



Application for Full Planning Permission

Planning Statement (incl. Archaeological Impact Assessment)

103 Suttons Road, Hornchurch, Essex RM12 6RR

November 2022

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1. Site Context

- 1.1 No. 103 Suttons Lane North is a semi-detached property located in a predominately residential area. It is two-storeys with numerous extensions which have been built to accommodate the current use as a children's nursery facility.
- 1.2 The applicant has been owner of the property for over 10 years.
- 1.3 The site does not form part of a listed building or sit within a conservation area. It is not a site of archaeological importance or has any other substantial heritage interest.
- 1.4 On a search of the LPA website, no local designations were found for the site.

2. Current Proposal

- 2.1 The LPA Enforcement team has asked for a retrospective application to enable the authority to determine whether permission should be granted.
- 2.2 This application is for retrospective planning permission for **all existing outbuildings to the rear and side, that the Council feel do not benefit from Planning permission**. Officers from the enforcement team have specifically referred to a rear shed/outbuilding and additional side extension.
- 2.3 The authority has been aware of the structures for a significant period through numerous site visits but until now
- 2.4 To avoid any confusion, all structures existing on-site have been shown on the accompanying plans. If planning permission is to be given, we require this to cover all the structures shown on these accompanying plans.

3. Site History

- 3.1 The original property was granted Planning permission for the change of use to a day care nursery and under ref: P1361.92 this extended to the upper floor.
- 3.2 Following this, a number of further applications have been submitted over the years. Most of these are in relation to works on the site to accommodate a growing and much-needed local business.

- 3.3 The numerous extensions to the property have resulted in extensions to the front and rear.
- 3.4 The applicant carried out maintenance works on the site which included making secure some of the what were poor-quality structures.
- 3.5 The applicant was not aware that the maintenance works constituted development and as such did not originally apply for pp. Subsequently the council have issued enforcement notices twice.
- 3.6 The applicant has appealed the local authority's decision to refuse pp on two occasions and both times the decision was appealed and resulted in allowing the appeal and granting Planning permission.
- 3.7 Reference P1871.18 'Enclosing the South eastern Porch for safety Reasons (Retrospective)' was allowed on appeal on 11th October 2019.
- 3.8 Another appeal against refusal for a certificate of Lawfulness (reference number: E0060.20) relating to the erection of lean-to to the rear of the property was allowed on appeal on 29th August 2022.

4. Policy Context

- 4.1 Current policies from the adopted Development Plan Document 2016-2031 that may apply to this particular case include the following:
 - Policy 16 Social Infrastructure
 - Policy 17 Education
 - Policy 26 Urban Design
- 4.2 A common theme arising in the London Plan 2021 policies (which are based on more recent evidence) is the need to have childcare facilities in accessible locations, not reduce the net number of locations, and ensure adequate indoor and outdoor play space. (Policy S3 Education and Childcare Facilities)
- 4.3 The existing facility has increased its useable space, in-line with policy aims.

5. Original Erection of Structures

- 5.1 The applicant acknowledges that the construction of some structures on site have not been subject to planning permission but also affirms that the structures have been

standing for a substantial time. Many have been enhanced to allow them to be usable spaces.

5.2 The structures have been seen in situ even when the most recent application went to appeal.

5.3 Comments in the appeal decision state :

"The overall appearance is not unlike other subsidiary structures erected at the property where complementary materials have also been utilised. It is not dissimilar to a conservatory, garden outbuilding or fencing, i.e., built features commonly found in the wider context. As a result, the additional extension has external finishes clearly differing from but nevertheless complementary to those on the remainder of the building."

5.4 Additionally, I repeat here what was stated to the Enforcement officer:

"The most recent decision by the Inspector, for appeal APP/B5480/C/21/3274041 in paragraph 25 states that the structure being disputed, "integrates well although visible, it is an unassuming and subservient built feature thereby not being obtrusive and not causing unacceptable harm to the character and appearance of the area". Clearly, this structure was seen in the context of the structures that are now being disputed. I would ask the council to consider whether, given the history and the materials used in these structures which are the same as those structures you have previously tried to enforce against, what harm is being caused by these. The Inspector further states that this "complements the local street scene, it respects the visual integrity and established scale of the building and is built of materials that integrate well with surrounding buildings". Taking this into consideration, it is reasonable to deduce that because these were viewed as part of the context, they have already been considered as not causing any visual harm and integrating well with the street scene."

5.5 We believe the maintenance works have resulted in a better appearance. We believe the existing structures are not causing any visual harm. Visual aesthetics are subjective – and twice the Inspector has agreed the structures are not causing harm.

Child Safety

5.6 The site is a growing business and safety matters must be considered. Can I also point you to paragraph 28 of the NPPG which states:

"Local authorities need to consider whether children's best interests are relevant to any planning issue under consideration. In doing so, they will want to ensure their approach is proportionate. ..."

5.7 The nursery must maintain safety standards, while also providing adequate facilities for washing and cleaning and for staff to relax.

5.8 The use of the site needs the structures to function in the way they are being used, to enable the successful running of this much-needed facility.

6. Archaeological Impact Assessment

6.1 The Council has advised the site falls within an Archaeological Priority Zone. As the works have not involved any excavation and are located on a brownfield site, with no plans for future excavation, there is currently no impact from the proposal on any archaeological interests for the site.

7. Conclusion

7.1 While the structures may not have benefitted from Planning permission – due mainly to the lack of understanding that repairs and maintenance as completed constitute development, the case has been made that they do not cause visual harm.

7.2 We therefore respectfully ask planning permission is granted.

7.3 Please find below images of the property.















