

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

Andrew Ransome
ADP Ltd
1 Kolo Walk
Colchester
CO4 6ER

APPLICANT

Mrs T Backman
Montrose Warley Road
Upminster
Havering
RM14 1TR

APPLICATION NO: P1537.23

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

Proposal: Variation of Condition No. 2 of Planning Permission ref: P0146.23 dated 29/03/2023 to permit the addition of 4 no. dormers (2no front, 2no rear) (Partial demolition of an existing equestrian stable yard and the erection of two storey three bedroom detached dwelling with associated parking and amenity space)
Rev Plans & Description 7/11/23

Location: Montrose, Warley Road
Upminster

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

01 Rev B

02 Rev B

01 Rev D

02 Rev D

03 Rev D

04 Rev D

05 Rev D

06 Rev D

07 Rev D

08 Rev D

subject to compliance with the following condition(s):

Note to Applicants:

Please take the time to read the conditions stated below carefully. Some may require you to seek the Council's approval prior to works beginning on site. The approval process can take a further 8 weeks from the date of submission and you are advised to incorporate this into your timetable.

*Please also check the informatives below to verify whether the scheme is liable for the Mayoral Community Infrastructure Levy. If the scheme is liable, **you are required to give notice of commencement in advance** so that a Demand Notice can be sent to you or any other person(s) that has/have assumed liability. The Levy is payable within 60 days of commencement. **If you are intending to claim self-build, social housing or charitable exemption, you must do this before development commences otherwise any exemption request will be disqualified.***

- 1 The development to which this permission relates must be commenced not later than 29 March 2026.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice). The curtilage of the dwelling shall not exceed the areas shown on drawing 09 and demarcated in red.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

- 3 No above ground works shall take place in relation to any of the development hereby approved until samples of all materials to be used in the external construction of the buildings are submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the materials to be used. Submission of samples will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area..

- 4 No above ground works shall take place in relation to any of the development hereby approved until there has been submitted to and approved by the Local Planning Authority a scheme of

hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:-

Insufficient information has been supplied with the application to judge the appropriateness of the hard and soft landscaping proposed. Submission of a scheme prior to commencement will ensure that the development achieves a satisfactory level of landscape quality.

- 5 Notwithstanding the details shown on submitted drawings no building shall be occupied or use commenced until refuse and recycling facilities are provided in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling facilities shall be permanently retained thereafter.

Reason:-

Insufficient information has been supplied with the application to judge how refuse and recycling will be managed on site. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use will protect the amenity of occupiers of the development and also the locality generally.

- 6 Notwithstanding the details shown on submitted drawings no building shall be occupied or use commenced until cycle storage is provided in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be permanently retained thereafter.

Reason: Insufficient information has been supplied with the application to demonstrate what facilities will be available for cycle parking. Submission of this detail prior to occupation in the case of new building works or prior to the use commencing in the case of changes of use is in the interests of providing a wide range of facilities for non-motor car residents and sustainability.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 in accordance with the Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, or laying of additional areas of hard-standing (other than those agreed through the landscaping condition imposed) without the express permission in writing of the Local Planning Authority.

Reason:-

In the interests of amenity and to enable the Local Planning Authority to retain control over future development.

- 8 All hard surfaces hereby approved as part of the development (including any sub-base) shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the application site.

Reason: In order to ensure no water run-off from the hard surface which would contribute to risk of flooding.

- 9 Prior to first occupation of the development hereby approved, details of all proposed walls, fences and boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. To the rear of the proposed dwelling there shall be no close boarded fence and any hedgerow shall not exceed 1.50m in height. The boundary development shall then be carried out in accordance with the approved details and retained permanently thereafter to the satisfaction of the Local Planning Authority.

Reason:

Insufficient information has been supplied with the application to judge the appropriateness of any boundary treatment. Submission of this detail will protect the visual amenities of the development and prevent undue overlooking of adjoining property.

- 10 All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works, including any works of demolition; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.

Reason: To protect residential amenity.

- 11 Prior to the first occupation of the proposed dwelling hereby approved, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with Policy 24 of the Havering Local Plan.

- 12 Building Regulations - All dwellings hereby approved shall be constructed to comply with Part M4(2) of the Building Regulations - Accessible and Adaptable Dwellings.

Reason: In order to comply with Policy 7 of the Havering Local Plan and Policy D7 of the London Plan.

- 13 Water efficiency - All dwellings hereby approved shall comply with Regulation 36 (2)(b) and Part G2 of the Building Regulations - Water Efficiency.

Reason: In order to comply with Policy SI 5 of the London Plan..

- 14 The development shall be carried out strictly in accordance with the Arboricultural Impact Assessment, Method Statements and scheme of tree protection submitted under ref: Q0086.23. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans (drawing 03 Rev D) and not forming part of the information submitted under ref Q0086.23 shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority.

Reason: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

- 15 The combined site area (including that set aside for parking) of the dwelling and associated curtilage shall not exceed 285 square metres approx as shown on drawing no. 03 Rev D unless otherwise agreed in writing with the Local Planning Authority.

Reason:-

In the interests of limiting impacts on the Metropolitan Green Belt and to enable the Local Planning Authority to retain control over future development.

- 16 Prior to first occupation of the development, details shall be submitted to and agreed in writing by the Local Planning Authority for the installation of Ultra-Low NOx Boilers with maximum NOx Emissions less than 40 mg/kWh. Where any installations do not meet this emissions standard it should be operated without the fitting of suitable NOx abatement equipment or technology as determined by a specialist to ensure comparable emissions. The installation of the boilers shall be carried out in strict accordance with the agreed details and shall thereafter be permanently retained.

Reason: - To minimise the impact of building emissions on local air quality.

INFORMATIVE(S)

- 1 Statement Required by Article 35(2) of the Town and Country Planning (Development Management) Order 2015: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraph 38 of the National Planning Policy Framework.
- 2 The proposals will require the provision of one new fire hydrant following consultation with the LFB. The new hydrant reference number will be P129407, the location of which can be adjusted through consultation with the LFB however is shown on the plan provided through consultation with the LPA. The applicant should request a copy of this consultation response and should liaise with the LFB over their requirements - 02085551200 / FSR-ADminSupport@london-fire.gov.uk

Date: 5th January 2024



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.