

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

Mr Steve Hyde
2-4C
3 Jubilee House
The Drive
Brentwood
CM13 3FR

APPLICANT

Ms Sharon Heath
82 SOMERSET GARDENS
HORNCHURCH
RM11 3QU

APPLICATION NO: P0249.24

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: 1 bedroom self-contained annex including raised patio and access ramp (Retrospective) and proposed new boundary treatment
Revised plans recvd 29/05, 12/06, 30/07 & 13.08.24

Location: 82 SOMERSET GARDENS
HORNCHURCH

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

05 REV. NO. D

06 REV. NO. D

07 REV. NO. D

08 REV. NO. 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 proposed development hereby approved shall be constructed in accordance with the materials detailed under material section of the application form and the additional information statement provided unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

- 2 Within 3 months of the date of this decision, the alterations to screen fencing shall be provided in accordance with drawings nos. 06 Rev No. D & 07 Rev No. D unless submitted to and approved in writing by the Local Planning Authority. The fencing shall be permanently retained and maintained thereafter.

Otherwise, the decking hereby permitted will be demolished to ground level and all materials resulting from the demolition shall be removed.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

- 3 The annexe hereby permitted shall be used only for living accommodation as an integral part of the existing dwelling known as No.82 Somerset Gardens, Hornchurch and shall not be used as a separate unit of residential accommodation at any time.

Reason:-

The site is within an area where the Local Planning Authority consider that the sub-division of existing properties should not be permitted in the interests of amenity.

- 4 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).

Reason:-

For the avoidance of doubt and to ensure that the development is carried out as approved.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no window or other opening (other than those shown on the submitted and approved plan,) shall be formed in the flank or rear wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future.

- 6 The roof area of the annexe hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

Reason:-

In the interests of the amenity of the occupiers of neighbouring dwelling.

- 7 Within 3 months of the date of this decision, details shall be submitted to and agreed in writing by the Local Planning Authority setting out suitable gas protection measures to be employed on the site. This could include, but not necessarily limited to, the installation of a suitable gas resistant membrane, in compliance with BS 8485:2015+A1:2019, alternative gas protection measures, or suitable monitoring agreed in writing with the local planning authority, to demonstrate that the risk from landfill gas is adequately controlled. Any gas protection measures shall be carried out in strict accordance with the agreed details.

Upon completion of installation of any gas protection measures, a 'Verification Report' must be submitted demonstrating that the works have been carried out.

Otherwise, the use of the outbuilding hereby permitted shall cease and be demolished to ground level and all materials resulting from the demolition shall be removed.

Reason: Insufficient information has been supplied with the application to judge the risk arising from landfill gases (methane, VOCs and carbon dioxide). Submission of an assessment prior to commencement will protect people on or close to the site from the risks associated with migrating landfill gas, and will ensure that the development accords with the Havering Local Plan.

- 8 The annexe hereby permitted shall not be arranged or disposed of as a separate unit of residential accommodation from the use of the main dwelling.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with the Havering Local Plan.

- 9 The garden area shall not be sub-divided at any time and nor shall there be any additional pedestrian or vehicular accesses into the site.

Reason:-

In order that the annex approved remains ancillary to the main dwelling and that the development accords with the Havering Local Plan.

INFORMATIVE(S)

- 1 Statement Required by Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015: In accordance with paragraph 38 of the National Planning Policy Framework, improvements required to make the proposal acceptable were negotiated with Mr Hyde (Agent) by phone and e-mail. The revisions involved clarity in respect to the decking, fencing & air source heat pump. The amendments were subsequently submitted on 29/05/24, 12/06/24, 30/07/24 & 13/08/24.

Date: 4th October 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
OF APPLICATIONS FOR PLANNING PERMISSION**

**DEVELOPMENT MANAGEMENT PROCEDURE (England) ORDER 2010
TOWN AND COUNTRY PLANNING ACT 1990**

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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 12 weeks of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at

www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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.