

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

Mr Kieron Lilley
Old School House
Rettendon Turnpike
Battlesbridge
Wickford
SS11 7QL

APPLICANT

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C/O Agent Smart Planning
Old School House
SS11 7QL

APPLICATION NO: P0248.24

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 Bungalow with Associated Parking and Amenity Space
Location: Land Rear of 7 Chestnut Close
Hornchurch

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

23.7809/P201 B

23.7809/P202 A

23.7809/P203 A

for the following reason(s):

- 1 The dwelling would be out of character for the built form in this locality and adversely disrupt the established pattern of development. The proposal would therefore be contrary to Policies 10, 7 and 26 of the Havering Local Plan 2016-2031 and also the NPPF which requires fundamentally that development add to the overall quality of the area whilst also establishing or maintaining a strong sense of place.
- 2 The proposed development would result in a poor quality living environment for future occupiers. The design approach adopted would provide poor outlook from the second bedroom and the proximity to the railway line would create unacceptable noise levels resulting in substandard residential accommodation to the detriment of the amenity of future occupants

of this proposed 1-bed dwelling. The proposals would therefore be contrary to Policies 10, 7 and 26 of the Havering Local Plan 2016-2031 and Policy D6 of the London Plan.

- 3 The proposed development by reason of the access to the new dwelling next to the houses and gardens at no.6 and no.7 Chestnut Close would result in an overbearing impact with unreasonable levels of activity and vehicular movement next to these houses and their rear gardens to the detriment of their amenity 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.
- 4 The proposed development would, by reason of the access and on-site car parking provision for both the host and the the new dwelling, result in unacceptable overspill onto the adjoining roads to the detriment of highway safety and residential amenity and contrary Policies 23 & 24 of the Havering Local Plan 2016-2031.

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, it was necessary to issue a decision as close to the statutory timeframe as possible as opposed to seeking amendments which would have significantly delayed the application.
- 2 In the event that this application is allowed through the appeals process the proposals would be liable for the following CIL contributions:

Mayoral CIL contribution of £1112.50 (x £25 per sqm).

Havering CIL contribution of £5562.50 (x £125 per sqm)

Each contribution would be subject to indexation.

Date: 25th April 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.