storage, to remove storage items, machinery, apparatus, equipment except in association with the use of the site in accordance with the planning permission. The appeal under ground (g) therefore fails.

#### **Conclusions**

36. For the reasons given above I conclude that the appeals should not succeed. I shall uphold the enforcement notice with corrections and variations and refuse to grant planning permission on the deemed application.

#### **Appeal C - Section 78 appeal**

##### **Reasons**

37. The proposal comprises alterations to the existing building (former garage forecourt shop) to enable it to be used as an extension to the wash-bay area for the finishing of vehicles. It would allow a one-way system to operate with vehicles being washed in the existing wash-bay before moving forward into the existing building to be finished off and then to exit in a forward direction through a newly created opening.

38. The main issue is the effect of the development on the living conditions of the occupiers of nearby properties. A car wash could continue to operate on the site in accordance with planning permission reference P1212.05. This is the fall back position should this appeal fail and is a material consideration in respect of my decision. I have had regard to the previous appeal decision (reference APP/B5480/A/05/1190754) in relation to the existing planning permission. In particular, I note that the Inspector compared the current car wash facility to an unauthorised car wash undertaken in the north eastern corner of the site which involved a conveyor belt system with up to 2 or 3 cars being cleared or prepared for washing at anyone time by as many as 10 operatives. By contrast, he found the proposed wash bay could not accommodate more than 1 vehicle at a time and that a condition could ensure that vehicles are only washed and cleaned within the bay. Accordingly, he found that *'in these circumstances, the number of people working in the car wash is likely to be limited and the associated level of activity, noise and disturbance reduced'*.

39. I accept that the proposal would potentially involve more staff than the present permitted arrangement as a vehicle could be washed while another is being finished. Whilst a conveyor belt system clearly caused unacceptable levels of noise and disturbance in the north east corner of the site, in its current location it is further from the house at 1 Victory Road and adjacent to a garage / store at the end section of the garden. On the north-western site boundary, the bay is alongside a vehicle access and garages / stores to the rear of 18 Rainham Road. In this location the previous Inspector considered that the car wash would have significantly less impact on neighbour's living conditions than the unauthorised operations. From my observations of the site I concur with this view.
40. Whilst the proposed development would enable one vehicle to be washed and one vehicle to be finished at the same time, I am mindful that it could all be contained within the wash bay structure and former forecourt shop building. In my opinion, provided that the car wash facility operates in this way, then I consider that any noise and disturbance from within the building would not be materially greater than would arise from the permitted use of the site in accordance with planning permission reference P1212.05. The size and type of any vehicle would be restricted by the size of the wash-bay, thus preventing large vehicles being washed within it. Furthermore, there has been planning permission for a jet wash in this location. I do not consider the proposed alterations to the appearance of the existing building would be of detriment to the visual amenity of the area. I find no conflict with Policy DC61 of the Core Strategy and Development Control Policies Submission Development Plan Document.
41. However, I do consider it would be necessary to impose a number of conditions to ensure that the living conditions of the occupiers of nearby properties are reasonably safeguarded. Some conditions were suggested by the Council. As well as a standard time limit condition I agree that a condition would be necessary preventing vehicles being washed and cleaned other than within the wash-bay and former forecourt building together with restrictions on the hours of operation to match those already in place.
42. I do not consider it would be necessary to agree materials as the alterations to the building are predominantly internal. However, I consider the glazing screens should be provided to retain spray and limit noise in accordance with the submitted plans prior to the use of the building. Given more than one vehicle could be worked on at any given time, I consider details of a parking scheme should be submitted to and approved in writing by the local planning authority and subsequently marked out prior to the use of the former forecourt building to ensure sufficient customer parking is provided. Similarly the use of equipment should be restricted other than non powered hand tools, unless first agreed with the local planning authority to safeguard the living conditions of nearby properties.

### **Conclusions**

43. For the reasons given above I conclude that the appeal should be allowed.

*Claire Sherratt* INSPECTOR

### **Annex 1 – List of Conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The washing and cleaning of vehicles shall not take place anywhere on the site except in the wash bay and former garage forecourt building hereby approved.
- 3) Vehicles shall not be washed or cleaned other than between the hours of 08:00 – 20:00 Monday to Friday only and 10:00 – 17:30 Saturdays, Sundays, Bank Holidays and Public Holidays, without the prior written consent of the local planning authority.
- 4) Other than non-powered portable hand tools, no equipment shall be used for the washing or cleaning of vehicles except in full accordance with a scheme to be first submitted to and approved in writing by the local planning authority.
- 5) The building shall not be used for the purposes hereby permitted until all glazing and Perspex screens have been provided in accordance with details shown on submitted drawings reference MSC/01A, MSC 02A and MSC 03A.
- 6) The building shall not be used for the purposes hereby permitted until parking spaces for both customers and staff have been marked out in the site in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. The approved spaces shall be permanently retained for the parking of vehicles thereafter and for no other purpose.



## DOCUMENTS

- 1 Copy of appeal notification letter and list of persons notified.
- 2 Letter from Havering London Borough Council to Mr Nicastro dated 10 December 2008.
- 3 Building regulations refusal notice dated 26 May 1999.
- 4 Photographs taken 2005.
- 5 Photographs taken May & July 2003.
- 6 Statement of Mr Choda.
- 7 Statement of Mr Moreti.
- 8 Approved parking plan.

## PLANS

- A1-A7 Application Plans (Appeal C).



**Helen Oakerbee**  
**Planning Control Manager**  
**(Applications)**

**Finance and Commerce**  
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Romford RM1 3SL

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EN1 1YB

**Please call: Patricia Coyle**  
**Telephone: 01708 432728**

Fax: 01708 432672  
email: [patricia.coyle@havering.gov.uk](mailto:patricia.coyle@havering.gov.uk)  
Textphone: 01708 432736  
(Deaf & hearing impaired)

Dear Sir/Madam

Date: 31st March 2010

**NOTICE OF DECISION**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995**  
**PLANNING (LISTED BUILDING AND CONSERVATIONS AREAS) REGULATIONS 1990**

Details pursuant to the discharge of conditions were received in this office in relation to the following application.

**Application No** Q0023.10

**Proposal:** Discharge of condition of planning application P0758.08

**Location:** 14 Rainham Road Rainham

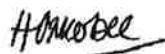
The Planning Service has given careful consideration to these details and the information supplied is able to confirm that they are acceptable and Discharge in Part the requirements of the condition set out below:

- 6 *The building shall not be used for the purposes hereby permitted until parking spaces for both customers and staff have been marked out in the site in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. The approved spaces shall be permanently retained for the parking of vehicles thereafter and for no other purpose.*

---

If you require any further assistance please contact this office.

Yours faithfully



**Helen Oakerbee**  
**Planning Control Manager (Applications)**  
[www.havering.gov.uk/planning](http://www.havering.gov.uk/planning)

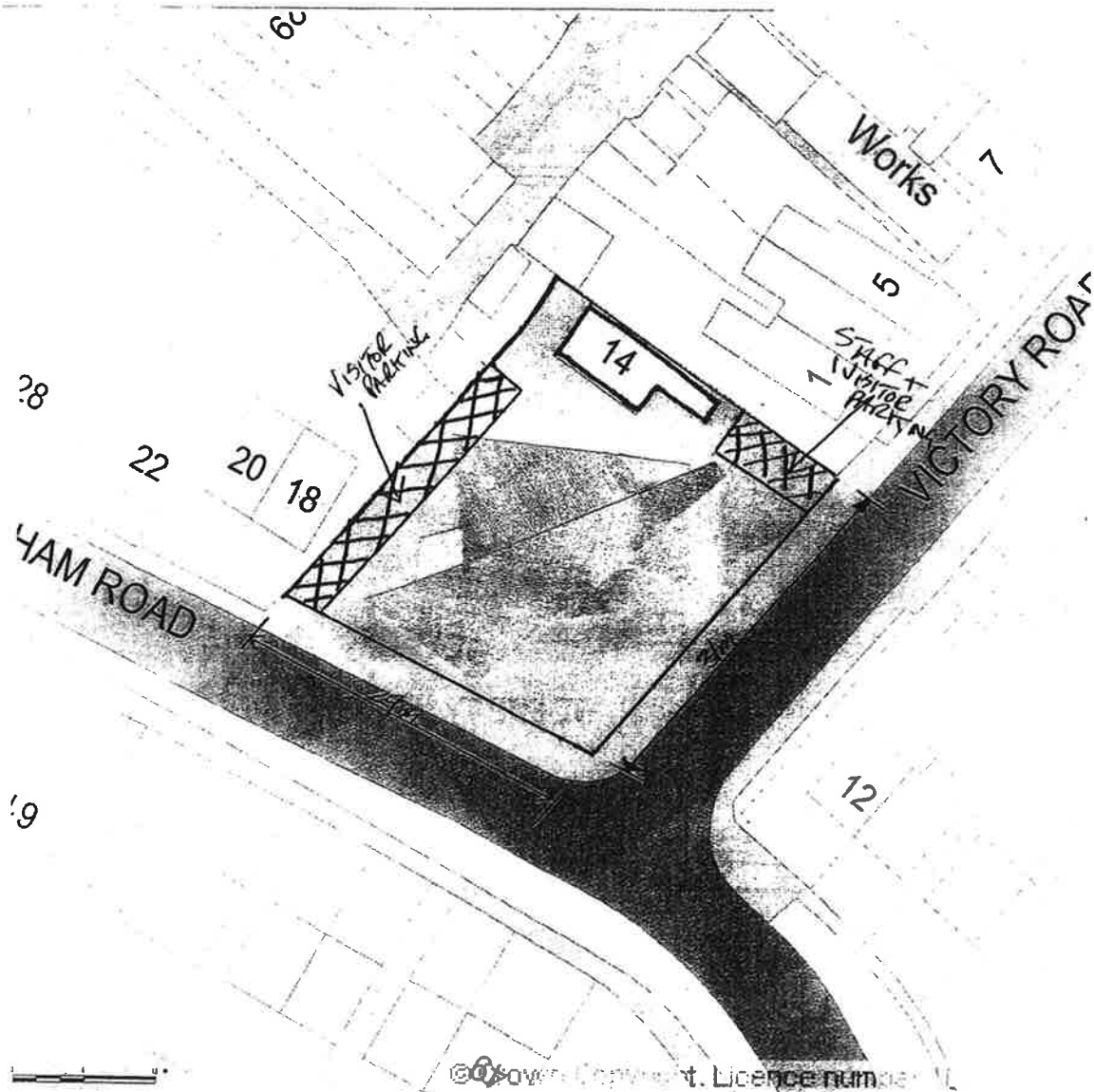
ANNETAS CAR WASH AT

14 RAINHAM ROAD, RAINHAM RM13 7RR

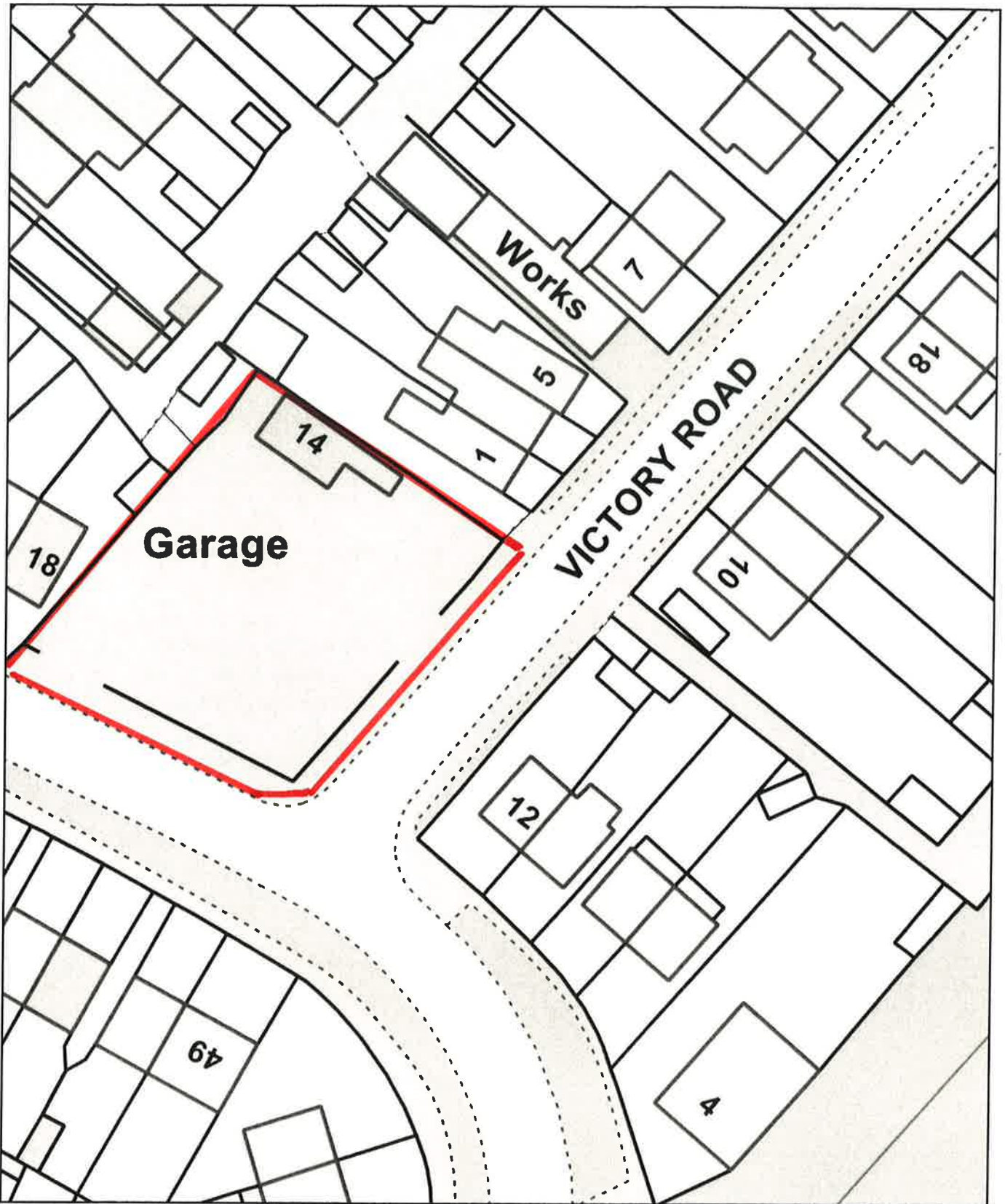
SCALE 1:500

REF: CN/01 SITE PLAN / LOCATION PLAN.

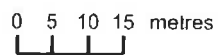
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 Date: 16 October 2013  
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 Romford, RM1 3BD  
 Tel: 01708 434343

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