



Planning Service
Mercury House, Mercury Gardens
Romford RM1 3SL

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www.haverling.gov.uk/planning

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	Hall Lane Miniature Golf Club
Address Line 1	Hall Lane
Address Line 2	
Address Line 3	Havering
Town/city	Upminster
Postcode	RM14 1AU

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
556294	187456

Description

Applicant Details

Name/Company

Title

Mr

First name

Red

Surname

Iskandar

Company Name

Abbey Developments Ltd

Address

Address line 1

Abbey House

Address line 2

2 Southgate Road

Address line 3

Town/City

Potters Bar

County

Country

United Kingdom

Postcode

EN6 5DU

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Application for reserved matters seeking approval of appearance, landscaping, layout and scale pursuant to Condition 1 of Outline Planning Permission (P0248.19) dated 16 September 2021 for the demolition of all buildings and structures on site, and redevelopment of the site providing up to 37 residential dwellings, creation of a new highway access, public open space and landscaping and related infrastructure. Details are provided to satisfy Conditions 12, 13, 14, 15, 16, 26 and 30 of the Outline Planning Permission.

Reference number

P0112.22

Date of decision (date must be pre-application submission)

19/10/2022

Please state the condition number(s) to which this application relates

Condition number(s)

1

Has the development already started?

☒ Yes

☐ No

If Yes, please state when the development was started (date must be pre-application submission)

01/05/2023

Has the development been completed?

☐ Yes

☒ No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Please refer to Cover letter submitted with application.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

We are proposing a more informal play area as indicated on the submitted drawings and wish to make a financial contribution in lieu of providing a formal play space. The condition needs to refer to updated drawings.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Emails dated 12.04.23 and 05.10.23

Date (must be pre-application submission)

12/04/2023

Details of the pre-application advice received

Email 1

I have had further discussions with Property Services regarding this matter.

The S106 clause requiring transfer of the open space land to the Council was considered necessary to provide assurance that no other parts of the land would be developed in the future as the Council would maintain control through ownership. This part of the S106 cannot be altered and transfer would still need to take place before practical completion.

However, with regard to ensuring high standards of open space and maintenance, subject to consultation with and agreement from Members, the Council may be willing to consider entering into a long lease with Abbey and/or management company for the open space land with provisions for its continued maintenance and public access. There would need to be a variation to Schedule 5, Clause 4 of the S106 at the same time as entering any lease. If this is something that you would wish to pursue, please let me know and we can progress with briefing of Members and instructing on the necessary drafting of documents.

Email 2

In terms of the revised landscape plan, I am not sure that this can be supported. There seems to be added areas of wildflower which were previously approved to be amenity turf/grassed area, significantly reducing the amount of public accessible space. The design should ensure similar levels of area are available for the public to access. Instead of the formal play area previously approved, consideration be given to providing some small informal play space (e.g. natural features such as balance beams/logs) and seating.

The principle of managing the site would be subject to entering into a lease – Property Services have suggested that you enter into some Heads of Terms for the grant of the lease which will ensure that there are appropriate provisions regarding maintenance, prohibiting future redevelopment/ change of use and ensuring public access. You will need to pick up our internal fees and if we have to instruct an external surveyor, their costs plus legal costs. The Heads of Terms will need Member approval. Please confirm that you are happy for Property Services to contact you to discuss further.

The DoV to the S106 will relate solely to the additional playspace contribution as the requirement to transfer the land would still apply – again all legal fees and monitoring fees would need to be covered.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

☒ Yes

☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

☐ Yes

☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

☒ The Applicant

☐ The Agent

Title

Mr

First Name

Red

Surname

Iskandar

Declaration Date

09/10/2023

☒ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Red Iskandar

Date

11/10/2023