

LONDON BOROUGH OF HAVERING
TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr Stephen Hyde
3 Jubilee House
The Drive
Brentwood
Essex
CM13 3FR

APPLICANT

Mr Edward Xhetani
36 Argyle Gardens
Upminster
Essex
RM14 EHJ

APPLICATION NO: P0959.22

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

Proposal: Outline planning permission with all matters reserved for a proposed new housing development (3 x 3bedroom dwellings) on land to the west of Gladiator Way and Defiant Close.

Location: Plot 6 Suttons Lane
Hornchuch
Essex

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

02,
03.
Site Location Plan 01,

for the following reason(s):

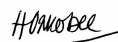
- 1** The site is within the area identified in the Local Development Framework as Metropolitan Green Belt. Government Guidance as set out in the National Planning Policy Framework (Green Belts) states that in order to achieve the purposes of the Metropolitan Green Belt it is essential to retain and protect the existing rural character of the area so allocated and that new development will only be permitted outside the existing built up areas in the most exceptional circumstances. The development is inappropriate in principle in the Green Belt and no very special circumstances have been submitted in this case to outweigh the harm caused by reason of inappropriateness and visual harm to the character and openness of the Green Belt. The proposal is therefore contrary to paragraphs 130 and 149 of the NPPF, Local Plan policies 10 and 26 and London Plan policies D3 and G2.
- 2** The proposed dwellings by reason of their location and associated height, bulk, scale and massing in conjunction with the associated areas of hard-surfacing, would form a conspicuous, a visually intrusive form of development and incongruent feature in the area and would result in urban sprawl and significantly harm the open character of the Green Belt at this point. The proposal is therefore contrary to paragraphs 130 and 149 of the NPPF, Local Plan policies 10 and 26 and London Plan policies D3 and G2.

- 3** In the absence of a tree site survey and an arboricultural method statement it has not been demonstrated that trees of significant amenity value would be retained and that retained trees on adjoining land would be satisfactorily protected from construction impacts and site works during development stage. As such the proposals are contrary to Local Plan policy 27 and London Plan policy G7.

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 the Agent by email on the 10/08/22.

Dated: 10th August 2022



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.