

LONDON BOROUGH OF HAVERING
TOWN AND COUNTRY PLANNING ACT 1990

AGENT

MR ASAD DURRANI
51-69 Ilford Hill
906 Valentines House
Ilford
IG1 2ZN

APPLICANT

MR ELEZ IMERI
10 Victory Road
Havering
Rainham
RM13 7RS

APPLICATION NO: P0175.22

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

Proposal: Retention of outbuilding and proposal for temporary use for residential purposes during construction works on main house. (Retrospective Application)

Location: 10 VICTORY ROAD
RAINHAM

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

PL01

PL02 Revision A

PL03 Revision A

PL04 Revision A

for the following reason(s):

- 1** The development, would by reason of its bulk, mass and siting including the existing extensive extensions on the site, represent an overdevelopment of the garden environment which is inconsistent with the prevailing open character of the rear garden scene and pattern of development, contrary to Policy 26 of the Local Plan 2021 and the Residential Extensions and Alterations SPD (2011).
- 2** The development, which could function as a self-contained residential unit in the rear garden scene, would result in an unprecedented and unacceptable impact on visual amenity, including additional comings and goings, noise and disturbance associated with the use and would be out of character with site and surrounding areas, contrary to Policy 26 of the Local Plan 2021 and the Residential Extensions and Alterations SPD.

INFORMATIVE(S)

- 1** Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: Consideration was given to seeking amendments, but given conflict with adopted planning policy, notification of intended refusal and the reason(s) for it was given to Mr Durrani (Agent) by e-mail on 27-04-22.

Dated: 27th April 2022

H Oakerbee

Helen Oakerbee
Assistant Director of Planning
London Borough of Havering
Town Hall, Main Road
Romford RM1 3BB

IMPORTANT - attention is drawn to the notes overleaf

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

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

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

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

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