

LONDON BOROUGH OF HAVERING**TOWN AND COUNTRY PLANNING ACT 1990****AGENT**

Mr Abdul Ghafar
39 Crow Lane
Romford
Essex
RM7 0EP

APPLICANT

Mr Abdul Ghafar
39 Crow Lane
Romford
Essex
RM7 0EP

APPLICATION NO: P2002.22

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: Erection of a single-storey 1 bed attached dwelling involving demolition of existing garages.

Location: Land adjacent to 46 Penrith Road
Romford
Essex

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

AG22/2

AG22/3

AG22/4

AG22/5

AG22/6

AG22/5A

for the following reason(s):

- 1 The proposal fails to meet the minimum gross internal floor area resulting in poor standard of accommodation. Further in the absence of sufficient information it has not been demonstrated that the proposed dwelling would achieve the minimum floor to ceiling height of 2.5m for at

least 75 per cent of their Gross Internal Area and therefore the proposal would provide substandard accommodation detrimental to amenities of the future occupiers of the site contrary to Local Plan Policy 7 and London Plan policy D6.

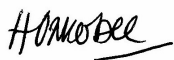
- 2 The proposed development would by reason of its design, form and massing and the relationship with No5 Retford Path would result in a discordant building form and cramped form of development, would be unacceptable and uncharacteristic for the surrounding area, and would adversely impact the character and appearance of the locality and the established pattern of development, contrary to the high-quality design aspirations of the National Planning Policy Framework (2021), policies D3 and D4 of The London Plan (2021) and Policies 7 and 26 of the Local Plan.
- 3 The proposed development by reason of its bulk and mass and close relationship to the shared boundary with No5 Retford Path would result in an overbearing impact to the detriment of their amenity and the enjoyment of the rear garden environment of No5 Retford Path contrary to the high quality design aspirations of the National Planning Policy Framework (2021), policies D3 and D4 of The London Plan (2021) and Policies 7, 10 and 26 of the Local Plan

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 Ghafar (agent) by email dated 10/03/23.
- 2 The proposal, if granted planning permission on appeal, would be liable for the Mayor of London and Havering Community Infrastructure Levy (CIL). Based upon the information supplied with the application, the Mayoral CIL payable would be £670 based on the calculation of £25.00 per square metre and the Havering Community Infrastructure Levy (HCIL) would be a charge of £3370 based on calculation of £125.76 per square metre. Each would be subject to indexation.

Further details with regard to CIL are available from the Council's website.

Date: 13th March 2023



Helen Oakerbee
Assistant Director 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 an enforcement notice is subsequently 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, 5th 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.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £116 per request (or £34 where the related permission was for extending or altering a dwellinghouse) will be required.