

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

Mr GARY CUMBERLAND
85 CRAIGDALE ROAD
Hornchurch
RM11 1AF

APPLICANT

Mr Anthony Smith
85 Howard Road
Upminster
Havering
RM14 2UG

APPLICATION NO: P1032.24

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: Demolition of existing detached property with the construction of 2 x 3 bedroom two-storey semi-detached dwellings with off-street parking with new dropped kerb, private amenity space and cycle stores.

Location: 85 Howard Road
Upminster

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

EEABS Light Report 30.10.2024

1968/01

1969/02 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 three years from the date of this permission.

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 Before any of the development hereby permitted is commenced, written specification of external walls and roof materials to be used in the construction of the building(s) shall be 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 a written specification prior to commencement will ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

- 3 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.

- 4 Before the dwelling hereby permitted is first occupied, the car parking provision as shown on drawing 1968/02 Revision A shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter 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.

- 5 The roof area of the single-storey rear extensions 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.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) (England) Order 2015 (Order) or any other order replacing or amending the said Order, no extension or enlargement (including additions to roofs) shall be made to the dwellinghouse(s) hereby permitted, or any detached building erected, 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.

- 7 Prior to the commencement 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. 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 prior to commencement will protect the visual amenities of the development and prevent undue overlooking of adjoining property.

- 8 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 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.

- 9 The windows inserted on the flank walls shall be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed and the doors inserted on the flank walls shall be obscure-glazed.

Reason - In the interest of privacy and to protect the amenity of the adjacent neighbours

- 10 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.

- 11 Prior to the occupation of the dwelling hereby permitted, the cycle storage shown on plan 1968/02 Revision A should be completed and retained permanently thereafter to the satisfaction of the Local Planning Authority

Reason:-

To ensure that there is on-site cycle storage providing a wide range of facilities for non-motor car residents and sustainability.

- 12 All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; 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.

- 13 The 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.

- 14 The 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.

- 15 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.

- 16 The development hereby approved shall be fitted with Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/kWh. Where any installations do not meet this emissions standard it should not 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 these details and shall thereafter be permanently retained.

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

- 17 All residential parking spaces within the development hereby approved shall include provision of infrastructure for electric or Ultra-Low Emission vehicles, of which a minimum of 1 space shall have active charging facilities, with passive provision for all remaining spaces. Such provision is to be made prior to the first occupation of the dwelling hereby permitted.

Reason: Provision prior to first occupation of the proposed dwellings hereby permitted will ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with Policy T6.1 of the London Plan.

INFORMATIVE(S)

1 Informative:

The internal layout of dwelling to be designed, as far as practicable, so that in general the more sensitive living areas, in particular bedrooms are located on facades facing away from the noise source.

Double-glazing 6mm.12mm.6mm with opening provided with pressure seals in either hardwood or UPVC frames, with acoustically treated trickle ventilators.

A ventilation system that will involve ducting air through the houses, with fresh air obtained either through sound insulated air inlets or from inlets on the quieter side of the buildings.

- 2 The applicant is advised that this planning permission does not give consent for any part of the development including guttering and fascias to encroach onto any land not within the applicant's ownership.
- 3 Changes to the public highway (including permanent or temporary access)
- Planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted considered and agreed. If new or amended access is required (whether temporary or permanent), there may be a requirement for the diversion or protection of third party utility plant or highway authority assets and it is recommended that early involvement with the relevant statutory undertaker takes place. The applicant must contact Engineering Services to discuss the scheme and commence the relevant highway approvals process. Please note that unauthorised work on the highway is an offence.

Highway legislation

- The developer (including their representatives and contractors) is advised that planning consent does not discharge the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works of any nature) required during the construction of the development. Please note that unauthorised work on the highway is an offence.

Temporary use of the public highway

- The developer is advised that if construction materials are proposed to be kept on the

highway during construction works then they will need to apply for a licence from the Council. If the developer required scaffolding, hoarding or mobile cranes to be used on the highway, a licence is required and Street Management should be contacted to make the necessary arrangements. Please note that unauthorised use of the highway for construction works is an offence.

Surface water management

- The developer is advised that surface water from the development in both its temporary and permanent states should not be discharged onto the highway. Failure to prevent such is an offence.

- 4 The proposal is liable for the Mayor of London Community Infrastructure Levy (CIL). The Mayoral CIL levy rate for Havering is £25/m² and is chargeable for each additional square metre of residential gross internal (GIA).
The proposal is also liable for Havering Council's CIL. Havering's CIL charging rate for residential is £125m² (Zone A) for each additional square metre of GIA. Based upon the information supplied with the application, contributions of £3940 and £19700 would be payable based on 227.6sqm of additional floor space, however this may be adjusted subject to indexation.

These charges are levied under s.206 of the Planning Act 2008. CIL is payable within 60 days of commencement of development. A Liability Notice will be sent to the applicant (or anyone else who has assumed liability) shortly and you are required to notify the Council of the commencement of the development before works begin. Further details with regard to CIL are available from the Council's website. You are also advised to visit the planning portal website where you can download the appropriate document templates at

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

- 5 A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, (as amended), a fee of £116 per request or £34 where the related permission was for extending or altering a dwellinghouse, is needed. These fees may change depending on the time of submission.
- 6 Before occupation of the residential/ commercial unit(s) hereby approved, it is a requirement to have the property/properties officially Street Named and Numbered by our Street Naming and Numbering Team. Official Street Naming and Numbering will ensure that that Council has record of the property/properties so that future occupants can access our services. Registration will also ensure that emergency services, Land Registry and the Royal Mail have accurate address details. Proof of having officially gone through the Street Naming and Numbering process may also be required for the connection of utilities. For further details on how to apply for registration see:

<https://www.havering.gov.uk/Pages/Services/Street-names-and-numbering.aspx>

- 7 This planning permission does not remove the need to obtain any separate consent of the owner of the adjoining property prior to commencing building works on, under, above or immediately adjacent to their property (e.g. foundations or guttering). The Party Wall Etc. Act 1996 contains requirements to serve notice on adjoining owners of property under certain

circumstances, and a procedure exists for resolving disputes. This is a matter of civil law between the two parties, and the Local Planning Authority are not involved in such matters.

A free guide called "The Party Wall Etc Act 1996: Explanatory Booklet" is available on the website of the Department for Communities and Local Government.

<https://www.gov.uk/government/publications/the-party-wall-etc-act-1996-revised-explanatory-booklet>

- 8 A mitigation licence from Natural England is needed if a European protected species is found during the demolition of the existing dwelling or during construction of the proposal. Any works that have impacts on any European protected species is illegal.

<https://www.gov.uk/government/publications/european-protected-species-apply-for-a-mitigation-licence>

- 9 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 the agent via email on 16.9.24. The amendments were a reduction in the depth and height of the rear extensions, a reduction in the main roof height and ensuring outlook from the top floor bedrooms which were subsequently submitted on 16.9.24.

Date: 28th November
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.