

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

Georgina Holden
115 Bulwer Road
London
E11 1BU

APPLICANT

Shobhna Properties Limited
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The Manor Hotel Berwick Pond
Road
Rainham
RM13 9EL

APPLICATION NO: P1005.23

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: Change of use from Hotel with associated food and beverage to create 8No. terraced dwellings and 1No. 5xbed detached dwelling following demolition of adjacent coach house with associated parking, landscaping and amenities.

Location: The Manor Hotel, Berwick Pond Road
Rainham

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

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150 Rev A

151 Rev A

152 Rev A

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for the following reason(s):

- 1 The site is within the Metropolitan Green Belt and the proposed development would not align fully with any of the exceptions set out in Section 13 of the NPPF. The proposed alterations to the main building, mindful of historic development and their design concept, would result in

disproportionate additions over and above that of the original building. Furthermore the replacement Coach House building, in the absence of any compelling evidence otherwise, would result in a building materially larger than that which it replaces. Through its overtly residential appearance and defined curtilage it would hold the potential to be detrimental to the open character of the site through urbanisation. Through this resultant conflict with Paras 149/150 of the Framework and the purposes of including land within the Green Belt the proposals as a whole are regarded as inappropriate development. In the absence of any Very Special Circumstances which would outweigh the harm of inappropriateness and harm to openness the proposed development is unacceptable in principle and in contrast to the objectives of the NPPF and Policy G2 of the London Plan 2021

- 2 Through alterations to the subject building internally and externally the proposals would be detrimental to the the historic core of the main building and its architectural character. This presents in incongruous additions to the roof of the historic part of the building and internal alterations which diminish the legibility of the asset and its plan form. Through the increased scale, bulk and mass of the single storey projection to the rear of the modern part of the building in conjunction with those other alterations the scheme as a whole would fail to contribute positively to local character and distinctiveness, as required by Paragraph 197(c) of the NPPF. Furthermore the development would be contrary to Havering Local Plan Policy 28, London Plan Policy HC1 and the objectives of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72).
- 3 The proposed replacement Coach House building would fail to reflect its historic character as a modest coach house and its subservient and utilitarian association with the listed building would be lost. The overtly formal design would fail to reflect its context and its historic relationship with the listed building but would also compete with it. The scheme as a whole would therefore fail to contribute positively to the local character and distinctiveness, as required by Paragraph 197(c) of the NPPF as well as being contrary to Havering Local Plan Policy 28, London Plan Policy HC1 and the objectives of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72).
- 4 The alterations to the main building to facilitate the proposals include a prominent flat roofed section in the historic part of the building. This would present as an incongruous design feature which would be detrimental to the character and appearance of the subject building. Furthermore the replacement Coach House building would read as a visually dominant and intrusive feature out of scale with its setting. The development as proposed fails to comply with the objectives of Havering Local Plan Policies 7 and 26, in addition to Para 130 of the Framework which requires that development add to the overall quality of the area.
- 5 Through the lack of dedicated amenity provision for Units 1, 2 and 3 and single aspect of units 2, 3, 6 and 7 the applicant has failed to demonstrate that the proposals would comply fully with the minimum prescribed standards set out by London Plan Policy D7 and that the development would make suitable provision for the amenity of future occupants having regard to those standards and objectives. The proposals therefore fail to comply with Policy D6 of the London Plan, Policy 7 of the Havering Local Plan and the objectives of the Framework, specifically Para 130(f) which requires fundamentally that development make provision for a high standard of amenity for existing and future users.
- 6 The proposal, if granted planning permission on appeal, would be liable for the Havering Community Infrastructure Levy (HCIL) and Mayoral Community Infrastructure Levy (MCIL).

Based upon the information supplied with the application, the Levy payable are (subject to indexation).

New floor area of 184.6 sqm:

Havering CIL (125 per sqm) - £23,075

Mayoral CIL (25 per sqm) - £4615

Further details with regard to CIL are available from the councils website.

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 applicant in writing 13-12-2023.

Date: 13th December 2023



Helen Oakerbee
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 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, Town Hall, Main Road Romford, RM1 3BB. 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.